RHETORIC AND DIALECTIC IN PLATO'S LAWS

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A dissertation submitted to the Graduate Faculty in Philosophy in partial fulfillment of the requirements for the degree of Doctor of Philosophy, The City University of New York.

1978

This manuscript has been read and accepted for the Graduate Faculty in Philosophy in satisfaction of the dissertation requirement for the degree of Doctor of Philosophy.

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Acknowledgments

Special thanks to Joe Carpino and Ron Holland.

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INTRODUCTION

In Plato's Laws, a dialogue that has received surprisingly little attention, persuasion and truth-seeking are essential elements. To persuade is to convince by means other than stricly rational argument. Speech that aims at persuasion we will call rhetoric. The opposite of rhetoric, truth-seeking in speech, we will call dialectic. We intend to make clear, for the first time, how these radically different concepts function in the Laws. In the process a new view of Plato's religion and theology will be rendered.

The Laws, besides being Plato's last and longest dialogue, has two unique characteristics. First, the protagonist, the Athenian Stranger, dominates the conversation more than any other character in any other dialogue. Secondly, the dramatic settings and characters, though still significant, are diminished in force. These factors combine to make the Athenian Stranger more directly represent Plato's views than any other Platonic character. Therefore we will use Plato and the Athenian Stranger synonomously.

The enterprise of the Laws is the founding of a polis. This involves joining different types of people

and institutions into a unified whole. Plato attempts to unite the polis of the Laws, like that of the Republic, to the order of things, the cosmos. But in the Laws, unlike the Republic, Plato tries to unite the polis to a realistic view of man. We intend to show that Plato pursues this dual purpose by using the very different elements of dialectic and rhetoric, which in the Laws primarily take the forms of theology and religion, repsectively. Theology ties the polis to the cosmos. Religion ties the polis to human nature.

Dialectic

Dialectic has been used to stand for a multitude of things or processes in the history of philosophy. We define dialectic in Plato as the rational pursuit of knowledge by conversation. This is central to all of Plato's work. We will, besides giving a general account of dialectic in Plato, attempt to show the unique way in which dialectic functions in the Laws. That is, in the Laws, dialectic is the primary mode of doing theology. This, we maintain, makes it possible for the best citizens (those who are not affected by rhetoric) to be convinced of the legitimacy of the polis.

Rhetoric

We define rhetoric as a type of discourse that attempts to have opinion mistaken for knowledge by giving an emotionally satisfying--through rationally inadequate--presentation. The hearers of this type of speech experience it as essentially non-rational because it is directed at the emotions rather than the intellect. Rhetoric can be rational in a limited sense because there are certain types of argument that affect certain types of people in predictable ways. The rationality of rhetoric is in knowing which arguments will persuade which people.

Several commentators, including Morrow, Reverdin, Solmsen, have noticed Plato's explicit advocacy of persuasion, although none have treated it thematically, as a structural role. These exhortations to persuasion represent a break from mainstream Platonism. The general thrust of the Republic, for example, represents the philosopher as the truth-seeker who operates the polis on a singleminded vision of the Good. We will demonstrate that in the Laws Plato recommends the use of several types of persuasion ranging from exhortation to virtue, to superstitions about the souls of murder victims.

The Laws confronts the problem of what to do, within a political context, with people not capable of

receiving truth by dialectic. Plato recognizes that even if truth is available, the realities of human nature can render it politically useless, since most men are incapable of understanding it. This situation demands that those few who are capable of truth by dialectic must deliberately resort to the opposite of dialectic, rhetoric, in dealing with general citizency. The philosopher must do something philosophically repugnant in order to serve in even the best possible cities; he must suspend dialectic and take up the art of persuasion. This points to the diametrically opposite characters of philosophy and politics. But in the Laws Plato, who is deeply concerned with the political and philosophical world, tries to make a mixture of them. Therefore, we maintain, Plato finds it necessary to legitimize rhetoric in its service to a good political order.

One of the interesting structures used to persuade citizens in the Laws are preambles to legislation. They precede the commands of the laws, and are designed to have the citizens want to obey the laws. Both rational and rhetorical arguments are used in preambles, although rhetorical arguments are clearly dominant. For example, in the preamble to the laws commanding citizens to marry, the interlocutors speak of type of immortality by being a link in the succession of generations. Although this

immortality by procreation has vague initial plausibility, it does not provide continued individual awareness, and is therefore fallacious.

Mixtures

Dialectic and rhetoric, the two elements that Plato uses for the founding of a polis, are very different in nature. Yet it has been pointed out by Glen Morrow in Plato's Cretan City that it is characteristic of the Laws to join together diverse elements. Morrow calls these joinings together of elements "mixtures". We define mixtures as the binding together of elements which without coersion would repel or destroy each other. Although Morrow misses what we see as the central mixture of the Laws, (that of dialectic and rhetoric), he does point to some interesting mixtures concerning the organization of the polis in the Laws. Other mixtures that Morrow does not mention are that the interlocutors (an Athenian, a Spartan and a Cretan--an interesting mixture in itself) agree that the best legislator is one who could, for example, take a feuding family and reconcile it for the future benefit of all, without killing a single family member. Also, the self, in an individual or a polis, is a mixture of noble and base elements. The primary teachers of either of these elements, are pain and pleasure.

The Laws seems to take the principle of the Statesman, of mixture by weaving the two elements of woof and warp into one fabric, and extend it in scope and degree.

Although Morrow has explicitly treated mixtures he does not, it seems, appreciate the fundamental position it has in the Laws. We intend to extend Morrow's analysis of mixture in several areas. We will also use it, as has never been done, as the point of leverage in examining the religion and theology of the Laws.

Theology

There are three essential propositions to Plato's theology in the Laws. They are:

a) gods exist

b) gods care about human affairs

c) gods cannot be persuaded (bribed or threatened).

The first proposition, that gods exist, is dialectically handled. The Athenian stranger, proceeding almost by himself, demonstrates the existence of gods as cosmic movers. The gods, whose nature is soul, are the first principles from which everything else, including body, is derived. The argument here is a dialectical battle against the materialist philosophers. Besides this being recognized as the primary instance of Plato's demonstrating

that divinity exists, it is important to dialectically examine and evaluate these passages for two reasons:

a) It represents Plato's attempt to join the philosopher to the political order.

b) This necessitates a close examination of Plato's most mature thinking on fundamental problems in Greek philosophy.

Most significant among these are the problems of psyche (soul), nous (mind), physis (nature), nomos (law), and techne (art).

If the first proposition is true, and even if it is proven to be true, problems arise. It is not clear if these movers care about the citizens. Therefore it is necessary for the Athenian stranger to address himself to the concerns of the citizen (like his interlocutors, Megallus and Clinias) with the last two propositions of the theology. The proofs for these propositions involve anthropomorphizing the movers so that they are powerful and competent artisans who:

a) attend to all details of their art in a conscientious fashion which

b) excludes being bribed.

We see the last two parts of the theology are polemics against rhetorical foes, and are therefore rhetorical in character. The proposition that the gods

are concerned with human affairs is disputed by Plato's political enemies, the sophists. The sophists need not be concerned with the existence of movers, but must care if the movers are providential movers. This is because providential movers would serve as a divine basis for justice in the city.

The third proposition that gods cannot be persuaded is held against people who necessarily agree with the first two propositions (the gods exist, they care about the world). These people, the believers in traditional Greek religion, maintain that the gods can be bribed. This religion is morally and politically repugnant because it allows individuals to escape punishment for wrong-doing by pacifying the gods with sacrifices.

Theology, in the Laws, is a mixture of both dialectic and rhetoric. We will, unlike any other treatment of Book X, make it clear that his theology has two aspects. Yet it is necessary to state that we consider dialectic prior in Plato's theology. This is because the proof that divine movers exist is more important than the other two propositions in that it can serve as a basis for a political order. In addition, the other two proofs ultimately depend on the first.

Religion

Plato recognized that his theology, of dialectically proven movers, even if buttressed by rhetorical proofs for their concern and goodness, is not going to affect all the citizens. Plato, in his effort to make all citizens virtuous, does not want to unnecessarily lose the beneficially persuasive character of traditional Greek religion. So for the citizens not capable of being rationally convinced of the divine order of the cosmos, Plato maintains large portions of traditional religion. He adopts the appearances of the traditional religion but changes its inner character.

The Olympian gods are maintained, but they are purged of their poetically endowed faults. Zeus is the protector of the city as well as guardian over business contracts and alien residents. Apollo, the second major figure in traditional religion becomes the primary god of the Laws by his supreme authority on all religious matters and education. The basic organization of the city is a division into the twelve major sections, and one of the twelve Olympians is assigned to each division.

Plato also uses non-Olympian, or chthonian, aspects of Greek religion in the city. The range of these Platonic persuaders to virtue include demons, heroes, ancestors, living parents, and even select

superstitions. We intend to examine these religious entities with a special focus on their role as deterents to homicide.

We will certainly emphasize the persuasive character of this religion, probably more than has yet been done. But we must keep in focus that the religion has a dialectical basis, in that Plato believes in and has proven the existence of divine movers. The rhetorical character is nevertheless seen as prior in Plato's religion since it is designed primarily to make citizens virtuous, not to worship movers. The nature of the citizen's religion is designed to affect the citizen who is not capable of dialectic, yet in need of virtue--in other words, most citizens.

Conclusion

The aim of the polis of the Laws is to make citizens virtuous. These citizens, like the citizens of any real polis, differ in their inclinations and ability to be virtuous. The two primary methods of leading citizens to virture are truth-seeking and persuasion. Our task is to demonstrate how Plato combines these radically different elements, not only so they co-exist, but so they can work together for a common goal. In the Laws theology is the central locus for dialectic, and religion

is the central locus for rhetoric.

The most fundamental notions that we deal with are dialectic, rhetoric, and mixture. We have given specific definitions of each. Dialectic is the pursuit of knowledge by friendly conversation. Rhetoric is the attempt to have opinion mistaken for knowledge by emotionally satisfying though rationally inadequate presentations. A mixture is a joining together of elements which without coercion would repel or destroy each other. These definitions are not stated by Plato, rather they are rational reconstructions of the way these concepts function in Plato's work. Therefore these definitions are not justified in terms of specific textual references but rather by how much of Plato's thought they allow us to understand. The vindication of these definitions can only be had in terms of the success of this entire work. We use these definitions as basic concepts which are intended to yield a hithertofore unseen view of Plato's last and longest dialogue, the Laws.

CHAPTER I

RHETORIC

In the Laws, Plato directly confronts a basic problem of political philosophy: what to do, within a political context, with people who are not capable of receiving truth by dialectic. Plato recognizes that even if truth is available, the realities of human nature can render it politically useless, since most men are incapable of understanding it. The situation demands that those few who are capable of truth by dialectic deliberately resort to the opposite of dialectic, rhetoric, in matters of public concern. The philosopher must do something philosophically repugnant in order to serve even the best possible political constitutions; he must suspend dialectic and take up the art of persuasion. This points up the radically different nature of Plato's two primary concerns, philosophy and politics. These two concerns are the theoretical discovery of the good and the implementation of the good in civil society. Plato, we maintain, saw rhetoric as the bridge which connected these very different matters.

We define rhetoric as a type of discourse which attempts to have opinion mistaken for knowledge, by means

of emotionally satisfying, though rationally inadequate, presentations. Hearers of rhetoric are intended to experience it non-rationally since it is directed at the emotions. Users of rhetoric can have a rational account of it in the sense of being able to predict which arguments will affect which people in the desired way.

In the Laws, more than any other dialogue, Plato conspicuously favors persuasion as a political tool. He says:

> . . . the youthful mind will be persuaded of anything, if one will take the time to persuade it. Thus, the legislator need only tax his invention to discover what conviction would be most beneficial to ensure that the whole of such a community shall treat the topic in one single and self-same lifelong tone, alike in song, in story and in discourse.[1]

Another call to persuasion is:

> I would inflict a penalty little short of capital on any inhabitant heard to maintain that there are wicked men who have a pleasant life, or that one course may be advantageous and profitable, but a different course morely truly rightful not to mention other points on which I would try to persuade my citizens to use language very different from that (which is) current.[2]

The latter certainly indicates that the possibility of freely holding any opinion is not encouraged in all circumstances. The Athenian Stranger also says in the Laws:

> I should wish the subjects to give ready audience to persuasions to virtue, and plainly this is the effect at which our legislation will aim throughout . . . . So as I say, if it makes an auditor a little, even ever so little, more friendly, and so reader to be instructed,

we have every good reason to be thankful.[3]
Here persuasion's power to make citizens virtuous is recognized and condoned, even if it is only limitedly successful.

We are not the first to recognize the acceptance of persuasion in the Laws. Fredrich Solmsen says, "Persuasion is invoked throughout the Laws to convince the citizens of the intrinsic value and righteousness of the purpose for which laws are designed."[4] Leo Strauss also took note of Plato's thought in this area. He says that for Plato, ". . . even if untrue, a legislator who is not altogether useless must dare to teach an untruth for the benefit of the young; deliberately teaching a salutary untruth is an act of courage."[5] Strauss makes this point again in commenting on the first book of the Laws when he says, ". . . the level of discussion is sub-Socratic."[6] In other words, dialectic is not the main focus. Although we are not alone in pointing up Plato's willingness to use persuasive methods in ruling a political constitution, we are alone in treating this as a major theme in the Laws. It is this willingness to persuade, buttressed by a particular theory of education, that makes the Laws unique among Plato's works.

Preliminary View of Education

In classical Greece the only actual constitution which took seriously the education of the young was the Constitution of Sparta. In Athens, for example, the education of the young was entirely the responsibility of the father. This accounts for the large number of merchants of education, the sophists, in Athens. The Athenian manner of education came to be called liberal education. Essential to this is the idea that education is not necessary for all people but only for the few. Education thus became a possibility only for the elite.

The theoretical goal of this elite education is a well-informed person, one capable of rational judgment and choice, in other words, a free man. Actually liberal education in Athens was generally not achieved, but merely imitated, because wealth rather than intelligence was the pre-requisite for education, and political power rather than knowledge was its goal. The Spartan constitution, unlike the Athenian, provided, in theory and in fact, a systematic education for all. It did not aim at freedom or truth; rather it aimed at discipline and obedience.

Plato chooses the Spartan type of education as the type that citizens in the city of the Laws should receive. It is significant that the context Plato chooses

for advancing this theory is a conversation between an Athenian and a Spartan. Education in the Laws is the main public concern, and therefore a political issue. It is in this sense that the educator and the legislator coincide. The primary duty of the legislator is to create a program in which the citizens can be successfully educated. Yet, it must be remembered and emphasized that the concern of Plato's Laws is education of moral habits rather than rational intellectual capabilities. Courage, temperance, and obedience rather than mathematics or dialectic are the goals of education in the Laws. The method of achieving these qualities is constant repetition rather than rational inquiry.

The Nature of Man

Underlying the view of education as habituation is a view of man that is different from that of mainstream Platonism. Platonism generally holds that man is primarily a rational being. In the Laws, man, or the common run of men, is primarily non-rational. What the legislator as teacher must know about his subjects is their emotional make-up, and how to control it. It is not appropriate for the ruler to address citizens as rational and free, but, at best, as emotionally well regulated. The proper method of education is not fostering intellectual

knowledge, but the training of desires.

Plato very clearly demands that the legislators have knowledge, but that knowledge must include an awareness of the non-rational nature of the citizens. The legislator, according to the Stranger,

> . . . must make a careful and observant study of the pleasures, the pains, the desires, and all the vehement passions . . . and the various troubles of the soul engendered by misfortune, and the reaction from them in seasons of good fortune and the emotions which are incidental to humanity in sickness, in war, in penury, and their opposites--in all such cases, he should explain and determine how far each human mood is becoming, and how far it is not.[7]

This indicates the political importance of the non-rational character of the citizen. He should be studied by his ruler as a being of emotion.

Plato expresses the non-rational character of man indicating that pleasure, pain and desire are the three elements which are generally at the root of action. He says,

> On purely human considerations we have not touched, and yet we must recognize that it is to men, not gods, we are speaking. Nothing is so native to men as pleasure, pain, and desire; they are, so to say, the very wires or strings from which any mortal nature is inevitably and absolutely dependent.[8]

The means of creating pleasure and pain in citizens does not require much study for the legislator: they are obvious and can be controlled. The desires of the citizens, however, cannot be totally predicted and

it is the desires which are most important to rule. The Laws recommends that the ruler train the young citizens' desires so that the citizen likes what is noble and loathes what is ignoble. This is crucial since it is at the level of desire, not thought, that the citizen's worth is determined.

One of the difficulties with training desires is discovering what means must be taken in order to achieve the required ends. This is due to the fact that individual characters or dispositions differ widely. It is necessary to make a judgment on the character of a young person in order to find out precisely how he should be trained. This is indeed a difficult matter in which serious mistakes can easily be made. The judges can misinterpret a straight-forward action by the youth, or the youth can pretend to be other than he really is. The latter problem creates the most difficulty. To overcome this problem the Athenian Stranger recommends that the legislators observe the youths who have been drinking. He believes youths tend, when drunk, to expose their true disposition. Alcohol tends to make one feel invisible whereas, in fact, one remains highly visible and in terms of native disposition, more visible than ever. Plato recognizes this, saying, "Rightly controlled fellowship over our cups affords a disclosure of our native

disposition."[9] Even more importantly, Plato calls the practice of having youths drink, ". . . something of incomparable service to the art whose business it is to cultivate dispositions--that is, as I suppose we may say, to the art of statesmanship."[10] Here we must point out the explicit reference to the art of statesmanship as being concerned with the non-rational part of man. Statesmanship requires that man be studied in his least rational moments, when drunk, to find out the actual emotional dispositions. Intellectual ability, on the other hand, is better found out by a sober mathematical test. Eric Dodds also notices Plato's emphasis on the non-rational part of the person; and he rightly connects it with the problem of the pursuit of virtue in citizens. Dodds says:

> In the Laws, at any rate, the virtue of the common man is evidently not based on knowledge, or even on true opinion, but on the process of conditioning or habituation by which he is induced to accept and act on certain salutary beliefs . . . . Plato now appears to hold that the majority of human beings can be kept in tolerable moral health only by a carefully chosen diet of incantations--that is to say, edifying myths and bracing ethical slogans.[11]

In the Laws, Plato points to a different view of man than in his earlier works. For instnace, large sections of the Republic (especially Book VII) are devoted to a description of the training of the guardians which includes several years of study in mathematics, astronomy,

and finally, five years of dialectic. The ordinary citizen is not, of course, trained to this degree but is given the appropriate amount of this kind of treatment. The Laws, on the other hand, highlights the desires and emotions Plato did not completely give up the idea of man as rational, but he did change his emphasis in regard to the relationship between the rational and non-rational parts of the person. The Laws sees the non-rational as prior in the vast majority of men. By this we mean that the non-rational elements in man are more often responsible for choice than rational considerations. Even though Plato's view of the nature of men may have changed, he did not change his idea as to what the purpose of man is, namely virtue. Virtue still remains the goal, even for the essentially non-rational man. This training is experienced by the subjects as basically non-rational; yet it is reasonably planned and administered by the rulers. Plato we emphasize, did not relinquish the notion that reason should rule over non-reason. He thought that few reasonable men should rule over many unreasonable men even if the means of ruling were in some sense non-rational. This makes it necessary to examine carefully the educational system prescribed in the Laws to see how the citizens are led to virtue.

Education

Plato recommends an educational system which treats the non-rational aspects of a person in such a way that virtue can be achieved. He states,

> By education, then, I mean goodness in the form in which it is first acquired by a child . . . from his first beginning on, (he) will abhor what he should abhor and relish what he should relish--if you isolate this factor and call it education, you will be giving it its true name.[12]

Abhoring and relishing are emotions, and therefore essentially non-rational. This does not mean that these emotions can never be rationally predicted. Good men, for example, will abhor justice and relish justice--it is part of their goodness to do so. The point is that the experience of emotion (whether predicted or not) is not rational in the sense of being deductively discernible knowledge. Therefore, the above serves as a clear statement of the non-rational character educational goals. It is not knowledge, but noble desires, which is the end of education.

The method of the education of the non-rational part of the person was rational in the sense that Plato recommended a unified, systematic way to coax the soul to virtue. So from the point of view of the legislators or teachers, there is reason behind persuasion, but this reason is not experienced by the young students.

Music and dance were primary methods of training the youth, although they do not have exact rational linguistic equivalents, they can be used for affecting people. The exact way in which people are affected by specific melodies or bodily movements is hard to determine. This did not, of course, stop Plato from believing that he knew the morally uplifting and degrading melodies and dances. Music and dance, although used extensively, were not the only means of training. Plato also recommended constant repetition and incantations as well as subtle fear. Morrow says that for Plato it is necessary for the state to, ". . . use unremittingly all possible means of persuasion in all areas of a citizen's life."[13] Again, persuasives, not rational directives, are the means which the legislators use in educating the citizens. Plato gives a specific example of this saying:

> I maintain that all our choirs, of which there will be three, must enchant the souls of our children while they are still young and tender, by reciting all the noble doctrines we have so far rehearsed.[14]

Here we have enchantment, a form of persuasion, as the goal. The means to the enchantment are choirs constantly repeating what the laws hold to be the good. It is fortifying laws with the power of music. The first choir consists of young boys, the second of men between the age of thirty and sixty and the third of men over sixty.

Plato recommends that the last group not sing, but simply tell stories. He recognizes the inevitable loss of the persuasively melodious voice. Instead of beauty of voice the older choir can persuasively use their age. The immediate effect of the choirs is on those listening to them, namely, young citizens. The youths will tend to believe what they hear because it will sound beautiful or authoritative, and they will hear nothing contrary to it. We should also point out that the members of the choirs would also be affected by their own pronouncements. Constant repetition tends to make one believe what one is repeating, especially if done as a member of a group. We maintain that the choirs have a dual function, (a) the enchantment of the young, (b) the re-enchantment of the not so young. Neither of which is a rational enterprise.

The method and end of education as experienced by the individual citizen in the Laws is essentially non-rational. Yet the legislators, as we mentioned before, see an overall rational scheme. Saunders points out the fundamental belief which inspires the entire project of education; it is, he says, ". . . that given care and effort, it is possible to achieve a society that is at once excellent and unchanging."[15] It is a political value, not an individual value.

Comparison to Aristotle

The emphasis in the Laws on the emotions rather than the intellect is very different from Plato's more familiar position about morality, that virtue is knowledge. In fact, Plato's moral and educational thought is very much like Aristotle's. Aristotle, it is clear, takes into consideration the desires of those who are being judged in moral terms. He says, ". . . the man who does not rejoice in noble actions is not even good; since no one would call a man just who did not enjoy acting justly."[16] The non-rational aspect of enjoyment is a necessary condition of goodness for Aristotle. Liking is generally held to be a matter of pleasure; and disliking a matter of pain. Aristotle therefore said: ". . . virtue will be concerned with pleasure and pain."[17] Neither pleasure nor pain are rational.

Aristotle distinguished between moral and intellectual virtues; temperance and courage are examples of the former, wisdom and philosophic understanding examples of the latter. Moral virtues are functions of (the non-rational) dispositions, and intellectual virtues are a function of the intellect. The way dispositions are developed towards right action is by habit. Aristotle says, ". . . moral virtue comes about as a result of habit . . . . Neither by nature, then, nor contrary to nature do virtues

arise in us; rather we are adapted by nature to receive them, and made perfect by habit."[18] For Aristotle habituation, or repetition of virtuous action, makes one virtuous. One becomes virtuous in the sense that he does, and enjoys doing, right action; and loaths and does not do wrong actions.

Neither Plato nor Aristotle rejected rationality in any complete way. Both recognized the need of conscious rational choice and understanding as a necessary condition for being of the highest type of man.[19] Both also held that rationality should rule over non-rationality in the individual and in the state. Therefore, in the Laws the best individuals, the rational ones, rule themselves with some autonomy. It is where rationality is not in evidence in the individual that rationality is imposed from outside the individual.

Instances of Persuasion in the Laws

Throughout the Laws the Athenian Stranger, with the agreement of Megallus and Clinias, explicity recognizes the necessity of persuasion. We will analyze several examples to indicate the important role of persuasion in the Laws.

Megallus the Spartan, and Clinias the Cretan, are men who believe in gods, and they desire the honor that

is appropriate to citizens. This makes Megallus and Clinias obedient to proper authorities. They are, in short, the desired type of citizen for the city of the Laws. The Athenian, because of his dialectical ability and his interest in ruling (at least ruling the conversation), is the desired type ruler of the city of the Laws. Therefore, looking at the three interlocutors in the Laws, we have a micro-political event that reflects a part of the structure of the city they are planning in speech. The relationship between them, i.e., Megallus and Clinias as subjects of noble disposition and the Athenian as the wise ruler, is the very relationship sought on a larger scale within the city of the Laws. We can see the Athenian's act of ruling from the first book. There the Athenian convinces the Spartan and Cretan that defense is not the only reason for a constitution, but rather that virtue is another and higher goal. He accomplishes this through good arguments along with a large dose of compliments to their native constitutions. The Athenian recognizes the necessity of showing explicit respect for the men he is going to rule during a long journey. More dramatically, we can see the Athenian as the ruler in Book X where he gently persuades his fellows that the material is too difficult for them to engage in actively. The Spartan and the Cretan are rightly convinced of their shortcomings in

the area of high theoretical thought and agree to let the Athenian do the important work. They actively encourage the Athenian in his endeavor and tacitly agree to make his success or failure theirs; they willingly take the appropriate posture of a subject. Clinias and Megallus are, to be sure, the best type of subjects. In any actual constitution the rulers must be prepared to contend with men of lower status than our two non-Athenian interlocutors with respect to native disposition and intellect. Nevertheless, as the best type of citizen, Megallus and Clinias agree to be ruled by their natural superior, the Athenian.

Persuasion is recommended early in the Laws by the working of what the interlocutors call the best legislator. This is not the one who, finding a family in conflict with itself solves the problem by killing the bad members.[20] The best type reconciles the family for the future benefit of all without killing any individual. The tool of this type of legislator is persuasion, not coercion. The point is that the user of words is a better legislator than the wielder of the sword. The worst situation would be to take no action at all and have the discord remain within the group. Coercion is, therefore, a recognized form of ruling, preferred to no rule at all. As a remedy for wanton appetites for food, drink,

or sex, Plato suggests that we ". . . check them by three supreme sanctions--fear, law, and true discourse--not without the aid of the Muses and the gods of games."[21] Fear, which is a raw emotion induced in several ways including speech, is recommended. Law, the second remedy, is properly stated in the form of a command backed by force and social pressure. It is not altogether a cognitive means of address. True discourse, the third element in the propsed mixture, is essentially rational and does not serve as an example of persuasion.

The Platonic prescription for those citizens who are slaves to vices is, "Fear of God, desire for honor, and the development of the passion for a beauty which is spiritual, not physical."[22] These remedies are all non-rational. Fear of God is, at its simplest level, seeking ones own benefit, that is, avoiding gods' wrath. The more one fears god (and therefore believes in god) the more one avoids divinely punishable acts. The second non-rational persuader is what generally affects the decent citizen. The decent man properly wants to be recognized as decent, that is, he wants honor. For the slave to vice, this type of desire is present but it is not strong enough to affect action. An attempted increase in this desire, may alter the slave's action. The attempted development of a passion for spiritual beauty, because of its elevated nature, is

a less realistic means of affecting the slave to vice. Yet it has some chance of being effective since this person is necessarily a man of passions. True discourse is absent from these proposed remedies for a slave to vice.

In the city of the Laws, free exchange of ideas is not encouraged, especially among the youth, even if the idea a young person has is a good idea.

> If your laws are but reasonably good as they are, we must reckon among the best of them the enactment that no young man shall raise the question which of them are what they should be and which not, but that all should agree, without a dissonant voice that they are all god-given and admirable, flatly refusing to hear anyone who disputes the point.[23]

The free exchange of ideas, a necessary condition of the search for truth, is prohibited. This is because truth is not a civic value, especially for youth. Questionning these laws corrodes the persuasive effectiveness and makes the questioner less likely to be affected by those laws. Older men are permitted to question the laws or make suggestions for change: older men can suspend the belief that every law is god-given and admirable. This makes it possible to improve a constitituion. Yet it is strictly prohibited for an older man to talk about change when a young man is present.

A major way of controlling people is by bestowing honor and dishonor. Citizens, who are by nature public

individuals, like to be recognized publicly in a favorable light. By controlling the means of public recognition one gains a valuable means of social control. The Stranger says, ". . . this distribution of honor and dishonor are fundamental tools in the legislator's workshop."[24] One of the basic conferers of honor and dishonor in classical times was the poet. The poet can attract the attention of the public by his words because they are pleasant to hear and repeat. He can praise and blame in an eminently believable fashion, for what is pleasant tends to seem to be true. For Plato it is necessary that the poet praise what the legislators deem worthy of praise, and condemn what the legislators deem worthy of condemnation. He states in this regard,

> A true lawgiver will persuade, or if persuasion fails, will compel the man of poetic gift to compose as he ought, to employ his noble and fine-filled phrases to represent by their rhythms the bearing, and by their melodies the strains, of men who are pure, valiant, in a word, good.[25]

Plato approves of the legislator persuading, (even compelling), the poets to charm the citizens. The legislator is the legitimate persuader of persuaders. Once again, Plato prefers instilling moral virtue over truth when the two do not coincide.

For Plato the problem of being untruthful to promote moral rectitude arises with the issue of whether the good and the pleasant coincide. In the Laws, a dialogue

concerned with political virtue, Plato consistently argues that the good and the pleasant do coincide. He thinks that this position is so important that it should be publicly claimed, even if it is untrue. In referring to this position the Athenian Stranger rhetorically asks,

> . . . could a legislator of even moderate merits, supposing him to have ventured on any fiction for the sake of its good effects on the young, have devised a more useful fiction than this?[26]

So even a moderately good legislator will recognize the need to say the good is pleasant, even if he believes it is not.

This issue is important because Plato thinks most men will do what they believe will be pleasant whether it is good or not. This is because most men are, if not in theory, then in practice, pleasure-seekers. Therefore, if they can be persuaded that the pleasant and the virtuous are really (contrary to their own immediate impression) the same, virtue will be well served. Plato is so convinced of the necessity of making the good and pleasant seem to coincide (whether they do or not) that the Athenian Stranger states,

> I would inflict a penalty little short of capital on any inhabitant heard to maintain that there are wicked men who have pleasant lives, or that one course may be advantageous and profitable, but a different course more truly rightful.[27]

Plato is so zealous (indeed, overzealous) in dealing with

these intellectual enemies exactly because most men, if given the chance, would be persuaded of the contrary position regardless of its truth or falsity. One need not be so severe with a position that can be easily defeated in public. It is generally accepted that the individual with limited conscience who is an undetected thief certainly leads a more pleasant life than the scrupulous poor man. The thief is able to enjoy fine food, beautiful clothing, a soft bed, all of which are undoubtedly pleasurable regardless of how they were secured. These pleasures are so attractive to the common man that all means to prevent him from seeking them, including the persuasive means of telling him that these pleasures are not really pleasant, are employed. True, Plato really seemed to think the pleasant and the good do coincide but he never proved this in a way comprehensible to the man who was morally unexceptional. But it is precisely to this man that he must appeal in political circumstances. Plato thinks that the common citizen's desire for a pleasant life must be conquered by the legitimate ruler's desire for the citizen to lead a noble life. One way for this to happen is for the ruler to persuade the citizen that the noble and pleasant life coincide.

As a means of pointing up the proper use of

persuasion Plato applies his analysis of rhetoric to the field of the physician. Plato often compares the legislator to the physician. He distinguishes two types of physician. One type treats many patients in a hurried fashion, attempting to cure according to set formulas with no regard for the individual patient. The other type treats fewer patients with greater care, considering individual cases in great detail. This type of doctor recognizes the need of gaining the confidence of the patient, and the patient's family, before he prescribes a remedy. The former type of doctor is called the slave physician, the latter type the free physician. The free practitioner, Plato says, ". . . steadily aims at producing complete restoration of health by persuading the sufferer into compliance."[28] This type of physician realizes the beneficial effects of persuasion. The confidence is gained, in part by the non-rational compliment of taking the patient seriously not only as a diseased body, but as a sick person.

It is the doctor who takes time and is pleasant that gains a reputation for being medically expert. This is necessarily the case because most people have no valid basis for judging because we are ignorant of medicine. Confidence in a physician, which is the basis for obeying his advice, does not rest on the medical

capabilities of the physician but on factors that are essentially non-rational; that is on the doctor's seeming knowledge of medicine. The legislator, like the free physician, must gain the citizens' confidence by non-rational means. This is because Plato thinks that citizens, like patients, lack the knowledge necessary for judging their rulers.

"Double" Legislation

In the Laws the single and double form of the physician's method have legislative counterparts. The single form is the traditional form of stating laws which are direct commands backed by compulsion. The double form states the law so that the command of the law is mixed with an explanation of it. The explanations make the laws longer, as the explanations of the free physician makes treatment longer. The Athenian Stranger, nevertheless, thinks it is the better method in both medicine and legislation. The example used to demonstrate the difference between the double and single form of the law is the law of marriage. The single form is:

> "A man to marry when he has reached the age of thirty and before he comes to that of thirty-five; neglect to do to be penalized by fine and loss of status; the fine to be of such and such amount, loss of status to take such and such form."

The double form is:

> A man to marry when he has reached the age of thirty and before he comes to that of thirty-five, bethinking him that there is a sense in which mankind naturally partakes of immortality, a prize our nature makes desirable to all of us in its every form, for to win reknown and not lie in our graves without a name is a desire of theirs. Thus the race of man is time's equal twin and companion, bound up with him in a union never to be broken, and the manner of their immortality is in this wise. By succession of generations the race abides one and the same, so partaking in immortality through procreation. Whence piety flatly forbids a man to deprive himself of the boon by his own act, as he willfully deprives himself who takes no thought of children and wife . . . him who disobeys and comes to five-and-thirty unwed, let him be yearly mulcted in such and such a sum . . . and let him have no part in the public honors paid from time to time by the younger folk to their elders.[29]

Here Plato deliberately uses many means of persuading the citizens to obey the law. The main argument in the marriage law is that by being a link in the succession of generations one becomes immortal. The argument continues that it is impious to deprive oneself of such a great blessing. Therefore, on the grounds of self-interest and piety, one must marry. This "double" marriage law makes it seem as if the individual's interest coincides with the interest of the city. Yet, it does not. The city is not necessarily mortal. The city can and should think of and promote indefinite existence. The individual, who is by nature mortal, may properly hope within a religious context to gain immortality. But this is not an immortality on earth that completely

supersedes the individual.

The notion of immortality being a link in the succession of generations has a vague initial plausibility. This notion of immortality comes from the close identification most men make between themselves and their family. There is a sense in which one can enjoy an offspring's success or share in an offspring's failure. This can be such a strong feeling that a parent can feel his present well-being is somehow related to his offspring's future. The simpler feeling, that one will exist as long as one's descendents exist is understandable, but a poor argument. For in order to talk sensibly about human immortality, it must involve self-consciousness for the person after death. Therefore, being a parent does not make one immortal. The double form of the law requiring marriage is designed by Plato, not to explicate truths; but to create a political environment where continued virtue is likely, and the existence of the city will not be threatened because of a lack of citizens.

The difference between the single and double forms of legislation is that the single form uses coercion to back up outright commands, and the double form mixes friendly persuasion with threats of punishment. The latter type of legislation is better for it is likely to affect more citizens, thereby leading them to virtue.

For Plato, following the law necessarily leads to virtue. The persuasion also helps in having the citizens obey the laws more readily.

Plato choose the double form of law and formalizes it into two parts. Instead of having the persuasive and explanatory parts mixed with the imperative parts, as is first proposed, he recommends dividing legislation into laws, and preambles to laws. The preambles contain persuasive explanations of the law and exhortations to obey the law. It has only the power of persuasion behind it. The law itself is in the form of a command and is backed by force. Plato is quite explicit about the persuasive purpose of the preamble. Sometimes rational explanations can be used in a preamble but since revelation of truth is not the goal it need not be used. Plato says that preambles should be

> . . . uttered by the speaker in tones of persuasion, to prepare the auditor of the legislator's enactments to receive his prescription, that is to say his law, in a spirit of friendliness and consequent docility.[30]

The preamble to temple robbery,[31] along with the law itself, serves as a clear instance of the contrasting elements of soft persuasion and severe threats joined for a common purpose. The preamble speaks compassionately to the "poor soul" that has a long surviving evil that has never been treated. The soul suffering from the desire to

rob temples is advised to seek the help of the gods and virtuous men in overcoming such temptations. If this fails, the wretched individual is advised to kill himself rather than give in to such a terrible temptation. The penalty for being caught in the act of temple robbing is death, which is seen as the most desirable thing for a soul in such a condition. Although the death of a temple robber may be desirable to the city (if this really indicates total lawlessness) but no sane person could be or should be moved by dialectic or rhetoric to kill himself rather than rob temples.

Coercion

Legislative acts are, as we have seen, in two parts: preambles to laws and laws themselves. The preambles are persuasive in character rather than imperative. The preambles are only as effective as their ability to persuade. The unpersuaded need not fear the preamble. The nature of law is different. The law is a command and is backed by compulsion. Plato recognizes the necessity of compulsion in some political circumstances. He says, in this regard, that persuasion and compulsion are two ways of dealing with the uneducated mass of citizens. Geroult points this out, "Le legislation elle-meme . . . doit unie la persuasion a la force."[32] When it comes to

law itself the Athenian Stranger aptly points out "Authority is never tempered in their lawmaking with persuasion; they work by compulsion unalloyed."[33] Persuasion, then, is the gentle means of guiding men to virtue; but when this fails the laws must be obeyed simply because they are backed by compulsion.

Compulsion is a means of getting someone to do something (or not to do something) by raw force. Compulsion, in its most extreme forms, by-passes the rational intellect, and non-rational emotions, directly forcing the body in the desired fashion. Other, less severe, instances of compulsion are threats which carry the force of necessity with them--like threats against the person or one's family. The direct moving of bodies by means of violence is sometimes the only possible way to get some people to act virtuously. Plato, we maintain, holds that compulsion, which is dramatically unphilosophical, is sometimes appropriate. Compulsion along with rational discourse and persuasion are the elements of a sanctioned mixture. It is the rare, and better type of citizen that is affected by reason; and the rare and worse type citizen that is only affected by compulsion. The common citizen is generally affected by persuasion. Plato, is also willing, as we have seen earlier, to apply compulsion to wayward poets and those who dare say the

just and pleasant do not coincide.

Strauss clarifies the relation among the three means to virtue: reason, persuasion and force. He says, in commenting on book Four of the Laws, "The law as nothing but coercive command is the flooring; yet law as the dispensation effected by the intellect must remain the ceiling. Persuasion mediates between these two extremes."[34] We must emphasize that persuasion and compulsion are both unphilosophical in nature; yet the philosopher, Plato, condones their use in the political workings of the Laws. This is precisely because the Laws realistically considers the general run of citizen (which is unphilosophic) that inhabits any actual political community.

It is questionable whether the behavior that Plato encourages by persuasion is virtuous behavior--precisely because it is a function of persuasion rather than reason. For it seems that one condition for virtue is that it be a function of rational autonomy. In order to answer this charge Plato must, we think, suspend the autonomous aspects of individual morality and seek justification on the political level--for indeed the Laws is a political work. In this context the minimum goal is politically acceptable behavior (friendliness to friends and visciousness to enemies). It is undeniable that this

type of civil behavior is superior to its opposite; and in this limited way is virtuous. So the minimum virtue of the city may be antithetical to the highest type of individual moral excellence. Yet it may be a necessary step in creating an environment in which other, higher virtue can be pursued--including the virtue of the rationally autonomous man. Although Plato never makes this argument explicit it is the only proper justification of seeking such a low level of virtue.

Representations

We have pointed up Plato's recommendation of persuasive means of leading citizens to virtue. It is still necessary for us to confront the problem of how Plato, a great truth-seeker, could justify means that are less than truthful. Certainly, one of the startling features of the Laws is that the ethical problems associated with not telling the truth never arise as controversial issues. The Laws assumes that rhetoric is the appropriate mode of speech, in the political realm. Clinias is able to point out, with ready approval of all, that ". . . truth is a glorious thing, and an enduring thing, but it seems no easy matter to convince men of it."[35]

Plato in the Sophist draws an important and

relevant analogy between the making of pictures that can be mistaken for reality, and a display of opinion that can be mistaken for knowledge. The visual metaphor of words is used successfully. He continues by making a distinction between different types of represenation. First, there is a likeness (eikon) which is an exact replica of the original, corresponding in all apparent aspects. Secondly, there is the semblance (phantasma) which appears to duplicate the original, but actually does not. Examples from sculpture are used. Making a likeness of a man would involve shaping the medium (rock, bronze, etc.) into exact proportions of height, breadth, and length, to the man the statue represents. Distortion does not play a part in making likeness. An example of a semblance, where distortion is essential, is a statue of giant size. In this case neither the size nor the proportion correspond to the original. The head must be proportionally larger in the sculpture than it is in life so that it appears to be correctly proportioned to the viewer standing at the base of the statue. In semblance making deliberate distortions plays a part because the viewer's standpoint is taken into account. By analogy, for opinion to appear as knowledge to the uninformed, distortions must be made. This is especially true if the opinion is about a matter as

important, and difficult as virtue. In order to persuade a citizen of the worth of virtue one may have to make distortions. For example, one may have to say, as Plato does, that virtue is necessarily more pleasurable than vice. H. S. Thayer clarifies the operative relationship between the image of objects created by visual arts and the speech-image of the real. He says that they are connected ". . . by means of a theory that is frequently advanced, but never fully developed in the dialogues. The theory is that language is an imitation and in some ways is . . . like the non-linguistic arts of imitation."[36]

Later the Sophist[37] draws out a more complicated distinction. The productive arts are seen to be of two kinds, divine and human. Each of these is further divided into original production and images. On the divine side we have rocks, plants, animals, and their undistorted images. But there are also semblances, or distortions of these; i.e., dreams or reflections in pools. An example of human productions is a house; and an image of it would be a faithful painting of it. There are two types of man-made semblances: those made by tools and those made by one's own person, specifically with the voice. The latter Plato calls mimicry and is of central concern. Rhetoric is what is at issue here. One can

produce a semblance of another person by trying to sound like him, or a semblance of justice by mimicking just words or actions. The essential distinction between mimicry based on knowledge and mimicry based on opinion is made at Sophist 267d. Ordinarily the rhetorician, in a Platonic context, is a member of the group whose mimicry (which necessarily involves distortion) is based on opinion, and Plato rightly sees them as deserving of a great deal of blame.

There is still the undeveloped category of a rhetorician who uses mimicry based on knowledge. This is the man who knows justice, knowledge and virtue. But he presents them not plainly, or even as exact replicas of what they are, but rather as pleasing appearances that are understandable semblances of the originals. This type of semblance making in speech (true rhetoric) works from the knowledge of the subject matter and the point of the audience. Thayer clearly formulates Plato's criterion of demarcation for the morality of representations. He says, ". . . it is knowledge of the real which is to serve as the decisive critique and supervision of all forms of imitation."[38]

In the Laws Plato is still concerned for this justification of representations. He says that in order to judge representations intelligently one must,

". . . understand first, what the object reproduced is, next, how correctly, third and last how well a given representation has been effected, in point of language, melody, rhythm."[39] It is important to notice the primary importance of knowledge in judging representations. The further distinctions between representing things "correctly" (exact proportion) and "well" (effective) is, we believe, similar to the distinction between eikon and phantasma in the Sophist. In any case it indicates that a representation can be non-correct and not blameworthy. Therefore the justification for the Laws' legislation lacking candor rests on its goal (virtue) and its method (mimicry based on knowledge).

The Laws vs. The Republic

The Laws represents a great change in emphasis, from the Republic, concerning the nature of man, education, and use of persuasion. Part of the change may be explained in terms of the different intention of the two works. Morrow rightly says in this regard,

> Plato had indeed set forth in the Republic the principles that should guide a legislator but they are expounded in very general terms, with little specific legislation. In the Laws, however, the author descends into the area of practical difficulties . . . . For if an ideal, or any worthy imitation of it is to be realized, it has to be exemplified concretely--among a

> people living in a specific setting in time and place, possessing such and such qualities and traditions.[40]

The ideal nature of the constitution of the Republic demands ideal people to make it operate. Therefore, in the Republic, the central focus is a type of person who, although possible, is very rare. The sought-after individual in the Republic is strong, handsome, athletic, extremely intelligent, diligent without qualification, and capable of dialectic. The person of the Republic is by nature and training beyond the city: to use the language of the Simile of the Divided Line, the individual of the Republic transcends images and even things in the world. With the aid of the prodigious mathematical training he recognizes the reality to be in universal Forms. It is this individual that Plato, in the Republic puts at the helm of political society. Commenting on the Republic and the type of person described there Solmsen says, "In comparison with the Laws, even the Republic strikes us as too exclusively rational, inspired by excessive confidence in human capacities."[41] The Laws concerns itself with different types of men. They range from slaves to vice to honorable men capable of dialectic. Yet none of the men in the Laws is as purely good and rationalistic as the philosopher-king in the Republic. The people of the Laws are like the people

we actually know--citizens of actual constitutions.

This does not necessarily mean that Plato, when he wrote the Republic, was not aware of the nature of most men. Rather, Plato is concerned in the Republic with a particular vision of the best possible people; a vision which is extremely optimistic about how good the best people can be. Even young Glaucon can remark to Socrates, in the Republic, ". . . you have produced ruling men who are wholly fair."[42] In the Laws, although good men are still essential to a good constitution, the expectations of good men are considerably lowered. A great deal, although not all, of the differences between the notion of man in the Laws and Republic is due to the fact that in the Laws Plato was directly concerned with the moral quality of the general run of man, whereas in the Republic Plato was concerned with the rare individual.

The different view of man in the Republic and Laws necessitates a different view of education. The Laws concerns itself primarily with the education of the general citizenry and aims at training the non-rational parts of their souls. The Republic is concerned with the education of the special person, the ruler, the guardian, and in his education the rational abilities are trained. The difference between the two notions of education become clear in an examination of the treatments of music and

mathematics in the two works.

Music, in the Laws, include music and dance. It is taken to be the attempt to affect the soul through sound and bodily movement. It is a way of making citizens virtuous. For most citizens this is the extent of education. Therefore, in the Laws Plato spend a great deal of time examining the types of melodies and movements that will improve the citizens. Music is designed primarily to make listeners more virtuous. One characteristic of music (melody, poetry, dance) is that it is pleasant. Plato does not promote music simply for pleasure but he does recognize that citizens' dispositions can be beneficially affected by these properly administered pleasures. Therefore pleasure plays an essential role in the education of the citizen of the Laws. In the Republic music is also treated at length, but always as a mere prelude to higher education. The results of musical education are not taken in any sense as ends in themselves. The aim of music in the Republic seems to be to bide time, in a way that is not altogether useless, until the soul is capable of a more cognitive type of learning.

The higher learning stressed in the Republic is mathematics. At the level of mathematics the student can divorce himself from mere individual visible reality and work in a realm of greater reality. Mathematics is

regarded in the Republic as noble in itself, and as the training method of the highest type of activity, contemplation of the Forms. One becomes accustomed to the invisible, universal character of the Forms by a long acquaintance with mathematical ideas. Mathematics in the Republic is the model of learning. It is essentially rational, therefore, it is the proper area of study for guardians. In the Laws, mathematics is not even mentioned within the scope of education. Plato thinks mathematics is unnecessary for the moral virtues of ordinary citizens. Indeed, Plato may still have felt that mathematics is a necessary training for dialectic or contemplation of forms, but he simply never treats this subject in the Laws. Education is at a much more pedestrian level in the Laws than the Republic.

The Laws and the Republic also differ in their views of the legitimacy of persuasion. In the Republic, although it has passages like the noble lie and the strict harnessing of poetic power to serve virtue, the basic thrust is toward the rule of reason. The emphasis in the Republic is on reason seeking the truth. It posits a metaphysical and epistimological ground work for the discovery of truth. The Laws is more concerned with specific legislation in a good constitution--where persuasion is often necessary. Therefore the specific project

of the Laws makes the need for persuasion more visible and Plato is accordingly more explicit about his calls for persuasion. This is not to say that Plato's position with regard to persuasion was the same at the time he wrote the Republic as it was when he wrote the Laws and the different emphasis forced different views. We maintain that the choice of different projects indicates the difference in philosophical position on legitimacy of persuasion. The one notion that remains relatively stable in both works is dialectic. It is this essential, though difficult, concept which is forced together with rhetoric in the Laws.

CHAPTER I: RHETORIC

FOOTNOTES

[1]Plato, Laws, (664a).

[2]Plato, Laws, (663c).

[3]Plato, Laws, (718c-d).

[4]Fredrich Solmsen, Plato's Theology, (Ithaca, New York: Cornell University Press, 1942), p. 133.

[5]Leo Strauss, The Argument and the Action in Plato's Laws, (Chicago: University of Chicago Press, 1975), p. 30.

[6]Ibid., p. 17.

[7]Plato, Laws, (631d-632a).

[8]Plato, Laws, (732e).

[9]Plato, Laws, (652a).

[10]Plato, Laws, (650b).

[11]Eric Dodds, The Greeks and the Irrational, (Berkeley: University of California Press, 1951), p. 212.

[12]Plato, Laws, (653b).

[13]Glenn Morrow, Plato's Cretan City: A Historical Interpretation, (Princeton, New Jersey: Princeton University Press, 1960), p. 54.

[14]Plato, Laws, (664b).

[15]Trevor Saunders, Introduction to the Laws, (Alyesbury, Great Britain: Hazel Watson and Viney Ltd., 1970), p. 17.

[16]Aristotle, Ethics, (1099a17-19).

[17]Ibid., (1104b15).

[18]Ibid., (1103a).

[19]Plato, Laws XII; Aristotle, Ethics, (1105a32).

[20]Plato, Laws, (628a).

[21]Plato, Laws, (783a).

[22]Plato, Laws, (841c).

[23]Plato, Laws, (634e).

[24]Plato, Laws, (632e).

[25]Plato, Laws, (660a).

[26]Plato, Laws, (663d).

[27]Plato, Laws, (662b-c).

[28]Plato, Laws, (720d-e).

[29]Plato, Laws, (721b-d).

[30]Plato, Laws, (723a).

[31]Plato, Laws, (854a-c).

[32]Edward Guerolt, "Le X^{e} livre des Lois et al physique platoncienne," Revue des Etudes Grecques, 37 (1924), p. 28.

[33]Plato, Laws, (722c).

[34]Strauss, The Argument and Action, p. 61.

[35]Plato, Laws, (663e).

[36]H.S. Thayer, "Plato On the Morality of Imagination," The Review of Metaphysics, Vol. XXX, No. 4, June 1977, p. 607.

[37]Plato, Sophist, (265-268d).

[38]Thayer, "Imagination," p. 610.

[39]Plato, Laws, (669a).

[40]Morrow, Plato's Cretan City, p. 9.

[41]Solmsen, Plato's Theology, p. 170.

[42]Plato, Republic, (540c).

CHAPTER II

DIALECTIC

'Dialectic' has been used to stand for a multitude of things or processes in the history of philosophy. We are interested in what Plato meant by this term. Unfortunately even within the work of Plato the word is used in several senses. We intend to briefly sketch the various sense in which Plato uses 'dialectic' in his work, and come to some general understanding of it. It is also part of our plan to focus in on the specific function dialectic has in the Laws.

Sinaiko points out the two basic ways in which Plato's dialectic has been viewed. He says, "Some commentators view it as primarily an extension of the ordinary sense of the word, as a somewhat specialized and more vigorous form of ordinary conversation; others consider it to be an obtruse and mysterious activity about which very little can be said."[1] These views mutually exclude each other, yet there is textual evidence for both.

The interpretation that dialectic is similar to ordinary conversation, posit two parts to dialectic. First, there is what we will call collection. This is

the attempt at definition, or in Platonic terms to gather phenomena under one form. This is characteristic of the early works of PLato such as the Meno or Euthyphro where Socrates seeks definitions of virtue and justice. In the Republic this is made explicit. Socrates simply says ". . . he who can view things in their connection is a dialectician; he who cannot, is not."[2] The second dialectical process we will call division. This is to attempt to discern distinctions among phenomenon. These distinctions are not made according to particulars but among concepts. This notion of dialectic runs through several of the dialogues. In the Sophist the Stranger asks, "Dividing according to kinds, not taking the same form for a different one for the same--is not that the business of the science of dialectic?"[3] In the Statesman we are advised that "What we must value first and foremost, above all else, is the philosophical method itself, and this consists in the ability to divide according to real forms."[4]

In the Phaedrus both elements of division and collection are shown to be important, for Socrates calls men dialecticians who are ". . . able to discern an objective unity or plurality."[5] The two processes of combination and division are separable in thought, but are not separate in the sense of being related. They are,

for Plato, mutually dependent logical operations. Division and collection must function in a complementary fashion because both seek to describe the being. For Plato being necessarily has stable aspects to it. That is, dialectic assumes that there are stable essences, as forms, or concepts that are objective and in principle discoverable by reason. Dialectic would be impotent, if not absurd in a world of complete flux. Division and combination are the two basic moments of rationality in its attempt to discover being.

For Plato being and dialectic are intimately related. We can define dialectic as the attempt to articulate being. Another, and perhaps a better definition of dialectic is that it is the attempt to speak about the possibility of speech. This definition indicates the essential relationships of dialectic and being for without being there is no possibility of dialectic and without dialectic there is no possibility of knowing being. Therefore speech and being are related in such a way that truth is possible. Truth is the successful result of dialectic--the uttering about being as it is.

Dialectic as Purification

Dialectic also seeks to purify. In the Sophist

the Stranger says, ". . . this purification (of soul or intellect) is the purification at which dialectic wants to arrive."[6] The recommended method is to convict the speaker of inconsistencies. This purifies the soul from conceits and instills modesty. The vain illusion of knowledge, when in fact one does not know, is displaced by a modest assurance that one knows the extent of his ignorance. This is a main thrust of the work of the Platonic Socrates. Socrates, at the alleged command of the oracle, continually strives to find someone more knowledgeable than himself. Yet he is always surprised to find that others, who pretend to knowledge, are benefited by him in that their ignorance is revealed. In the Theaetetus Socrate's maieutic art, which proceeds by dialectic, comes up with a typically Socratic result. That is, the inquiry into the nature of knowledge fails to produce a definition that can withstand rigors of questionning. Nevertheless there are benefits to the day's work. Socrates correctly tells young Theaetetus that ". . . you will be gentler and more agreeable to your companions having the good sense not to fancy you know what you do not know."[7]

Similarly, in the Sophist, dialectic is taken to be the cure for the worst type of ignorance, what is called stupidity, or thinking one knows what he does not

know. Ignorance is said to be the deformity of the soul and contrasted to disease of the soul such as cowardice or intemperance. There are obvious physical counterparts to these conditions of the soul. The cure for bodily deformity is gymnastics, and the cure for bodily disease is medicine. Dialectic is compared to gymnastics, as the cure for soul's deformed conceits. We mention, although Plato never explicitly does, that rhetoric may be the cure for disease of the soul. Then dialectic is the antidote for intellectual vice, and rhetoric the antidote for moral vice.

Dialectic as Dialogue

The method of dialectic is dialogue. Dialogue proceeds by methods of question and answer and involves at least two people. We must take as significant the fact that Plato wrote in dialogue form. Plato chose the mechanism of conversation to do philosophy. This cannot be exlained by a mere desire on Plato's part to imitate great playwrights. Instead, we maintain that dialectic, and conversation are essentially linked for Plato. If dialectic seeks to utter the truth about being it necessarily uses language. Language, or even the possibility of language, is characteristic of men in community. Since being cannot be revealed without language, and

language presupposes men in groups. Only in groups will men have being revealed to them. This essential characteristic of language, that is, that it is necessarily public, remains visible within Plato's dialogue form of writing. This does not mean that philosophy must always be done in the presence of other men but it does mean that being with other men is a necessary condition for philosophy --for without this experience no language is possible. When philosophy is done in Cartesian solitude, although the philosopher is not with other men in public he has borrowed the public property of language.

Plato maintains the primordial power of language by continually writing in dialogue form. This does not mean that every sentence in Plato is strict dialectic. The mode of dialogue is rich enough to allow irony, puns, and rhetoric as well as expressions of joy, anger, or interest. It also reveals the human character of the interlocutors. Yet we do maintain that the highest moment of the dialogue form, and the ultimate purpose of it, comes at those moments that are specifically dialectical in character. There are many instances of these dialectical modes in the Platonic corpus. Early in the Sophist, for example, there is the simple, crisp dialectical analysis of the angler by means of the method of division. Later in that dialogue there is the dialectical treatment

of non-being, and eventually the "capturing" of the Sophist himself. We have dialectical inquiries in the Theaetetus into the nature of knowledge, and in the Parmenides into the relationships between the one and the many. All of these instances of dialectic are carried out in the dialogue form, that is, as a mutual search for truth among people by conversation.

Although dialectic proceeds by question and answer this method can also be used merely to persuade, and therefore be rhetoric. For example, we think this is the case with Socrates' treatment of Polus and Callicles in the Gorgias, and with Thrasymachus in Republic I.

There are, we maintain, certain conditions that are necessary to make dialogue possible. Primary among them are frankness and equality. Discussions, in order to be dialectic, must be carried out with an honest effort to find the truth, and with no hidden information or motives. It must also be between people who recognize each other as equals. Even when Socrates and a young man enter into dialectic, they proceed as equals, at least in the sense that one does not try to achieve dominion over the other. Frankness and equality within the dialogue make possible the mutual search for truth that is dialectic.

Equality and frankness are essential qualities of

friendship. It is inappropriate among friends to lack frankness or to seek dominion. It is between enemies that these characteristics are found. So we conclude that dialectic is impossible between enemies. This holds true within the corpus of Plato's works. In the most explicitly dialectical works like this, the Theaetetus, Sophist and Parmenides, the interlocutors are in every case friends. In the works that are specifically rhetorical in character, like Gorgias, Euthydemus or Republic I, enemies are being dealt with.

Friendship, at least to the extent of friendly conversation, is essential to dialectic. This relates to what was said above about the revelation of being through language. We maintained that language is not a solitary but a group phenomenon. Therefore the primary revelation of being comes to man in groups. Friendliness is a characteristic of man in groups, and for groups that do dialectic it is essential. For friendliness frees men from relations of power and allows them to concentrate unequivocally on subjects outside the group. Therefore the structure of being can be sought within groups characterized by friendliness. It is men together that raise the questions of theoretical thought, and offer possible answers. Therefore we define dialectic as the pursuit of truth through friendly conversation.

Dialectic as Mystery

Besides Plato's rather mundane notion of dialectic, as the pursuit of truth through friendly dialogue, he has another much more mysterious notion of dialectic. It is a direct experience of the form, and we will refer to it as the dialectic of beholding. The mysterious part is the role of language in this type of dialectic. The chief instances of this type of truth seeking are in the Phaedrus, parts of the Republic, and Letter VII (if authentic).

The Phaedrus is an odd dialogue. It is difficult to locate in the chronology of Plato's writing, and it is difficult to discern its main purpose. It can be interpreted to be primarily a treatment of love, or rhetoric, or dialectic. It seems not to have a definite single-minded focus. For our purposes Socrates' second major speech (244a-257b) is of great importance. It is a very long speech (especially by Socratic standards) in which Socrates argues that the lover being preferred over the non-lover. Within this context several topics are covered including the nature and immortality of the soul as well as the problem of being. This odd speech also defends certain types of madness as gifts from the gods, and we are even led to assume that the speech itself has a divine rather than human inspiration. When Socrates

examines the nature of soul (246) he deliberately moves to an image of the truth, for the actual truth, he says, would be available only to a god. This is significant because it takes truth-seeking, the activity of dialectic, and puts it out of reach of men. What we are left with is a semblance of the truth in the form of a complicated myth.

The myth compares the soul of man to a charioteer with two steeds, one good white one and one bad black one. The destination of this charioteer is the realm of pure being. Due to the imperfect nature of the chariot only a brief glance at being can be had, as opposed to the gods' continual view. The length of the glance onto being determines the type of soul one will have and the extent to which one can really know. The myth tries to explain things, and is limitedly successful. But it is ultimately unsatisfactory exactly because it seeks an explanation instead of truth. Truth is no longer humanly achievable but is some ineffable gift from gods, that is divorced from our speech.

A notion of dialectic similar to this is in the Republic (526e) where the highest knowledge, knowledge of the Good, is not a matter of speech but of looking-on or beholding. The Seventh Letter (if authentic), explicity mentions that a thinker's most serious thoughts would

never really be put down in writing. This is either because the thinker will not or cannot put down his best thoughts. The dialogues are thereby reduced to sophisticated play rather than serious thought. This is a very different view of dialectic than what we described earlier: the pursuit of knowledge by friendly conversation.

The first type of dialectic is characterized by language; the second by a beholding. We suspect that if there is a relationship between them it would be found when we understand the relationship of language to the dialectic of beholding. For this we look to the Republic. Certainly, one of the main themes of the Republic is education, and ultimately education aims at the beholding of the Forms. The method of education is necessarily carried out in language. On this model beholding the Forms presupposes education and education presupposes language. In the Republic Socrates says that dialectic is ". . . when a man tries by discussion--by means of argument without the use of the sense--to attain to each thing itself that is and doesn't give up before he grasps by intellection itself that which is good itself."[8] The methods of attaining this knowledge are dialectic of language although the final experience of it is beholding, or gazing onto the objects of knowledge. Therefore

dialectic by language is a necessary condition for the dialectic of beholding. This does not explain the Phaedrus myth of beholding in terms of horses and chariots but is, we think, an appropriate way of linking two forms of dialectic in Plato. For if truth has nothing to do with language, Plato's work, and all philosophy, is in vain. Therefore we take the dialectic of language to be the more important type of dialectic in Plato. It will be the one with which we continue to work.

Dialectic in the Laws

Our primary definition of dialectic is the pursuit of truth by friendly conversation. The Laws has the literary structure of a conversation (dialogue) and its tone is friendly. We must remember that our analysis of friendship was in terms of equality and frankness. Yet the Athenian Stranger is far superior to his Spartan and Cretan interlocutors. The Athenian is demonstrably more capable in the intellectual matters than Clinias or Megallus. This is clearly implied by all the interlocutors (892e-893a). The condition of frankness is not lacking in the Laws, but the condition of equality certainly is. This, we suspect, will change the character of the dialectic in the Laws. Therefore we must isolate the specifically dialectical passages in the Laws and

analyze the conditions.

It is difficult to find dialectical passages in the Laws. This is because most of the work in the Laws is the founding or creating of a city. In this process a great number of administrative details and offices must be anticipated. There are long discussions about the housing, elections, and criminal codes. None of this discourse is dialectical in character, it is at best social planning with a specific city's advantage in mind. Dialectic demands that reality is described, not, as in the case, created. Dialectic is most obviously present in the Laws in Book $\overline{X}$. This section has traditionally been called Plato's theology. If divine beings do exist, as Plato thinks they do, then the study of them is of great theoretical and practical importance. Therefore, we must be clear in maintaining that the primary instance of dialectic in the Laws is the theology of Book $\overline{X}$.

The dialectic of Book $\overline{X}$ is not carried out within the confines of our analysis of equality and frankness. In fact the Athenian Stranger does all of the substantial work in this area. The other two interlocutors are not trained as thinkers so they are not much help in this discussion. Therefore the Athenian Stranger suggests (g.893) that his companions let him go forth by answering questions he proposes to himself. He compares the situation

to the crossing of a river with strong and dangerous currents. In this situation it is appropriate to let the fit person go first and make ready for the less fit to follow. Megallus and Clinias both agree to this method. Therefore the process of dialectic is more solitary in the Laws than elsewhere. The question arises whether or not this solitary quality disqualifies Book X as a piece of Platonic dialectic. We do not think it does for two reasons. Firstly, the question and answer method is proposed as a means of proceeding, even though it is to take place within the same person. This, if honestly carried out can imitate natural dialogue to the extent that the dialectic character is maintained. Secondly, the actual way, in opposition to the suggested theoretical rules, that the conversation goes is that the Athenian does not move along entirely on his own. Clinias often interrupts and questions so that a monologue is prevented. Although we recognize that the Athenian does the difficult work, the conversation never goes beyond the point that Clinias cannot understand what is being said. So the character of dialogue is actually maintained.

Nocturnal Council

In the Laws there is the recommendation that the

proposed constitution provide for a continual dialectic. This takes the form of a committee of the ten highest officials of the city as well as various other appointees which meet daily before dawn--it is called the Nocturnal Council.

The purpose of the Council is the pursuit of truth, as well as the ultimate regulation of the city according to the principle of truth. The Council is metaphorically called the head of the city (961d) and is therefore the intellectual guide of the body politic. Plato recognizes the need for continued dialectic in the city of the Laws, because it is set up in accordance with principles of the cosmos discovered by dialectic. Dialectic makes it possible to maintain the original insights and use them to solve new problems. Without dialectical insight the old rules eventually become empty conventions that are maintained by blind obedience. Dialectical insight provides goals which are in accord with the cosmos, which the good city pursues. In the case of the city of the Laws this goal is virtue. Virtue, we remember from the Republic, is a four-part phenomenon involving justice, couarge, temperance, and wisdom which is the highest virtue of all.

In the Laws wisdom (the sought result of dialectic) is the supreme value in the city. This is peculiar for one would expect that justice rather than wisdom would be

the aim of a political constitution. This is because wisdom, at least in the Laws is available to only the members of the Nocturnal Council. Plato sees wisdom as the highest value because it is an end in itself and a necessary condition for justice. This mixture--of philosophical and political concerns--is what distinguishes the activities of the Nocturnal Council from any actual political institution.

This indicates Plato's continued political rationalism--that reason will reveal the best means of ruling. This makes philosophy not merely a tolerated fringe activity in a city; but rather a necessary activity at the center of the city. The Nocturnal Council must find wisdom and use it to serve the city. Plato obviously thinks that part of the achieved wisdom demands that it be kept from ordinary citizens. Therefore the Council serves the city not by revealing their philosophical findings but by proper rhetoric and legislation that is likely to produce the lesser virtues in the citizens. Plato's attempt to mix the seemingly immiscible realms of philosophy and politics which we analyze in terms of their respective modes of discourse (dialectic and rhetoric) is central to the Laws. Therefore a closer examination of the concept of 'mixture' is necessary.

CHAPTER II: DIALECTIC

FOOTNOTES

[1]Herman Sinaiko, Love, Knowledge and Discourse in Plato: Dialogue and Dialectic in Phaedrus, Republic, Parmenides, (Chicago and London: The University of Chicago Press, 1965), p. 19.

[2]Plato, Republic, (537c).

[3]Plato, Sophist, (253d).

[4]Plato, Statesman, (286d).

[5]Plato, Phaedrus, (266b).

[6]Plato, Sophist, (227c).

[7]Plato, Theaetetus, (210c).

[8]Plato, Republic, (533b).

CHAPTER III

MIXTURES

One of the chief characteristics of the Laws is the attempt to join together diverse elements. Glenn Morrow refers to this as a mixture. We define mixtures as the binding together of elements which, unless coerced, repel or destroy each other. It is in those elements which have little in common, or are actually contrary, that this notion of mixture is most important. We will examine this Platonic structure of mixtures with the ultimate purpose of shedding light on that strange mixture of rhetoric and dialectic.

Morrow points to several mixtures in the Laws. For example the mixing of families with different characteristics by marriage. Also the Nocturnal Council, which is the ultimate ruling power in the city of the Laws, is composed of old and young members, and seeks to combine intelligence and perception in its working. Justice is said to be a mixture of prudence, temperance, and courage.[1] There are other mixtures in the Laws that Morrow does not mention. For instance, the interlocutors (an Athenian, a Spartan and a Cretan--an interesting mixture in itself) agree that the best legislator is one

who could take a feuding family (a family with differences) and reconcile it for the future benefit of all, without killing a single member. These mixtures, although interesting within the context of the Laws, are not essential for our purposes because in no case is there strong contrariety between the elements.

In Book III of the Laws there is an examination of two extreme forms of political consitutions namely, democracy and tyranny. This is one of the central mixtures in the Laws for the elements theoretically exclude each other. Tyranny, which is the rule of a single man, is contrary to a democracy, the rule of a majority of men. They have essentially different structures and seem to be immiscible. The Athenian gives an extended presentation of how these forms of government function. The rule of Athens is used as an example of democracy and is said to give citizens too much freedom; the Spartan rule as an example of tyranny, which gives too little freedom. It is only when both these extreme regimes are rejected that Clinias reveals his project of founding a new Cretan city, which turns out to be the undertaking of the Laws. It is assumed from the beginning that the new city will, like Sparta, avoid extreme constitutions, and be a mixed constitution. Democracy and tyranny (or monarchy) are combined by making some institutions within the new

constitution, like a monarchy and some like democracy. Morrow explains, "The source of authority in the state should be, Plato obviously thinks, one or more officers. . . more carefully selected and pursuing much greater authority than the annually elected officers in a Greek democracy."[2] In the city of the Laws this combination of power is accomplished by the board of euthynoi, which is a small permanent board of rulers, and individually elected temporary officials like the minister of the market or the minister of education. The board of euthynoi represents the monarchical element and the elected officers, the democratic element. In this way democracy and monarchy are combined under Plato's new type of constitution.

Another important mixture in the Laws is the self which, in an individual person or in a polis, is a mixture of noble and base elements. This natural mixture is very contrary because the nobility or baseness of a self should necessarily exclude its opposite. Plato, by education, attempts to minimize the baseness in a self. The primary teachers of these contrary elements are pain and pleasure. The attempt is explicitly made in the Laws to have the self find pleasure in the noble and pain in the ignoble. Pain and pleasure are mutually exclusive and contrary experiences, yet they are combined in such a

way that nobleness will be maximized in the self. This is the entire effort of education in the Laws.

Mixtures in the Latter Dialogues

Plato not only uses this idea of mixture in the Laws, but also uses it quite frequently in several of the latter dialogues. We will briefly mention some examples, not with intention of explicating selections in these dialogues but rather to indicate that mixtures are not restricted to the Laws.

The Timaeus, which deals with the creation of the universe, has several mixtures in it. The most striking is soul. Soul is not a simple substance but a complicated proportioned mixture of radically diverse elements. It is said that God in creating the soul took three elements--being, sameness, and difference--and combined them.[3] Each of these three elements of soul are themselves mixtures. God in making the being appropriate to soul combined indivisible, immutable being with the changeable being body was to have. A similar process was carried out with the elements of sameness and difference. That is, immutable and mutable instances of each element were blended together. In this way God arrived at the three basic elements of soul. These elements of soul, being, sameness and difference are contradictory. Yet, the

Timaeus tells us that these elements were forced together by God in spite of their initial immiscibility. Once these were together God portioned out various amounts of soul so that it permeated the entire universe. This created a link between all things, even the intelligible and the bodily, for everything had soul. This leads to the further mixture of soul with body. Even if soul had some amount of being similar to body it is still unclear how an indivisible entity can be mixed with a divisible one. Yet Plato makes the source with the power to combine in this fasion explicit, saying, "God alone has the knowledge and the power which are able to combine many things into one."[4]

The ultimate function of the statesman described in the dialogue Statesman is to combine different types of virtuous citizens into one unified virtuous city. There is an important analogy between the statesman and the weaver. The weaver, takes two types of thread, woof, a soft fiber, and warp, a strong fiber, and joins them together into one garment. Analogously, the statesman is supposed to take warp-like or courageous, citizens and blend them with woof-like, or gentle citizens in order to make a good city. There is here an unmistakable call for a mixture in the political realm (a mixture which gets much more complicated in the Laws). But the

really important principle that we can get from the Statesman is a negative one--that in weaving and politics some things are immiscible. The weaver must oversee work of the carder, who prepares the threads that are to be woven. The carder separates and discards poor quality thread. The statesman, analogously, must work with the educator of youth. The educator prepares the stuff or material of the statesman, namely citizens. The educator must identify and separate the youths who are incapable of virtue, and therefore not fit for citizenship. The Statesman recognizes that men who lack virtue blend neither with each other nor with virtuous men. Some things are, in fact, not able to be mixed.

In the Sophist there is a conspicuous section on the theory of Forms, as a basis for discourse. It contends that discourse depends on the Forms blending with each other; hence true discourse says which Forms blend with which. The five basic Forms which blend with all others are existence, rest, motion, sameness and differences. Yet this blending or mixing must be metaphorical. It is an attempt to picture the Forms as somehow touching each other. Plato uses this notion of blending as a metaphor for being related. Yet, the Sophist does have a genuine, and dramatic mixture: that of being and non-being. Plato, the metaphysician, attempts to

give us the insight that being is necessarily related to its opposite, non-being. It would seem that this is the most unlikely conceivable mixture. Certainly our still unexamined mixture of rhetoric and dialectic seems as if it would be easily accomplished compared to the mixture of the absolute contraries of being and non-being. Yet Plato demonstrates that non-being, in a sense, takes part in being. Every existing entity is different from all other entities. Non-being gets interpreted as difference and is shown to be mixed at the very core with being.

Our last example of mixture in latter dialogues comes from the Philebus where both the life of pure pleasure and the life of pure intelligence are taken to be inferior to the properly proportioned mixture of both of them. Also the good, which serves as a measure of the mixture of pleasure and intelligence, is a mixture itself. It combines beauty, proportion, and truth. Things come into existence, according to the Philebus, as a mixing of the limited (peras) and the unlimited (apeiron).

The Mean

Morrow points out that in the Laws Plato seeks a middle way or a mean, but Morrow does not tell us what this signifies. Plato, clearly favors this mean, for the Athenian Stranger says that a constitutional system

should ". . . strike a mean between monarchy and democracy."[5] This may simply be a way of indicating that he favors a mixture like we described earlier. Yet we think that what Plato meant by 'mean' is similar to what Aristotle understands by 'mean'.

Aristotle spoke of virtue being a mean between two vices. Courage, for example, is a mean between cowardice and rashness. Courage is not a mixture of two vices for it does not include both vices. It is rather a condition of the soul that is separate from either vice. When Plato writes about types of constitutions they are considered to be things that immediately affect the soul of citizens. With this relationship in mind the possibility arises of a mean, which is a function of the constitution's affect on the soul, similar to Aristotle's mean which is a function of the soul. For example, in the examination of the Persian constitution of tyranny and the Athenian constitution of democracy Plato characterizes the former as making the citizens slaves and the latter as making the citizens reckless. Indeed there is a condition of the soul between slavery and recklessness which is not a mixture of them but rather a mean, or a good position between two bad extremes. The point is that the soul seems to have a synthesizing power with regard to the affects of outer (outside the soul) things,

which those things do not have among themselves. Plato does not explicitly make the distinctions between the mixture possible in outer things and the corresponding mean possible in the soul. Yet it is, we think, a helpful distinction in understanding the primary problem of Plato's Laws, which is the relationship between laws and the soul of citizens with regard to virtue.

Mixture of Dialectic and Rhetoric

Dialectic and rhetoric are the elements of primary interest to us. Their mixture represents a key to understanding Plato's Laws. We must first recognize that they are, like tyranny and democracy or pain and pleasure, very different things. It is therefore necessary to have immediately before us a brief sketch of these elements and their differences.

Dialectic is the pursuit of knowledge by means of friendly conversation. The aim of dialectic is knowledge. Knowledge is an awareness of what is the case that can be expressed in language, and the ability to give rational explanation of it. Rhetoric, on the other hand, is the art of persuasion through words. It seeks to have people maintain certain propositions by giving explanations that are essentially non-rational, yet emotionally satisfying. It proceeds with indifference for the truth of either the

initial proposition or the explanation. Rhetoric attempts to make people accept opinion as knowledge. Opinion is linguistically expressable awareness of what is possibly the case, without a rational account of it.

What differentiates dialectic from rhetoric is that the former type of discourse seeks knowledge, and the latter seeks opinion. Knowledge and opinion are very different things yet opinion attempts to counterfeit knowledge by giving explanations that appear to be, but are not, rational. The explanations that rhetoric gives can only be said to be rational in the sense that certain types of argument consistently persuade certain types of men. The explanations are not rational in the sense that the one who is persuaded of the proposition actually understands the truth of the matter.

Opinion, the sought result of rhetoric, can be distinguished into false opinion and true opinion. In false opinion the proposition that is put forth as what is the case is either invalid or factually inaccurate. The account or explanation of this type of proposition can be emotionally satisfying although it cannot be correct. True opinion is more complex, and more difficult to distinguish from knowledge. In it the given proposition is logically valid and factually true. Yet it differs from knowledge in that either the explanation of it is invalid

or inaccurate; or the explanation is not actually understood.

There is another category of opinion that we will also call true opinion. In this case one believes something that is in principle the case, but not in the way that one believes it. For instance, a man may believe that there are homeric gods. This is, strictly speaking, not true. But if there is some divine element that should be contended with, then this man could be said to have a true opinion because he believes in a providential divinity. A false opinion in this case would be the belief that there is no divine element at all. So if one mistakes an image of what is real for what indeed is real (gods for genuine divine beings), he cannot be said to have knowledge but he may be said to have a true opinion. The rhetoric that we find in the Laws is used to foster true opinion in this sense. So for those not capable of dialectically knowing the gods, rhetoric in the sense of establishing true opinion is available.

In the Laws the two essentially different elements of dialectic and rhetoric are joined together by the good legislator. That which makes it possible to ease the tension between these theoretically antithetical elements is Plato's recognition of the need for creating a practically good constitution. Both elements have the potentiality

to make men virtuous and virtue is the aim of Plato's good constitution. So although these two elements cannot be at peace with each other they can nevertheless be forced together in the service of political goodness. With this in mind we propose to examine theology and religion in the Laws as the major instances of dialectic and rhetoric respectively.

CHAPTER III: MIXTURES

FOOTNOTES

[1]Morrow, Plato's Cretan City, p. 535.

[2]Ibid., p. 526.

[3]Plato, Timaeus, (35).

[4]Ibid., (68d).

[5]Plato, Laws, (757e).

CHAPTER IV

THEOLOGY

Book $\overline{X}$ of Plato's Laws is generally considered his theology. The three basic propositions are:

1. The gods exist.
2. The gods are providential.
3. The gods cannot be bribed.

These propositions are the basic dogmas about the divine that are necessary to safeguard public virtue. Plato recognized this long before he wrote the Laws. In Republic[1] he puts the contraries of these propositions in Adeimantus' speech that maintains injustice is more profitable than justice. For if the contrary of any of these propositions is true then we may do injustice without fear of the gods' wrath. In this case the worst we would have to do is share the profits of injustice with the gods. Therefore it is important that the citizens believe the stated propositions for the sake of minimizing injustice.

We maintain that only the first proposition is treated dialectically; the second and third are essentially rhetorically. Therefore, only the first proposition is, strictly speaking, theology--a rational inquiry into the

divine. The second and third propositions are attempts to induce virtue in non-philosophic citizens. We insist that Book X is most properly interpreted to be a mixture of dialectic and rhetoric.

To make clear the nature of Laws X a close analysis is necessary. This analysis must include the explicitly stated arguments and their implications, several of which have gone unnoticed. We will also demonstrate that the problems treated in Laws X are not isolated and minute as they initially appear to be but are important contributions to some of the enduring problems of Greek philosophy. The most significant among these are the problems of nous and psyche. Therefore we will treat these problems in detail. We shall not be content to merely state that dialectic occurs in Laws X but we will do a dialectical exmination of it.

The explication of the basic propositions serve as a preamble to the laws against violent impiety described in Book IX of the Laws. In a wider sense they are a delayed preamble to the entire legislative effort of the Laws. This has been recognized by some commentators. For example, "Le X^{e} livre des Lois," says Andre Gueroult, "est . . . non seulement le prologue d'une loi, mais le prologue des toutes les lois."[2] In the Laws itself Clinias says about the proposed

theology that, ". . . such a preamble would, in fact, be the noblest and best defense for our entire legislation."[3] A preamble, we recall, is the first part of the double form of law. Its purposes are exhortation and explanation of the commands of law. This is designed to persuade citizens to want to obey the law. The preamble has no coercive power to back it, rather it relies on rhetoric alone. The preamble is a political, not a philosophical, tool. This indicates that the Laws X sets limits on dialectic.

Nevertheless some citizens are not moved by rhetoric. This makes it necessary for a dialectical treatment of the gods to be attempted. That is, if all citizens, including the best type (the philosophers) are to believe in gods and therefore obey the laws of the city, they must be made ready in the appropriate fashion. The best preamble must include dialectic for the philosopher and rhetoric for the more ordinary citizen. Therefore, any attempt at a preamble for the best city (which includes philosophers and non-philosophers) will be a mixture of dialectic and rhetoric. This mixture should appear on a superficial level to be a homogeneous mixture. That is, the levels of "reasons" for believing in gods should not be apparent to those who are only capable of accepting the gods on a rhetorical basis. For if they

recognize, without understanding, another level of belief they are apt to doubt their own basis of belief and not be able to replace it. This would put these citizens in a state of unbelief; an undesirable state for a platonic citizen. Underlying the homogeneous coating to the best preamble there must be the distinction between dialectical and rhetorical proofs. We intend to make clear these necessary distinctions that do appear in the Laws X.

The Athenian faces a mixture of theoretical enemies of the city. They are the materialist philosophers, the sophists, and the upholders of homeric gods. Each of the three dogmas that are defended in Laws X are defended against one of these enemies. The first dogma, that gods exist, is defended against the attacks of the Ionic materialist philosophers. The second dogma, that gods care about human affairs, is defended against the sophists. The third dogma, that the gods cannot be bribed, is defended against the traditional believers in the homeric gods. Since these doctrines are defended against a mixture of theoretical enemies, we can expect a mixture of types of argumentation. Against the philosophers philosophic argument is appropriate; against non-philosophers' non-philosophic argument. Therefore in Laws X, we have a mixture of dialectic and rhetoric.

Laws X includes theology and is to be distinguished, though not totally divorced from religion. Theology is an intellectual endeavor which aims at knowledge about the divine. Religion starts with a positive opinion about gods and seeks to interact with them. The study of religion involves the study of how the gods interact with men. Theology studies the nature of the gods themselves. The results of Theology can be the theoretical basis for religion. Morrow points out the integral part religion plays in the civic life of the Greek city. He says that religion ". . . give authority to the magistrates and the laws they enforce; it sanctifies family ties; it is the patron of the arts and crafts; it safeguards contracts and oaths; it is the patron in all recreation."[4] Therefore, Plato, in his three-part defense of the gods, is attempting to theoretically defend the basis for civil life.

Proposition I

The first proposition, that gods exist, is the most basic of the propositions. For if gods do not exist they cannot have attributes like being providential or unbribeable. This first proposition is the logical and practical basis for the other two dogmas. It is therefore the most important.

The Athenian is the one who brings up the question of the gods' existence. Taking the position of an unbeliever, he puts forth the challenge to prove that there are gods. Although the tone of the challenge is explicitly a mocking one, Clinias naively accepts it. He defends religion by pointing out that the earth, moon and the sun are divine. Clinias continues his honest, though naive, defense saying, ". . . that all mankind, Greeks and non-Greeks alike, believe in the existence of gods."[5] Clinias, a simple believer and a good citizen, thinks that this is enough to defeat the atheistic challenge. The Athenian thereby recognizes that his Cretan fellow thinks that one would only want to disclaim the existence of the gods to pursue pleasure and lust without fear. Clinias is shocked when the Athenian tells him that there are other reasons for unbelief. This indicates Clinias' total lack of acquaintance with speculation about the nature of the cosmos or of the gods. Philosophy, as a free and reasonable discussion of what is, is new to the Cretan gentleman as well as to his Spartan friend. The Athenian diplomatically indicates that it is the fine structure of their laws that protect them from the opinion that gods do not exist. The Cretan and Spartan consitutions prevent what the Athenian calls ". . . folly of a deadly sort that conceits itself to be the height of

wisdom."[6] This type of conceit is the result of an unsuccessful attempt at philosophy; an attempt that rejects given opinion only to end up with another opinion--not the truth. The treacherous price that the Spartan and Cretan constitutions pay for this safety from conceits is making philosophy itself unavilable. The Athenian is serious in his praise of the relatively good constitutions that makes the philosophical questioning unavailable. But he recognizes that these are not the best constitutions. The proposed constitution of the Laws represents a distinct improvement. The new, and better, city demands allegiance from some men of a higher type than Megallus and Clinias. That is, philosophers are sought in the new Cretan city. In Crete or Sparta there can be good citizens but no philosophers.

The Athenian in introducing the theoretical enemies to his comrades makes a distinction between those who tell stories about the genesis of the gods and their subsequent behavior and what he calls modern men of the enlightenment. The traditional stories of the gods are briefly mentioned as promoters of impiety but are quickly dismissed. The men that the Athenian calls modern men of enlightenment are materialistic philosophers. They are not wanton or impious in their own actions but publicly express opinions that foster impiety among the citizens,

especially the youth. These philosophers deny that the most obvious divine entities--the sun, moon and planets, are divine. Instead they claim that these entities are earth and stone, which are incapable of minding human affairs. The Athenian warns his fellows that these modern men will maintain their position no matter how much rhetorical display is given to oppose them. It is clear that what is needed is a dialectical treatment of the heavens and not merely an exhortation as to its wonders.

Clinias is appropriately outraged at the Athenian's revelation about these atheists. It is not surprising that he is outraged; for this is the first time in his life that his simple faith has been attacked. Nevertheless, Clinias' enthusiasm for a defeat of the atheists pushes the conversation on. Clinias, we suspect, is not so stupid as not to realize that the materialist philosophers constitute a threat to the legislation of his own actual city, and the city under discussion.

The Athenian's defense against the materialist philosophers opens with an extended and interesting harangue of atheists (887c-888a). In it he argues against their persons rather than against their position. The Athenian blames his enemies with great rhetorical skill for not believing in the myths they heard in prayer and song from their parents and others; for not taking

the sun and planets as gods; for not agreeing with the general opinion of Greeks and non-Greeks that there are gods. That is, the Athenian blames his materialistic opponents for not believing the bad arguments that Clinias believed. J. Tate, calling these arguments myths, brings out an interesting point. He states,

> "Our text (887d,e) then makes it plain that Plato, the severe and scornful censor of the current myths, assigns to them here this much value that at least they teach the existence of of gods whose conduct they so often libel . . . it is apparently better to believe in degrading myths than in none at all."[7]

The purpose of this seemingly reckless (and certainly non-philosophical) passage is to vigorously reaffirm the simple faith of the good citizens, like Megallus and Clinias, before embarking onto the path of philosophy. It is obviously thought that dialectic is a noble practice, yet it puts one in danger of losing faith. In order to protect those new to dialectic from its danger the Athenian bolsters their unexamined faith. This indicates Plato's belief that it is better to believe in gods for rhetorical reasons than to be a philosophical atheist.

The Athenian consciously reverses the angry, disgusted tone used in his general description of the materialistic philosophers. He shifts to gentle tones directed to a single imagined youth. This method has several advantages. First, with a single opponent it resembles

more usual instances of dialectic. Secondly, by choosing a young person he has a chance of fighting against what is earlier called, ". . . the gravest mischiefs of them all, namely, the licenses and outrages of youth."[8] Also, it is assumed that a young person can be readily changed whereas an older person is more hopelessly attached to his opinions. The Athenian warns his imagined youth to be careful in choosing opinions about the gods. He tells the youth that nobody he knows who chooses not to believe in the gods in youth ever maintained this opinion throughout his life, although some who adopted the contrary opinion did maintain these opinions permanently. The Athenian admonishes the youth that while he is trying to decide whether the gods exist or not, he should ". . .beware of all impiety towards gods."[9] This is a clever, humorous, and safe piece of advice. It is clever because if the youth follows it, the laws of piety will be upheld at least until the youth comes to the decision that the gods do not exist. An atheistic decision is less and less likely the longer the youth obeys the laws of piety. It is humorous because the youth is advised on how to act while he is trying to decide how to act. It is also a safe piece of advice for the youth to follow for it there are gods he will avoid punishment by not offending them; and if there are not gods, the youth has not lost anything.

But, it is not philosophical advice.

Physis, Techne, Tyche

Clinias is well pleased by the Athenian's two-pronged piece of rhetoric (887c-888d) in which the materialist philosophers are condemned and the confused imaginary youth is advised. What the Cretan interlocutor does not immediately realize is that they have come upon a serious philosophical problem which demands dialectical argument. This problem is the nature and origin of the universe. The Athenian proposes three concepts about the original coming into existence. They are physis, techne, and tyche. It is necessary for understanding the Laws to make these notions clear. The explication of these terms are of central philosophic importance in the Laws and in our thesis.

Physis, or nature is taken to be the material elements of things; namely earth, air, fire and water. The Athenian, speaking for his materialist enemies, claims that these elements come into existence by tyche, which can be translated chance or fate. The elements are not the product of techne, which is design, or art. Of course, the only thinkable designer of these elements would be a powerful divine being--exactly what the materialists are negating. The important philosophical distinction that is

being pointed to is the difference between tyche and techne. This distinction was of central importance in Greek philosophy, especially from Socrates onward. Plato's treatment is especially enlightening because he is aware of the network of problems associated with it.

The materialists hold that physis comes about by, and proceeds by tyche. The elements move in an aimless drift that randomly forms convenient, though changeable dispositions. These are called hot and cold, soft and hard, wet and dry. The conflict in tendencies give rise to things in the cosmos like the sun, moon, earth (things taken in some quarters to be divine). This account of things adopts certain elements from different pre-Socratic cosmologists though it is not a single philosopher's position.

In this materialist system of things, techne is reduced to the rather insignificant realm of human craft. It is only with humans, who themselves owe their existence to tyche, that techne has any place at all. When human craft is compared to the order (or lack of order) in the universe it is an insignificant detail. In this system techne is divided into two categories. The first, and lowest type of human techne, is what we call the creative arts, like painting, sculpture, or music. These are considered by the materialist to be of no worth at all. The

second, which is taken to have some worth, is the type which works with (or oddly enough against) nature. Examples of this type of techne are medicine, husbandry, gymnastics, or helmsmanship. All of these attempt to control physis in a way that is beneficial to man, and are applauded by the materialists.

The materialist position continues by mentioning a distinction between statesmanship and legislation. Statesmanship, they claim, has something in common with nature, and is therefore like medicine or husbandry of some worth; legislation is taken to be entirely artificial and thereby, like painting or music, worthless. The text does not make a clear distinction between them so the reasons why they are taken to be different types of techne is not immediately apparent. Yet, we maintain that statesmanship is held in higher esteem because it is the techne by which the city constantly responds to the continuum of problems put forward by the changeable character of physis. Statesmanship is tied to the flux of the way things are. Legislation, on the other hand, attempts to put down in a final way, rules to govern human civic action. This, the Athenian's opponents maintain, is totally unrealistic (and therefore worthless) because it is not based on, or even in line with, the workings of physis. It is rather, a man-made rival to the way things

originally exist. Legislation is not merely an interesting or important problem that the Laws discusses but that the largest part of the Laws is comprised of an attempt at legislation. Therefore, the status assigned to legislation will apply not only to existing laws but also to the bulk of the Laws.

The Athenian continues his advocacy of the materialist position (889e) by relating the gods with the legal convention of the city. The gods are said to owe their existence to the lower type of techne. This is indicated by different cities' laws yielding different gods. So the gods are not by physis but by that which is most unlike physis. With this example of techne, the materialist position necessarily shifts from the metaphysical to the political realm. This is because citizens (at least citizens like Megallus and Clinias) believe gods exist as independent rulers of the cosmos and protectors of the city. To reduce the gods from this position above physis to one below it, not only changes the citizen's theoretical view of the world, but threatens the existence of the city. Solmsen is attentive, clear and correct, on this point; he says, "When rationalistic theory dissolves the bond between the gods and the institutions of the city, the latter lose their authority, and the former lose their existence."[10] The ontological status of the gods link

cosmology to politics, since the gods are alleged to have power in both realms.

Physis vs. Nomos

The atheistic materialists maintain that physis does not dictate any way for man to live. Man's attempt to set forth a system of collective living is a matter of man's choice and working which is contrary to physis. Man's political systems are set up by techne, or human design. The specific instance of techne that is man's attempt to create a rival reality to physis called nomos. Nomos can be translated as law, convention or custom. Each of these translations indicate part of what nomos is; but it is better to leave it untranslated so that the three concepts can remain joined in it. Nomos is taken by the atheistic materialists in the Laws X, as it was in fact by the sophists, to be contradictory of physis. This distinction served as the focus for debate on several issues. The two that immediately concern us are the ontological status of the gods, and the basis for political organization. But this distinction was also the focal point for discussion of slavery and cosmopolitanism. That is, are masters and slaves ordained by the natural order of things or by arbitrary convention; and are national distinctions artificial or natural?

The Athenian formulates the physis-nomos distinction (889e-890a) in terms of the gods, the priaseworthy, and the existence of natural right. His enemies maintain the gods exist only by nomos; that there is a difference between that which is laudable by physis and that which is laudable by nomos; and that there is no such thing as natural right--all rights are ordained by man, not by nature. The first and third of these positions are logically linked. Derenne recognizes this; he says that if, ". . . les dieux n'existent pas par nature, mais n'etant qu'un produit de l'invention humaine, ne subsistent que selon lois, de mene aussi il n'y a rien des justes par nature. Le droite n'existent qu'en vertu de conventions humaines soumis au perpetual changement."[11] Rights, the materialist position maintains, are not based on a constant order of physis but instead on a continually disputed, changing agreement among men that is sanctioned by nomos. The only base that nomos has is power or coercion. An individual cannot stand against a group decision for the group has more might; and if there is no underlying structure in the cosmos only a fool would attempt to defend a principle.

If there is no natural right, no objective good and bad in the structure of the cosmos, then we are subject to nomos without recourse. This is because nomos is

strong and individuals are weak. But if there were an individual that were strong enough to dominate his fellows there would be no reason for him not to do so. In fact, the Athenian switches his argument from saying there is no natural right, to saying that might or power to dominate constitutes a right to do so. If properly understood, these positions are the same. The absence of a reasonable, natural right opens the way for domination; but domination is only "right" or justifiable in a negative sense of not being wrong or unjust. The right that might brings can only lack a blameworthy character in a world where an objective ground for praise and blame, or justice and inustice are banished. This is a world view that Plato wants to defeat in the Laws.

Plato's fight against a world void of natural right is not confined to the Laws. He dramatically presented this position in his early dialogue, the Gorgias, with the character of Callicles. Callicles looks on the distinction between nomos and physis as unfounded. Callicles claims there is a natural principle of justice. It is, he says, ". . . that it is right for the better to have advantage over the worse, the more able over the less able."[12] For evidence he points to the animal world and actual international affairs where the strong rule the weak. This position which seems to assert something

positive about a basis for natural right is merely a persuasive way (and Callicles is gifted at the art of persuasion) of stating that there is no design to nature and might rules. Callicles fully presents the position of the right of the strong man by saying that it is better to do than to suffer wrong and that ". . . luxury and intemperance and license, when they have sufficient backing, are virtue and happiness."[13] So Callicles attaches an extreme hedonism onto his notion of might makes right. Socrates defeats Callicles because of Callicles' endorsement of moral excess rather than by logically demonstrating a natural justice based on reason that can serve as a basis for the laws of the city.

In the Republic I, Thrasymachus reformulates the argument of Callicles. He claims that, ". . . justice is the interest of the stronger."[14] In this instance it is also questionable whether Socrates is able to defeat his opponent on philosophical grounds, or whether it is a rhetorical victory. With both Callicles and Thrasymachus the dramatic situation is such that they are publicly advocating disdain for the law[15] and neither of them is agreeable to friendly conversation about the nature of being. In this situation, a rhetorical victory may be the best one can hope for. But the Laws is a different situation. There is the possibility of dialectic.

Therefore, we can justifiably hope for the Athenian to render a true account of the basis for the political society.

The importance of the nomos-physis argument in the fourth and fifth centuries B.C. indicates that it was a philosophically rich and politically unstable time. This is because if nomos is well established, the idea of physis cannot arise, for nomos appears to be physis. That is, nomos is the stuff of original political awareness, and if it is intellectually and politically satisfying there is no impetus for a search for an alternative reality. If the rule of nomos is unsatisfactory, then by questioning its authority it is possible to come upon the actual way things are. It is only by doubting what is immediately presented to experience that philosophy can arise; and only with the rise of philosophy can physis or the order of things possibly come to be known.

The Athenian, upon finishing his exposition of his enemies' positions asked the shocked Clinias what should be done to combat the opinions. Clinias, a man of political responsibility, is asked if it is wise to use force alone on the holders of the enemy positions or if persuasion should be enlisted. Clinias strongly favors persuasives. He states, "If there are indeed persuasives, however weak in such matters, no legislator who deserves

the slightest consideration should ever faint."[16] He continues by recommending that the traditional gods of the city should be used against the atheistic sophists. He also calls for an argument that establishes nomos in particular, and techne in general to exist by physis or, at least, not be inferior to physis. This indicates that Clinias is not as philosophically backward as we were lead to believe. Or that when it comes to having what he holds most dearly, his political constitution under the protection of gods, threatened by argument he can respond with clear vision. Clinias recognizes the need for defending traditional gods which serve as a rhetorical defense of the city; and the need for a dialectical connection between, physis, the way things originally are, and the city, which is a product of techne. Clinias is even able to roughly suggest a line of argumentation which may defeat the sophist enemy. He says that techne should be defended as an instance of nous, which is an element not yet discussed in the argument, but which the Athenian eventually adopts as the key to the defeat of the materialist philosophers and sophists. We should realize that Clinias is a rather keen, though not practiced, philosophical thinker.

The Athenian responds favorably to Clinas' clear and spirited reaction. The Athenian, the one who is

familiar with the road of dialectic, points out that good arguments are long and difficult to make clear to a crowd. Clinias spiritedly says that length of an argument is not relevant using as examples the extended discussions on the value of drinking and music in Books I, II. Clinias, the good citizen, provides the spiritedness (thumos) necessary to fight against. It is the good citizen (Clinias) that compels the philosopher (the Athenian) to answer the enemies of the legitimate city. Clinias does this by arguing that it is totally impious for a man not to give his strongest support to a discourse against enemies of the gods and the city. This indicates that Clinias is a man of reverence for gods and that he recognizes his Athenian companion to be of this type also. Their faith may not have been based on the same account of things but it does not lessen the fact that the Athenian, a man of great human experience and philosophical ability, is able to be compelled on the grounds of piety. We have here an indication of the proper relationship between the city and the philosophy.

The philosophical problems of the existence of gods, natural right, and the legitimacy of the city, depend on whether teche is confined to things human or if it characteristic of physis. For if physis has rational design, then nomos, which is a techne, can

possibly be tied to the order of things. What makes it difficult to associate nomos and physis is that even if the both have design to them, the design seems radically different. Strauss aptly dramatizes the difference in saying, "Cities do not grow like plants."[17] The theoretical tools which relate nomos to physis are psyche and nous. It is necessary to act at a clear conception of these two notions as individual concepts and their relation to each other, since they are the most fundamental elements in the dialectic of Laws X.

Early Ionic thinking about the order of things did not posit separate elements of body and a means of moving body. W. K. C. Guthrie explains that "This is because they do not have a concept of dead matter but a live universe which contains within itself the source of movement and change."[18] With Plato the ideas of body and the source of movement of that body become theoretically separable. It is essential to Laws X that these two concepts be distinguished at least in thought. The Athenian wants to prove that the source of motion is prior to body. If the source of motion can be shown to be prior to the thing moved then things "akin" to motion are prior to things "akin" to body. For the Athenian the source of all motion and change is psyche or soul. Things akin to psyche are ". . . for sight, wisdom, art and law," things akin to body are ". . . hard and soft,

heavy and light."[19] He wants to show that psyche and things akin to it are more important in physis to body and things "akin" to it. This would defeat the materialist philosophers' position of the order of things for they do not recognize the existence of psyche; not to mention the priority of it over matter. E. B. England neatly clarifies the Athenian's aim, ". . . he is here concerned to prove that psyche is more physis than any kind of bodily substance."[20] What the things akin to psyche have in common is their non-bodily quality. The Athenian is trying to prove the non-bodily is prior to the bodily.

The Athenian, before he embarks on the proof for the existence and priority of psyche, takes the entire conversation onto himself. He compares the conversation to a mighty river which demands the efforts of the strongest individual to make the crossing. Clinias and Megallus agree to let the Athenian go into the waters of dialectic alone. Megallus, the dullest of the group, retains his silence throughout the dialectic, whereas Clinias actually contributes to the progress of the dialectic.

The Athenian's speech about psyche opens by asking the gods' help (8936). This indicates Clinias' acumen in recognizing that his Athenian companion is a

man concerned with the gods. The Athenian assumes that the gods will be interested in this inquiry into psyche because it is an inquiry into their being. This is the earliest identification of the gods with psyche. We should also point out that this prayer implies faith in the gods. This may give one the idea that the inquiry is not a genuine inquiry because belief proceeds it. But as we shall see the gods one can pray to and expect aid from are quite different from the psyche that is being inquired into.

The Athenian investigates ten types of movement. The first eight are merely instances of the ninth, and the tenth is essentially different from them all. The ninth motion is that which can move other things but cannot move itself. This applies to all inert bodies. The tenth type of motion is that which moves itself as well as other things. The Athenian is quick to reverse the numeration of these motions counting what was tenth as first, and what was ninth, second. This is necessary to show that self-motion must preceed all other motion. For if the world was without motion, it would require a self-mover to start things moving. The effects of a single self-motion can continue indefinitely but without the original motion there is no possibility of change. Since there is motion in physis, it is reasonable to

think that there was, at least, in the beginning, a cause of that motion, that is a self-mover. The Athenian directly identifies this with psyche, calling it ". . . the motion which sets itself moving."[21]

The Athenian assumes that since psyche is the cause of original motion that it is prior in time to body. This is important for the Greeks in general (the Athenian in particular) because they thought that the ancient is the rightful ruler of the recent. But it is not at all clear that psyche because of its superiority to body has sufficient power to bring body into existence. In fact, the Athenian's language indicates the psyche itself is not eternal but came into existence at one point (a point before body did). Therefore, the exact relationship between psyche and body is not made clear. But is is clear that psyche is more primary than body. The Athenian concludes that, ". . . moods and habits of mind, wishes, calculations and true judgments, purposes, memories will be prior to physical lengths, breadths, depths, in virtue of the priority of soul to body."[22] Hence, non-bodily things are not to be rated in second place behind material things when speaking of physis, as the materialists claim.

In order to discuss the existence of psyche, we must have an idea of what it is. Fredrich Solmsen makes a helpful point; he says, "The word psyche means not only

soul, but Life, and hence for the modern readers who are apt to be puzzled by Plato's insistence on the priority of "Soul" we formulate the problem in terms of Life."[23] Although there may not be any specific need to capitalize the words "soul" and "life", Solmsen's point is important for it emphasizes psyche as the difference between living and dead bodies. It remains unclear how psyche inhabits body.

Pangle, in his attempt to explicate psyche, says that the Athenian, ". . . means something more or less like the human soul."[24] Certainly the human psyche is included under the general term of psyche but this statement is very misleading. This is because human psyche includes a high degree of self-consciousness and this is not essential to all psyche. The psyche of a plant certainly is not conscious; and it is questionable whether cosmic movers must be self-conscious. Another problem with this attempt to generalize the notion of psyche from its most familiar instance is that it tends to view all psyche as immediately related to body, which, at least on the platonic account of the Athenian Stranger, is not the case.

To make matters even more confusing, it is necessary, if one reasons from the movements in the order of things, to posit at least two types of psyche. There must be a good and evil psyche. This is because there are

obviously good and evil motions in the world and a psyche of one type could not account for its contrary. The Athenian recognizes this and therefore posits evil psyche (896d). The goodness or evil of the particular psyche depends on its relation or lack of relation to nous, which is mind, reason, or intelligence. Therefore, psyche is good if it is related to nous; and evil if it is not. The Athenian clearly associates goodness with the rationally discernible and predictable; evil with irrationality and aimlessness.

What psyche is for the Athenian, is a non-bodily being which exists prior to body and is responsible for any bodies having life. It is also something that is "akin" or somehow related to a higher notion of nous which is responsible for regularity and order in physis. So psyche itself is a mixed entity; it combines an immutable, self-contained realm with the realm of continual change. Solmsen comments,

> Soul had always been conceived for Plato as immortal by nature akin to and in communion with Idea, numbers or whatever is permanent and in the same state forever. On the other hand, he had also seen in it the principle of Life which animated the otherwise dead body, ruling over it and governing and directing even physical activities.[25]

Therefore psyche is that principle necessary in the platonic universe to unify the eternal, immutable realm of a purified being with the ever-changing everyday world of becoming.

It is still necessary to examine nous which is a more constant, and purer non-bodily entity than psyche. In examining the paths of the heavenly bodies, it is readily agreed (897c,d) that they are orderly, and constant; this indicates the presence of guiding principle. But we must remember that it was only in Laws IX (821-823) that the interlocutors agreed, contrary to initial opinion, that the planets moved according to rational principles. At first, both Clinias and Megallus thought that the planets were, as their name indicates, wanderers. Yet, Clinias and Megallus soon accept their more cosmopolitan companion's revelations to the contrary. The Athenian mentions that these findings of the orderliness of planetary motion are new to him also. We can only assume from this that these facts are new to the author of the Laws. Werner Jaeger claims that this theory was introduced to Greece by Plato's mathematician friend Eudoxus who learned it in Egypt.[26]

This finding was very important to Plato because on the basis of the orderliness of the heavens he deduces a cosmic goodness. If Plato were to make an argument based on the design of the cosmos before Eudoxus' work, he would have been forced to assume from the apparent lack of rational order that evil was the most fundamental cosmic force. This is because Plato, a great rationalist,

equated rationality with goodness, and irrationality with evil. For Plato these new discoveries made the heavens become an image of the cosmic intelligibility that he wrote of all along.

The entity that is responsible for astronomical movement in this orderly fashion is called nous. It is related in some sense to psyche, yet it is important to distinguish it from psyche. The motions of the planets are constant, orderly, unchanging. These are not necessarily characteristics of psyche; they do characterize nous. Nous, unlike psyche, has a completed, immutable quality as its essence. This prevents it from ever changing or coming to completeness. It is eternally complete. Jaeger, we think, adequately describes nous as ". . . that all-guiding knowledge which ever since the beginning has comprehended each and every individual process of mixture. . . in the past no less than the present and future."[27] Nous is not something that changes, instead it grasps all knowledge, and design at once. Festugiere gives us a good glimpse at nous calling it, "l'intelligence intuitive."[28] This indicates that it does not have a rationally deductive way of knowing--one which moves logically from one step to another--but it knows everything at once, permanently. Motion or change is not a characteristic of pure nous. Rationality is the human

possibility of the imitation of nous. That is, nous' complete, perfect intuitive knowledge serves as the end of rationality's imperfect logical sequences. One obvious instance of rationality is embedded in techne. Therefore techne is related to (in a derived way) nous.

Nous and Psyche

In order to get a clearer picture of nous and psyche we must attempt to understand the relationship between them. This relationship in itself is not clearly made in Laws X but there is enough to indicate Plato's thought on this issue. The first, and possibly most important, issue in this regard is whether nous is necessarily related to psyche.

Nous, as we indicated, is essentially a self-contained, permanent, intuitive knowing. If this is the case, it is not at all clear how it has anything whatsoever to do with earthly existence, to say nothing of the individual human or city. It is necessary to tie nous to the realm of human concern. This is the function of psyche. Hackforth maintains that it is not the responsibility of the Laws X to make this difficult relationship clear. Instead, he claims, the object ". . . is to lay down the necessary minimum of philosophical doctrine required for a second basis of religion and morality."[29]

We agree that all the philosophy that is called for is enough to serve as a basis for morality and religion; but unlike Hackforth, we do not think that Clinias and Megallus are the only type men that it is necessary to convince. In founding a city which is necessarily diverse in its citizenry it is necessary to satisfy all those citizens' desire for a well-founded city, even if they are philosophers. Thererefore, the question of how psyche and nous are functionally related is important for it has the potentiality to explain the necessary mechanics of the order of the universe.

Rutenberg tells us that ". . . the larger problem arises in accounting for the relationship of mind and soul to the cosmos. This is done through the notion of God, the intelligent soul who knows all."[30] God is therefore a combination of psyche and nous that is all knowing and is the regulator of the cosmos. Rutenberg thinks that psyche and nous are necessarily related because reason and mind are incapable of existence except in soul. This interpretation has the advantage of making nous necessarily capable of motion and therefore it is apparent that it can be responsible for the intelligent motion of the planet. It also does not run the risk of making nous such a rarified notion that it is extraneous to everything else. This interpretation allows there to be psyche

distinct from the highest psyche, God, but no nous distinct from God. This conception of nous and psyche seems to be the closest to what the text of Laws X says explicitly. Yet, there are serious problems with it. For instance, it is quite mysterious what is going on if psyche is said to be akin to nous, yet nous must be psyche. This would make psyche akin to a special type of psyche which is not very helpful. It also leaves open the question of which element is responsible for the genesis of the other, or which is more important.

The other possibility on this issue is that nous is independent of psyche. This has the advantage of making nous internally consistent. It is an immutable, completed knowing entity; a perfection. It also makes it sensible to talk of psyche as akin to nous. This would mean that both are non-bodily and the psyche is capable of a relationship to nous. The relationship for them would be that of ruler (nous) to ruled (psyche). The separation of nous from psyche would also create the possibility of a true perfection in the universe. Hackforth asserts that Plato consistently posits psyche and nous as separate entities. He states that Plato, ". . . confirms, as seriously meant, the discrimination of nous from psyche."[31] But Hackforth is wrong because even when Plato speaks about soul by itself there is often an implied necessary

relationship to nous. For example, "Soul by his own motives stirs all things in sky, earth or sea--and the names of these are wish, reflection, foresight, counsel, judgment. . . ."[32] These types of movement, because they are essentially rational are related to nous. If psyche can move in this manner without nous then nous is an unnecessary principle. There is another problem with Hackforth's interpretations. A perfect being like pure nous could not be involved in a relationship outside itself. For if it is really complete and permanent than all relationships are either impossible or gratuitous. Therefore, Hackforth's theory of the relationship between nous and psyche fails on two counts: it does not represent what Plato maintained and it does not resolve the problems between the two elements anyway.

There are difficulties with any proposed theory of the relationship between psyche and nous in the Laws. The Athenian Stranger fails to make this important relationship clear, and therefore falls short of a successful dialectical search for the order of things. But this does not mean that the section is a complete failure. We must look at how the relationship of nous to nomos is handled; if this permits the assumption that techne is characteristic of the physis as well as things human, then Plato will have scored the sought victory over his enemies.

Plato concluded that physis does not move at random, but has a rational design to it. Rational design is held to be caused by, and in indication of, nous. Techne, which is a rational design in the human realm, is therefore related to nous. The ordering of political society, or the creating of nomos can be a techne, since there is a relationship between techne and nous then nomos, as an instance of techne can be related to nous. Therefore law based on reason is more natural (more primary) than physical elements like earth, air, fire, and water. Nomos is a techne brought about by nous through the psyche of man. Mahieu gives a statement of the minimal success that can be attributed to the Athenian's argument, "It suffit de faire remarquer, pour Platon, la Technique (Technae) n'existe pas seulement au niveau humain, mai aussi a un niveau superieur."[33] This allows Plato to dismiss the atheistic materialists' argument that physis is made up of randomly moving bodies. He can claim that there is an ordered nature that has a counterpart in the order of human things. The order in physis and nomos depends on the same thing, nous.

Therefore, law and the gods are taken to be dialectically established by demonstrating that nomos and physis need not be mutually exclusive. But the Athenian would not want to defend all nomos as being inspired by

nous. For there are enough laws and customs that are evil and arbitrary, that it would be impossible to assume that all nomos was related to the highest principle in the universe. The point is that we should not assume from randomness in some nomos either, that physis was not ordered, or if physis is ordered that it necessarily conflicts with nomos. The Athenian is not defending all existing nomos. He is trying to establish the possibility of the existence of some nomos sharing a common basis with the cosmic order.

If it is true that physis is rationally patterned, it is still not clear why citizens should imitate physis. In contemporary speech the question could be asked if one can derive an "ought" from an "is". Plato believes that it is intuitively obvious that one should act in accord with the structure of the cosmos. But the order of the cosmos does not logically demand that citizens ought to behave in a specified fashion. Even if the cosmos is designed so that men are benefited by certain action it is not logically necessary that they ought to act this way. It is true that men generally choose to benefit themselves if they know how but this is a matter of fact, not value. Similarly, rational men--those who recognize the existence of nous--will behave, to the extent that they are rational, in a rational manner. This being the case it does not

make sense to command them to act rationally--to say they ought to do so. This trivializes the power of the word "ought" in the same way as saying "bodies ought to obey the laws of gravity."

A more interesting question arises when we use this framework to examine one of the main themes of this work: that Plato does not think that most men are primarily rational. We are then faced with the question of whether the rational ought to rule the non-rational. That is, does the structure of the cosmos demand that the rational men attempt to make the non-rational act rationally? To state the question more simply: why ought the rational rule the non-rational? The only sensible reason is for the rational to prevent being ruled by the non-rational. The rational ought to rule as a matter of practical prudence--not logical necessity. Therefore in spite of Plato's opinion to the contrary the fact that nous exists does not logically entail how we ought to act.

Viewed from the point of pure logic the constitution of the Laws becomes an interest groups' (the partisans of reason) domination of political order. This is not what Plato intended, nor what we recognize to be just. Therefore we think that a good constitution (and the city of the Laws is an example) needs more than rational men--it needs good men. We defined the good man as the one who rationally

recognizes that nous is the highest principle and maintains the intuitively based opinion that rationality (as the imitation of nous) ought to be fostered. Therefore rationality is a necessary though not sufficient condition for goodness. This is interesting because we discover that goodness even at its highest level--that of the dialectical ruler--requires a break from knowledge to opinion. Plato, we must mention, never recognized the distinction between the rational and the good men at this level. Yet we maintain that it is the good men that are the ultimate statesmen and benefactors of citizens--indeed the propagators of propositions two and three of Book X.

Proposition II (889d-903e)

The Athenian has demonstrated that there is a divinity which is some type of bodiless psyche related to nous which governs the cosmos in a rationally discernible fashion. This function is quite removed from the working of the city and the individual moral agents. It is necessary therefore, if the gods are going to act as the intended bulwark of civic virtue and individual morality, that the gods be brought into closer relationship to the citizens. In other words, the gods must be shown to care about human affairs, they must be providential. Paul Moore

makes the point that imagination rather than reason raises the first doubts about divine providence. He explains, "We picture God as sitting afar off in splendid isolation uttering decrees that run like thunder through the infinite ways of space; and to think of him at the same time as present in the streets of our cities and walking besides us as we go about our daily business, is an impiety, if not an impossibility."[34] Yet it is exactly such a divine element that the Athenian wants to establish in his preamble to the laws of a virtuous city.

The Athenian recognizes that the belief that there are gods that do not pay attention to the affairs of men runs the risk of being as much a cause of impiety as the simpler belief that there are no gods. It is a potent form of practical atheism to deny the providential nature of gods, or God. The genesis of this belief, the Athenian says, is the experience of seeing evil men succeed in terms of honor, power, and wealth. This sight seems to be evidence against a divinely good god being concerned for things human--for it is intuitively unjust for evil people to succeed.

In the attempt to establish the providential nature of the cosmic gods, the Athenian invites his companions to take part in the discussion to a much greater extent than in the conversation of proposition I. This indicates that

this demonstration is not as difficult as the previous one, for the Athenian thinks that Clinias, and even Megallus, can participate in it. The argument for the providential character of the gods or God (there is a seemingly indiscriminate use of the terms) is based on the goodness of the gods. Goodness necessarily excludes indolence, negligence, and petulance. The gods, because of their omniscience, know about human affairs; and because of their goodness they are not lazy, neglectful, or erratic. This is so much the case that they tend to the smallest detail of cosmic existence. Human affairs though not of the greatest importance are also not of least importance.

Yet, we must remember the nature of the gods that were proved in the proposition I. These gods were psyche guided by nous and had their most obvious manifestation existence in the regular motion of planets. These gods that are now being spoken of are in one respect similar to pure nous in that they can know everything. If this is the case, and the gods do know everything this does not necessarily imply that they will care about everything. It is possible that the gods know everything and do not care about everything. The gods' providential character is attempted to be demonstrated by saying that the gods are responsible for all motion. What is obviously forgotten,

or hidden, at this point is that all motion is not good--there are evil movers, e.g. movers unrelated to nous. Nevertheless, the Athenian pushes the argument along as if all premises are sound. Already we suspect that the Athenian is no longer even trying to describe the working of the world in a simply true fashion. The Athenian is attempting to persuade the non-philosophers to virtue. The philosopher is obviously excluded for the language being used to refer to gods is only vaguely like that which was dialectically established in proposition I (language which itself was not perfectly clear).

The Athenian, going further from the conception of the gods as orderly cosmic movers, starts to anthropromorphize the gods. The first image of the gods' relationship to man is that of an owner of property. E. B. England, in a tone sympathetic to the Athenian's argument, explains that, ". . . the gods are not only our allies, they own us, as a farmer owns his stock, and so have a direct interest in our condition. . . the gods watch over us like shepherds."[35] But an owner qua owner need not be vigilant of that which he owns even if he is aware of it.

The argument for providential care becomes clearer yet more anthropromorphized (and therefore more suspect) when the Athenian compares the relationship between the gods and men to the artist and his charges. The Athenian

argues that the physician or the sea captain qua physician or sea captain is necessarily concerned with his charges--even down to the smallest detail. Neglect of details can be the direct reason for failure in art. If the gods are like artists working their charges then they care about human affairs. This follows, according to the Athenian's argument, since it would be impious to suspect the artisan gods to be inferior to artisan human beings.

There is a certain plausibility to this argument yet it is fallacious. First of all, there is not sufficient reason from what was dialectically asserted about the gods to suspect that they are very much like human beings. If they are like human artisans it is still doubtful that they would need be as diligent in caring for their charges as the human counterparts since they would not be as subject to failure as humans. It could be said that they are not subject to failure because they necessarily are diligent but this is to already dogmatically adopt the idea that gods are like men.

What should be apparent is that the Athenian is moving further and further from dialectic; his speech is becoming more rhetorical. The aim is to persuade men not capable of dialectic to respect gods--not as cosmic movers but as tenders of human affairs. Not to do so, he says, ". . . is wholly impious."[36] The Athenian cares more for

piety than truth at this point. The gods may, in fact, care for us--but the arguments put forward certainly do not rationally compel us to think they do.

The Athenian makes it clear that the young atheist needs more than mere argument to persuade him, he needs something ". . . by way of a charm."[37] The Athenian is certainly willing to provide the charm. This takes the form of an individualized argument to the young men indicating that even his small, solitary existence is noticed by the gods. The Athenian maintains that what is best for the individual is best for the entire cosmic order. There is an attempt to squash the egoistic morality of Callicles and Thrasymachus, even before it arises in the rather meek young man. The Athenian tells the youth that one must be certain not to seek an individual good that is contrary to the general good because it will be noticed unfavorably by the gods, and it will not be good for the individual anyway.

The Athenian wants to demonstrate that the gods care about human affairs and therefore all individual men should be good. To persuade his companions, and men like them, he posits some mechanics of godly providence and divine justice. The central concept at work in these explanations is platonic concept of psyche. Plato holds that the nature of man is a complex mixture of psyche (which combines with

nous also) and body. He says that man's nature, ". . . though not eternal, is, like the gods recognized by law, imperishable."[38] The psyche of all persons continues to live, with the effects of its bodily relationships after the body dissolves. There is a link between the gods, whose nature is psyche, and the psyche of individual men. Therefore, there is divine superintendence of the men, but this takes the form of man's existence. This is confusing because he is saying that men are gods. That is, there is a divine aspect to man that does not die with the earthly individual. This can be used to account for divine providence by saying that it is merely man's concern for himself but this certainly obscures the relationship of gods to men as owner to property or artisans to their product or any other conceivable metaphor.

This model of man's psyche is also useful for handling a notion of divine justice. The initial reason that was stated for not believing that the gods cared for human affairs was that some evil men prosper. We are now faced with an immortal psyche attached to human bodies that is the source of, and responsible for, human action. So psyche can come to be evil or good depending on the type of action it produces. The psyche that enjoys and causes good action will be good; the psyche that enjoys and causes evil action will be evil. What we are faced

with is psyche that can choose good and evil and yet we do not have a clear concept that allows the formation of free will. If psyche is not attached to nous it would necessarily be disorderly and evil. At this point, these two choices seem to be the only ones available, so this clear statement of free will with regard to the individual psyche is not dialectically grounded.

The Athenian says the actions caused by individual psyche make that psyche good, bad or neutral. If the psyche is morally neutral it remains at earth level when the body dies. It it is evil, it goes to the underworld and suffers. If the psyche is exceptionally good it goes to the upper realm, a realm of holiness, which is presumably enjoyable. This process of the psyche serves many purposes in the Athenian's cosmic scheme. It functions as a means of divine superintendence (although a confused one). It also clearly indicates why it is not to be the advantage of the individual to seek his happiness outside of the cosmic goodness. The alleged reason is, of course, that the order of things is such that evil will eventually be severely punished. This makes evil doing, which is done for self-advantage, really not advantageous. The psyche, as immortal and punishable, is also a valuable theoretical system because it permits--contrary to human experience--justice to reign supreme. That is, the temporal boundaries of

justice are indefinitely expanded. Therefore, the evil man who prospers in this life is no longer a witness to the gods' non-providential nature. Instead, on this cosmic model, the wrong doer will receive his just deserts (which are unpleasant) after death. Nobody gets away from the eternal and careful workings of divine justice.

Oliver Reverdin calls this theoretical system of immortal psyche and necessary justice, "Le mythe eschatologique des Lois."[39] It is mythical in the sense that it is doubtful that the cosmos functions in exactly this fashion. For example, the imagery of directions that psyche moves upon death--under the earth for evil, earth level for neutral, and skyward for good--is not the result of a reasoned argument or of experience. We therefore say that it is designed to affect the listener rather than reveal truth. This is similar to, yet less rhetorical than, the passage at the end of the Gorgias (523a-527e) which is full of named gods like Pluto, Zeus, and Rhadamanthus, with specially assigned functions. In the Gorgias, the theory of divine justice comes to Socrates almost as an afterthought and is designed to reinforce the rhetorical victory over Callicles. In the Laws X this theory is tied to a theory of psyche (as confusing as that theory may be). We maintain that this entire

section dealing with the proposition that the gods are providential, aims more at the level of belief than truth and therefore it is rhetorical rather than dialectical in character.

Proposition III

The third proposition, that the gods cannot be bribed, is directed against believers in traditional Greek religion. It is demonstrated in a very short anthropomorphic argument. The gods are compared to the physician fighting a disease, the shepherd guarding his flock, the charioteer in a race, the general in a war, and even the sheepdog guarding sheep. The gods are compared to a person or animal with responsibility. In every instance the point is the same: to be called good, one must take care of his charges. It would be bad for the general to deliberately lose a war for his own gain, or a physician to let disease conquer for his personal gain. It even seems blameworthy for a sheepdog to let a wolf kill the lambs so that he could get a portion of the meat. This last example, oddly enough, is the one the Athenian makes most vividly. It is odd because one could insist that sheepdogs are not capable of blameworthy action. Yet, the point is clearly made that it is evil and blameworthy to neglect one's responsibility especially for personal gain. The gods are

analogously said to be in charge of human beings in the fight of good over evil. Therefore, a god would be blameworthy if he aided, or forgave a man of evil in return for part of the profits of evil. Therefore the thief's attempt to bribe the gods by expensive or elaborate sacrifices is doomed to failure. Yet this argument is rhetorical in character. For there is no support for the claim that gods are good in a way that is like a good man. The excellence of the gods is that of cosmic movers of a rational order. There is no ground for believing that the gods are able to benefit from (or be harmed by) any human action. Therefore, we do not have anything with which to bribe the gods.

It should also be pointed out that if the gods are not susceptible to any bribe, and they are only motivated on the basis of goodness, then prayer, even the prayer of the virtuous, is ineffectual. This is important because the interlocutors prayed often for the gods' help in the dialogue; and the city they propose is a prayerful one. So there seems to be a conflict between pious acts of prayer and the third dogma that good people can bribe (with kind words) the gods, but evil people cannot.

The Athenian ends his argument of the third proposition with an apology for the vehemence of his argument with traditionalist religion. He indicates that the heat

of the argument springs from the realization that if he lost the argument people may think they can act wrongly. The Athenian is content, he says, if he is able to affect men, even to a minor extent, to be virtuous. We should notice that he does not say that success in this argument is in terms of the truth revealed.

The Athenian closes Laws X with a formulation of penalties to be inflicted on the unbelieving and the impious. He legislates what is to be done with citizens who are not moved by the preamble to the laws, e.g. the theology. There are several classes of offense against impiety. The most interesting is between atheistic men of upright character and atheistic reprobates. The punishment recommended for the atheistic, upright man, or the one ". . . whose fault is due to folly apart from visciousness of disposition"[40] is imprisonment for five years. During this period, the prisoner is only allowed to speak to members of the Nocturnal Council, the dialectians. This is so he will not influence anyone, and also in hopes that he will realize his error. If the prisoner is not cured of his folly in five years and subsequently convicted of impious belief he must be killed. This treatment of atheistic upright men is severe, in fact, it is unjustice. The atheist man of bad character is actually treated better than the upright atheist. He is imprisoned outside the

city in the woods and is given limited rations of food, until he suffers a natural death. The ignoble atheist is, oddly enough never executed.

Chapter Conclusion

We have found that Book X of Plato's *Laws* is a mixture of dialectic and rhetoric. Proposition I of the theology, that gods exist, is dialectically handled with the Ionian philosophers as the implicit adversaries. We maintain that it is dialectic, in spite of its less than perfectly successful outcome, because it is a sincere effort to rationally discover the divine order of things. It is the only *bona fide* theology in Book X, or any other part of the *Laws*. The dialectical account necessitated an inquiry into the existence of *nous* and *psyche*. Both were demonstrated to exist as fundamental principles of the order of the universe. *Nous* was explicated as eternal, intuitive intelligence and *psyche* as the principle of self-motion.

We maintain that the second proposition, that the gods are providential, is rhetorical in character and directed against the sophists. It takes the result of the first proposition, that there is a divine element to the *cosmos*, as if this indicates that there are recognizable gods who watch over us. The purpose of the second

proposition is to persuade citizens that are not philosophers to be virtuous. To this end, gods that care about human affairs and administer justice after death are persuasively posited. The rhetorical character of this argument makes this section of what is generally called Plato's theology unqualified to be, strictly speaking, theology. The third proposition, that the gods cannot be bribed, is also rhetorical in character, and therefore not strictly theology. It is necessary, if the gods are to be an aid in making men virtuous, to make sure men do not accept the popular homeric view that the gods are willing to aid in, or forgive, wrongdoing for part of the profits of wrongdoing. The arguments used to make this point are highly anthropromorphic and designed to persuade the non-philosophers by rhetoric. Therefore instead of calling Book X Plato's theology it would be more appropriate to call it Plato's preamble to legislation. This has the positive advantage of making the political nature of this section more evident. For indeed Laws X aims at the political goal of virtuous citizens and it uses a variety of methods to bring this about.

The political nature of Laws X demands a mixture of dialectic and rhetoric. That which binds this mixture of such radically different elements is the common goal of virtuous citizens. For the philosopher dialectic is used

to indicate that there is a divine element that is worthy of imitation. This, it is assumed, is all that is necessary to insure virtue among philosophers. This assumption as we indicated is naive since there is no logical necessity that guarantees that all who recognize the good will act according to it. For those incapable of dialectic the point is effectively made by rhetoric--a less rational way that is easier to understand. The philosophers achieve knowledge of the divine (although incomplete) and the non-philosophers are given an opinion on the divine. In this way Book $\underline{\overline{X}}$ serves as an excellent preamble to the legislation of the Laws.

CHAPTER IV: THEOLOGY

FOOTNOTES

[1]Plato, Republic, (365d-e).

[2]Andre Geurolt, "Le X^{e} Livre des Loi et la Physique Platonicienne," Revue des Etudes Grecques, XXXVII, 1924, pp. 29-30.

[3]Plato, Laws, (887b).

[4]Glenn Morrow, Plato's Cretan City: A Historical Interpretation of the Laws, Princeton, New Jersey: Princeton University Press, 1960, p. 468.

[5]Plato, Laws, (886a).

[6]Ibid., (886b).

[7]Tate, J., "Plato, Socrates and the Myths," Classical Quarterly, vol. XXX, No. 3, July-October, 1936, p. 143.

[8]Plato, Laws, (884a).

[9]Ibid., (888d).

[10]Solmsen, Plato's Theology, p. 133.

[11]Eudore Derenne, Le Process d'Impiete Intentes aux Philisophes a Athenes, Leige, 1930, p. 252.

[12]Plato, Gorgias, (483a).

[13]Ibid., (492c).

[14]Plato, Republic, (338c).

[15]Instead of regarding nomos as a baseless enemy of the strong, it can be regarded as the only legitimate source of authority. This position maintains that it is exactly because of the frail theoretical basis of nomos that we must be so delicate with it. This understanding of the sophist position which leads to a humanitarian civic responsibility, is crisply presented by Eric Havelock in The Liberal Temper of Greek Politics.

[16]Plato, Laws, (890d).

[17]Strauss, The Argument and the Action, p. 132.

[18]William Heith Chambers Guthrie, The Greeks and Their Gods, Boston: The Beacon Press, 1950, p. 134.

[19]Plato, Laws, (892b).

[20]Edwin England, The Laws of Plato, Manchester: The University Press, 1921, 2 vols., p. 458.

[21]Plato, Laws, (896a).

[22]Ibid., (896c-d).

[23]Solmsen, Plato's Theology, p. 137.

[24]Thomas Pangle, "The Political Psychology of Religion in Plato's Laws," The American Political Science Review, vol. LXX, No. 4, December, 1976, p. 1063.

[25]Solmsen, Plato's Theology, p. 89.

[26]Werner Jaeger, Padeia; Ideals of Greek Culture, New York: Oxford University Press, 1944, p. 258.

[27]Werner Jaeger, The Theology of the Early Greek Philosophers, New York: Oxford University Press, 1974, p. 163.

[28]Andre Jean Marie Festugiere, Contemplation et Vie contemplative selon Platon, Paris: J. Vrin, 1953, p. 447.

[29]Robert Hackforth, "Plato's Theism," Classical Quarterly, vol. XXX, No. 1, January, 1936, p. 5.

[30]Culbert Rutenburg, The Doctrine of the Imitation of God in Plato, New York: Kings Crown Press, 1946, p. 31.

[31]Hackforth, "Plato's Theism," p. 8.

[32]Plato, Laws, (897a).

[33]Wautheir De Mahieu, "La Doctrine des Athees aux X^{e} livre des Lois de Platon," Revue Belege de Philogie et d'Histoire, 41, 1936, p. 20.

[34]Paul Moore, The Religion of Plato, Princeton, New Jersey: Princeton University Press, 1921, p. 140.

[35]England, The Laws of Plato, p. 500.

[36]Plato, Laws, (903a).

[37]Ibid., (903b)

[38]Ibid., (904a).

[39]Oliver Reverdin, La Religion de la Cite Platoncienne, Paris: E. De Boccard, 1945, p. 27.

[40]Plato, Laws, (909a).

CHAPTER V

RELIGION

The appropriate mode of worship for a dialectically discoverable divine element that is the ultimate cause for everything from the movement of the planets to the arts of legislators, would be prolonged rational contemplation of the order of things. Worship, in this sense, would be the nous in men actively contemplating the nous in the universe. Plato, succeeds in demonstrating with some plausibility that a divine element does exist. Why then doesn't he encourage contemplation? Why, instead, does Plao advocate the worship of a confusing mixture of traditional Greek religious elements including Zeus, Apollo, Demeter, countless demons and heroes, as well as select superstitutions?

The reason is that very few people are capable of contemplation. Rather than ignore the religious needs of most citizens, Plato adopts several elements of the traditional religion. Even if the god of contemplation is the true god, the traditional gods are better vehicles for making most men virtuous. Since the Laws is a political work, attempting to put forth a legislation that makes citizens virtuous, Plato finds it necessary to adopt the

religion best suited to achieve this goal. The religion of the Laws, an essentially civic religion, has a dual aim. First, it seeks to join the citizens together in a cohesive fashion; and second, it attempts to influence their behavior and thought. This important social bond and means of social control operate on the citizen in a non-rational way. That is, the practice of civic religion depends on persuasively adopted opinion, not knowledge. The principles upon which the religion is based cannot be dialectically ascertained. Therefore the citizens, as believers, are persuaded of the merit of religion. The doctrines are believed to be true in spite of the lack of rational examination. It is by the practice of religion--the performing of rituals and the saying of prayers--that belief is originally fostered, and continually reinforced. The stronger the belief in religion, the more likely one is to obey the rules of religion. In the case of Plato's city, and the actual classical city, these religious rules demand public virtue. Plato's religion, like his city, is in service of virtue. In fact, for Plato, civic life and religious life are often the same thing.

We intend to examine the way in which religion functions in the Laws. It combines, we will maintain, several very different elements (while significantly rejecting others) in traditional Greek religion. In this

way, Plato creates another mixture in the Laws. It is most important, to recognize religion as the main instance of persuasion in the Laws. The theology of Book X (at least the first proposition) is, we maintain, the primary instance of truth seeking; religion is the primary instance of persuasion. Therefore, it is necessary to distinguish between theology and religion. We define theology as the theoretical search for knowledge about the divine. We define religion as starting in opinion and seeking the favor of the gods concerning welfare in this life and after death. The opinion that forms the basis of religion is the idea that there are providential gods who are capable of being influenced. The practice of the cult without this belief can be called false religion. Religion proceeds by belief, ritual, prayer, worship, obedience and sacrifice; theology proceeds by thought. The chief virtue of theology is reason; the chief virtue of religion is piety. We define piety as the constant and meticulous concern for the given religion.

There can be a complimentary relationship between theology and religion. The rational thinking about the divine may dictate the type of worship. What is surprising about the religion in the Laws is the lack of such a relationship. Plato's theology reveals eternal, rational cosmic movers; his religion worships Olympian gods and

dead men. It is the very shift in emphasis from reason to piety which distinguishes the Laws from all earlier works of Plato. In this work Plato does not aim at developing reason in most of the citizens of his city, nor do the citizens (like Clinias and Megallus) seem to seek reason. Piety, on the other hand, is the most obvious characteristic of the citizens. The Laws delineates the rules of piety for a wide variety of areas of human life, and indeed the citizens (or at least the interlocutors) have great interest in being pious. Piety, the constant and meticulous obedience to religion, depends on rules. The higher the degree of specification that the rules achieve, the greater the degree of piety that is possible. Plato, in the Laws, is very specific on topics ranging from ambidexterity to homicide. The city of the Laws is designed more for the man of piety than the man of reason.

The difference between reason and piety can be better understood from a practical, political view-point. Reason is universal in scope. The gods that reason reveals are indeed universal gods--the orderers of all things that are. If these gods were to be the gods of political constitution, this constitution would have to be universal scope. It would be impossible to exclude anyone from the constitution championed by the cosmic movers, since

everyone has just claim to citizenship because the movers are their ancestors. A universal constitution is, though not logically impossible, practically impossible. A political order, or at least a Greek political order, must engender some feeling for a specific way of life, ". . . our way," that is different. In order to foster this feeling loca specific gods are needed. The gods and the laws of polis must be specifically related to the people; they must represent a different, blessed way of living. It is within the context of a polis, under the protection of specific gods who bless certain ways of living, that piety comes to be the chief characteristic of the citizen. The legislation of the Laws takes place within these limits. We intend to show how the constituion of the Laws is designed for piety, not reason. We maintain that religion functions as the chief non-rational means of making men virtuous. This will be clearly understood to be the virtue of an engendered piety rather than the higher virtue of rational, free men.

Religion in the Laws

In order to understand the Laws, it is essential to realize that it is Plato's most religious work. At no point in the Laws are we far from a passage or allusion to some aspect of religion. As an indication of this, it is

worth noting that seven of the twelve books of the Laws have some pious mention of divine things in their opening speech. If nothing else, this clearly indicates that the Laws devotes a large amount of space to religion. It is also worth noting that Plato calls for the city to be divided into twelve sections, each under the protection of one of the twelve Olympian gods. Plato realizes that the number twelve can be divided an multiplied conveniently, making it a useful administrative number. But we maintain that Plato also uses it to indicate the pious structure intended for the city of the Laws.

The opening scene of the first book of the Laws has the Athenian asking his companions whether the laws are of divine or human origin. They answer that their laws are divine. Zeus is said to be the author of the Cretan constitution; Apollo of the Spartan. The dramatic setting of the opening passage is significant. The conversation takes place in Crete, which is traditionally believed to be the birthplace of Zeus, the alleged author of Cretan law. Also the route the three gentlemen are taking from Cnossus to the cave and the chapel of Zeus is the same one that Zeus' son Minos, a god reputed for his justice, was required to make every nine years to confer with his father on civic matters. Therefore, the pious character of the Laws is set on its first page.

Magnesia, the polis of the Laws, is a pious political entity. This is because it is a re-affirmation of the classical polis. In spite of its differences from any actually existing polis, Magnesia never transcends the basic classical form of political life. The one fact that is essential to know about the polis is that all civic activity was a religious act. The classical polis that Plato seeks to restore is one on which civic life and religious life coincide. In the actual polis and in Plato's proposed polis, the gods were protectors, advisors, and judges who demanded large amounts of worship for their services. The polis by its very nature demands piety.

Piety is a safeguard from the god's wrath as well as a means of seeking divine favor. The methods of piety are prayers, sacrifices, and rituals. We think that Plato's advocacy of piety is in conflict with the third proposition of Book X, which is, the gods cannot be bribed. Bribery is the attempt to gain favor from another by benefiting the person in ways that are extraneous to the affair at hand. The crudest form of bribery is to offer money in return for favors. A more sophisticated method is to offer words or actions which indicate one's belief in the powers of the others. This is called flattery. Piety, we maintain, is an attempt to bribe the divine with flattery. Therefore piety is (oddly enough) a contradiction

of one of the basic propositions about the divine.

This contradiction is functional in the political constitution of the Laws because of the mixed character of the citizenry. The well-regulated, obedient, non-philosopher will not notice the contradiction. He will therefore say that the gods are not bribeable while his actions will be attempts to influence the gods by piety. The philosopher-citizen, on the other hand, will recognize the contradiction yet it will not concern him because it is only a contradiction on the level of belief in traditional gods. The philosopher--the man with knowledge of cosmic movers--can tolerate the contradiction because it does not affect his basis for goodness. So although the political effectiveness of the Laws is not impaired by this contradiction the intellectual status of the work is reduced because Plato does not even recognize it. We assume Plato is unaware of the contradiction because nowhere does he ever remotely allude to it.

Archaic Religious Elements in the Laws

Plato collects various aspects of the traditional piety in order to encourage virtue in his city. In order to understand the conservative nature of the piety that Plato demands it is necessary to be acquainted with various elements in actual Greek religion. The surprising aspect

of the mixture of pious elements in the Laws is Plato's willingness to use almost anything to foster virtue. Plato adopts and encourages some rather undignified positions, which usually have their root in archaic religion, in his quest for pious citizens.

Among the characteristic elements of archaic religion, which reached its zenith in the eighth century, were death and family. The chief objects of worship were dead ancestors. Mutual duties between the living and dead members of the family were operative. The live family members were responsible for offering the appropriate sacrifices that were necessary to keep the ancestors in existence; the ancestors were responsible for the protection of the living family members. The parent-child relationship is for connecting family through time. Therefore archaic religion pays significant attention to it.

These elements are discernible in Plato's laws of homicide. This is first apparent in that the victim of homicide is a power to be contended with, as is the ancestor in archaic religion. Because of the victim's continued power in the place of his death, the killer is forced to go away from the city where he did the killing for a full year, even if it was unintentional. The influence of archaic religion is also seen in the method or prosecution of killers. In archaic times it was the kinsman's duty to

slay the victim's killer, for without this revenge, the victim's soul could never rest. This was the religious basis for feuding. In Plato's city of the Laws, it is the duty of the kinsmen of the victim to bring legal action against the killer. This is a somewhat more refined method of justice than feuding. Nevertheless, in some cases, after the legal system found the killer guilty, he would be turned over to the victim's family for execution.

The emphasis on the relationship of child to parent, one of the key archaic elements, is incorporated into the homicide law of Book IX. Among the many distinctions and categories of killing that are considered, the worst possible offense is the killing of a parent. This can be clearly recognized by comparing the punishment recommended for the crime. The killing of another citizen while under the strain of passion requires the surprisingly light sentence of exile for two years. The passionate killing of a spouse, sibling or offspring is punished by a three-year exile from the city and a lifetime exclusion from family life. The punishment for the passionate killing of a parent is death. This is an indication of the sacred status of the parent.

This special parental status is emphasized in the examination of deliberate homicide. The murder of another

individual, providing he is not a slave, is punished by death. By exploiting religious elements parricide or matricide is punished more severely than by death. In addition to being executed the murderer's corpse is thrown outside the limits of the city and given no burial. This, based on the archaic belief in the importance of a burial, prevents the parent-killer's soul from ever resting. The parent-killer's soul is condemned in its next earthly life (metempsychosis is assumed) to suffer death at the hands of an offspring. The further specifications of this punishment are that if the murderer be a male and kills his mother, then he will be female in the next life (a reduction in ontological status) and be murdered by one of her own womb. Plato adopts and encourages these beliefs about the soul of the murderer although there is not specific connection with his dialectical treatment of psyche in Book X. We understand the legislation against homicide and particularly against parent-killing to be prime examples of Plato's willingness to persuasively use religious opinions, particularly those involving fear, to prevent citizens from unvirtuous activity.

The sacred position of parents, a key element of archaic religion, is also demonstrated in the power that parents have with regard to prayer.[1] Parents enjoy a favorable relationship with the gods, and are themselves

living images of the gods. Parents have the power to effectively curse children that do not take proper care of them. On the other hand, the gods listen carefully to a parent's good prayers for his children and are likely to grant favors for them. So the parents, according to this superstition that Plato encourages, are the greatest spiritual forces in any household. This belief promotes extra fine treatment of parents in the proposed city of Magnesia. It may be added in a cynical way that the planners of this city (and Plato himself) are all old people who would certainly receive immediate benefits from a city that so honors the aged.

There is a further specification regarding the treatment of parents in Magnesia. If a child is accused of mistreating his parents (that is, if he does not believe the tales of the parents' connection with the gods), he is to face a court with the power to punish in an immediate and earthly fashion, that is comprised of the one hundred and one oldest citizens. This is not a court from which one would expect a great deal of sympathy when being tried for mistreating parents. Plato uses the archaic religious opinions regarding the status of parents and the threat of immediate political punishment as means of fostering the virtue of the citizen.

Olympian and Chthonian Deities

W. K. C. Guthrie points out one of the most fundamental distinctions in Greek philosophy: the distinction between Olympian and chthonian divinities. This distinction can alternately be made by speaking of the gods above and the gods below; or the gods of the sky and the gods of the earth; or the gods of heaven and the gods of Hades. The Olympian gods were supremely powerful gods of nature that were completely superior to man and were concerned with the plight of man, not by necessity, but by goodheartedness or interest. The chthonian gods were superior to man, at least in the sense that they were, like the Olympians, immortal, but were also related to men in intimate ways. Plato's religion, and actual Greek religion, took both types of gods into serious account. We intend to point out how this mixture functioned in actual Greek thought and practice, and how Plato adapts it to his religious system.

The chthonian, or earth gods, although sometimes given little official attention, always had an important function in Greek religion. Included in this group of chthonian divinities were gods, demons, heroes, and ancestors. The practical distinctions between them were often not clear as the theoretical distinctions. The gods were almost as powerful as the Olympians but not as

universally acclaimed. Demons were messengers or auxillaries to the gods. Heroes, and some demons, were originally human beings that won immortality by great feats of strength, courage or goodness. Ancestors were, of course, dead relatives who had great influence with the gods and a special interest in the lives of their descendants. Chthonian gods were almost always associated with a particular place. That is, they were believed to be sacred by a limited number of people in a specific region. This is most apparent with the ancestors who were local because they were buried in the family plot and were only able to be worshipped by family members. The local divinities of the earth had a dual function in Greek religious thought. First, since they were gods of the earth, they were responsible for making the crops come up every year; second, they were the ones who controlled the after-life since the body was buried in their domain. The chthonian gods were the gods on whom life depended through the provision of food, and on whom well-being in the after-life depended. These gods were in charge of the very things about which human beings care most, life and death. The basic human concerns that these gods were associated with made them important to the ordinary people throughout classical times.

Plato extensively uses the chthonian gods in his

laws against homicide. It makes sense that chthonian powers would be called upon to prevent murder because of their role as the guardians of the dead. Plato also recognizes these local divinities when considering a name for the city, or planning the housing scheme. We should also recognize Plato's strict censure of unauthorized use of chthonian deities. This takes place in the laws against those who practice magic, witchcraft or sorcerers that pretend to evoke the aid of the gods against their human enemies.[2] These practitioners are punished by life imprisonment and by having their bodies cast out beyond the bounds of the city without burial. This severe penalty indicates that Plato assumes that gods can be evoked by individuals if the proper method is used, and that it is a threat to civil order. Plato wants to insure that all instances of social control are under official sanction.

The most significant recognition of the underworld that Plato makes is dedicating a whole month to Pluto, a chief underground figure, thereby elevating him to Olympian status. In this month every day would be dedicated to a specific chthonian deity. The reason for this, Plato says,[3] is that the citizens must not be overly fearful of death (unless they have committed grave injustices), because this makes them ineffective warriors. Contrary to the practice of any Greek city, Plato recognizes that it is to the

advantage of the city to publically worship underground deities. This, it is hoped, will inspire the citizen-soldier with a confidence that his city has a special, favorable relationship with the powers that will take his soul after death. This is, we maintain, another important instance of Plato using a rhetorical means of fostering virtue in the citizen. In this case the military virtue of courage is promoted through unfounded religious opinion.

The Olympians, twelve in number and great in power, were able to solve some important religious and civic problems for the Greeks. In the archaic period, religion was basically a family matter; neither individual nor community religion was well established. As problems expanded beyond the family's ability to handle them a political entity became necessary. Thus the polis, the basic unit of political life in classical Greece, emerged with the Olympians as its protector. The Olympians--more powerful and capable of more worshippers than any family god--were intrinsically bound to the polis. They were the alleged founders, lawgivers, judges, advisors, protectors, and symbols of the polis. Without the polis, the gods of Olympus were extraneous myths. The polis represented the Greek's public consciousness. It is, we maintain, characteristic of man as a public entity to desire power. In other words, he seeks the recognition and respect of others.

It was through the polis, under the protection of the Olympian gods, that the Greek was able to experience public power in this sense. When the polis began to wane, so too did the prestige of the Olympian gods. Yet it is in the very period of the polis' decline that Plato wrote the Laws, attempting to restore the basic Greek political entity, and with it, the Olympian gods. It is necessary to recognize that Plato, the great religious thinker of Book X of the Laws, is also a champion of the protectors of the polis, the Olympian gods. These facts force us to recognize that Plato was concerned not only with the truth about the order of things but also with a good political order for decent men who were not philosophers.

Plato while maintaining the Olympian's function, status and power substantially modifies the moral nature of these gods. Plato's Zeus is not the continually unfaithful husband, and Apollo is not the seducer of Creusa nor is Hermes a cattle rustler. The Platonic Olympians, in opposition to the poet's Olympians, are morally pure beings wrothy of imitation by upright citizens. The idea of having morally indecent gods to encourage decent behavior among men is a contradiction Plato cannot abide. The purifying of the Olympians is the only revolutionary aspect of Plato's otherwise conservative civic religion.

Zeus, the thunderbolt wielding king of Olympus, is used for a multitude of functions by Plato in his pious city. In Magnesia, Zeus is the official witness to oaths, pardons of clansmen, god of the workman, protector of strangers, and guardian of foreign envoys.[4] In each case Zeus, with his alleged power of punishment, guarantees that justice is done. Apollo, Athena, and Hermes also have civic responsibilities. But the example of Zeus is enough to demonstrate the point that Plato uses rhetorically based religious entities, not dialectically proven beings, to insure virtue in the city of the Laws.

The difference between Olympian and chthonian deities are dramatically shown through the methods of sacrifice. The Olympians were offered sacrifices from a high altar in the bright morning sun. The sacrifice was a white animal, preferably an ox, which was slit with its throat pointed towards heavens. The chthonoi, on the other hand, were offered sacrifices from a low altar in the evening or the black of night. Their victims were dark animals, like a ram or pig, with their throats slit facing down. The Olympian sacrifice was a respectable, official, businesslike event, whereas the chthonian sacrifice tended to be a fearful, secret, unsanctioned ceremony. The fact that both were able to be practiced by the same people indicates the mixed religious character of the

Greek people--the candidates for citizenship in Plato's city.

This split in Greek religious tradition between the nature gods of heaven and the mysterious gods of the earth superficially appears to be an inexplicable collection of contradictions. This, nevertheless, is not the case. Both types of gods served as answers to fundamental human needs. The chthonian gods were allies against the problem of crop failure and the afterlife. The Olympians represented an improvement for the Greeks because they indicate that mere life is no longer the earthly aim, it is replaced by the good life--a powerful collective civic life. In order to understand the simultaneous existence of two such varied types of religious thinking, we must see the Greek as a man concerned with the public power of civic life; and the basic unofficial concern for his own earthly existence, and the hope of bliss beyond the grave. The chthonoi and Olympians combine to represent the Greek's concern for life, death and power.

The multifarious types of divine entities (none of which have a dialectical basis) that Plato invokes in his city is clearly demonstrated in the Athenian's remarks on the proper religious order. He says,

> ". . . the mark of godliness will be truly hit if the gods of the lower world are held in honor next to the gods of the Olympians. . . . After these gods a man of judgment will do

> worship to spirits, and after them to heroes, and I would give next place to each man's image of his household gods, worshipped as the Law directs."[5]

This and other passages indicate Plato's willingness to use the traditional Olympian and chthonian elements of religion in his city of Magnesia. These gods, which Plato intends his citizens to affirm in belief and action are exploited to make the citizens pious, fearful followers of the law and thereby virtuous.

Apollo

Apollo, a powerful and respected god of the traditional Greek religion, is the most important deity in Plato's holy city of the Laws. Plato adopts the traditional Apollo with only slight changes (ignoring some poetically established misdeeds) and makes him the focal point of religious life. It is necessary, therefore, to have some understanding of the character of the traditional Apollo to see the reasons Plato chose him to be the patron of Magnesia instead of a deity like the mighty Zeus.

The traditional Apollo was an Olympian who revealed his revered wisdom through his oracle at Delphi, which was considered the geographical center of the world. Apollo and Delphi are intimately linked in Greek thought. Greek cities would not embark on any major change of policy

without consulting the oracle at Delphi. Athens, for instance, started consulting the oracle in the seventh century over a problem with Cylon and continued throughout classical times. The importance of the Apollonian oracle at Delphi was so great to the Athenians that George Daux[6] conjectures that Athens, an aggressive city, worked diligently to maintain a neutral policy toward Delphi, its militarily weaker neighbor in order to stay in the good graces of the oracle. This indicates that Apollo and his Delphic oracle was an important religious institution for Plato's home city of Athens and throughout Greece.

Apollo was the guardian of several related things. He was the champion of reason making him the guardian of education. Apollo was also the patron of beauty, so he cast his protection over all art, music, and dance. This gave him the further responsibility, with Dionysus, of ruling festivals. All rites of purification for evil-doers were under the guidance of the Delphi oracle. Yet, this god of moderation was most recognized as the protector and spirit of law. The Apollonian spirit of rationality, moderation, and respect were focused to promote lawfulness. Plato's civic aims of virtue as obedience to good laws fostered by proper education indicate that the city of the Laws and Apollo have an affinity for each other.

The chief indication of the source of Apollo's power in the Laws is found in the Athenian Stranger's statement that, "We must bring from Delphi laws about all matters of religion and appoint interpreters of them."[7] All religious legislation and interpretation are put under the protection of Apollo. This gives him great power because, as we have indicated above, the civic life and the religious life of the classical city coincide. By controlling religion, Apollo has control of the city.

There is also an affinity between Plato, the rational philosopher, and Apollo, the god of reason, which makes Apollo a likely choice as the patron of Magnesia. It is fundamental to our purposes to distinguish philosophy from religion; but as a religious symbol of philosophy the god of reason is the best image available. Having Apollo as the chief god of the city makes the needed pursuit of philosophy--the reasoning about the order of things--appear less hostile to the non-philospophic citizens. This religious context fosters political environment which is good for doing philosophy, a pursuit Plato maintained was necessary for the good city.

There is another good reason for having Apollo as the city's chief deity. Apollo serves as a cohesive force among the deities. One of his duties as an Olympian was the purification of wrongdoers, especially killers.

Homicide was taken to be, in the traditional Greek outlook and in the Laws, a pollution. It was, even in its most innocent instances, like a bad germ that must be exterminated. The cleansing of the pollution involved elaborate and exact rites. This connected Apollo with the chthonian gods, the gods of the underworld. It made him the authority by which these gods could be placated. So Apollo, through his duties associated with homicide, was established as the bridge between the chthonian and Olympian choices. This unifying force is important to Plato who obviously wants the gods singing in one voice about the benefits of virtue and the disadvantages of vice.

The widely respected traditional character of Apollo with his concern for education, purification, reason and lawfulness as well as his unifying power among deities united for virtue makes him a likely choice as the guardian of a platonic city. A superficially more likely choice, Zeus, a god of greater popularity and power, would not serve as well as Apollo in symbolizing the particular kind of constitution that Plato recommends to us in the Laws. The difference between Zeus and Apollo represents the difference between the actual cities and Plato's city of the Laws. Plato's city, like Apollo, aims much more explicitly at virtue through moderate lawfulness than actual cities. Zeus, like actual Greek cities and unlike

Apollo, tended much more to the pursuit of power, lawlessness and pleasure. In addition, Apollo, like his platonic city, is more closely related to the pursuit of philosophy than Zeus and actual cities.

Plato, as we have indicated, takes many elements from the actual Greek religious tradition and uses them as a means of social control and unity in his city of the Laws. He also thinks there are some elements that are better to exclude from civic religion, although this decision is not based on the truth or falsity of the proposition. It is instructive, in understanding Plato's religion, to be aware of the elements of the tradition which are omitted. The most significant of these are the popular mystery cults, like Orphism.

Orphism was a chthonian movement which emphasized the individual more than the group. It offered elaborate purification rites for the individual in need of them. This is unlike the traditional and platonic civic notions that saw moral pollution as befalling a group, like a family or a city, rather than an individual. Orphism, and cults like it, were characterized by individualism and mysticism. These are two elements Plato wished to avoid among his citizens. Plato generally sees individual thinking as undesireable because it tends to weaken the social bonds by producing opinions contrary to those of the city.

It is particularly bad if it is coupled with mysticism which by its nature cannot give a rational account of itself. Individualistic mysticism fosters alleged truths contrary to those of the city which cannot be defeated by argument, rational or rhetorical.

The closest Plato comes to allowing individualism is in the arena of reason. Providing for the possibility (even the necessity) of philosophy requires that philosophers will venture, by means of reason, toward new ideas. But individualistic rationality is acceptable to Plato because it can give an account of itself--by speech it becomes public or shared knowledge. In fact, the way the legislation of the Laws is set up, new knowledge must become public for it occurs within the dialectical arguments of the Nocturnal Council. It is in rejecting the individualism of mystical religion and establishing the individualism of reason that Plato makes his most drastic deviation from the actual classical city. That is, by insisting on the necessity of philosophy, Plato differentiates his city.

Conclusion

Plato adopts, contrary to the dialectical discussion of Book X, the entities of Greek religious thought. He does this for the purpose of persuasively using them to

influence the citizens of his proposed city to obey the law. Plato's thought provides a common support between religion and law. The laws of the city demand that the gods be believed in, obeyed and worshipped. The gods, on the other hand, demand that the laws be revered and obeyed. So the gods and laws share a mutual dependence in Plato's civic-religious system. Yet the question arises concerning the morality of fostering beliefs in people that are not absolutely true. What, in other words, prevents Plato's holy mixture of Olympian gods, temples, heroes, blessed days, demons, oracles, and dead relatives from being a simple hoax?

To this we answer that religion in the Laws is designed to act as a persuasive for citizens to obey the law. Plato's laws, if obeyed, are intended to make citizens virtuous. Plato believes, and believes rightly, that virtue is a benefit to its possessor. This creates the situation in which Plato attempts to benefit the citizens of his city by being less than perfectly straightforward in religious matters. Yet it is because of the benefit that he truly intends to impart, that the rhetorical methods used can rightly be called true rhetoric. They are not true in content (although they may be images of the truth) but are correct in their aim--the virtue of the citizens.

The virtue that Plato intends to foster in most citizens in the Laws is an obedience to law, based on ignorance and fear. This notion of virtue is very different from his popular, rational notion that virtue is knowledge. The required level of virtue for the citizen of Magnesia is so low that it may not be correct to speak of the virtue of individual citizens. If the ruler of the city fosters evil opinions the citizens will be evil; if the ruler fosters good opinions the citizens will be good. So the virtue of a citizen--pious obedience--will only make him good if he has good leaders. Therefore the rulers--those capable of dialectic--must have knowledge as the basis for forming opinions in citizens. Virtue is not totally divorced from knowledge, but it is limited to a small (though necessary) group. The virtue of a city depends on a mixture of a few men capable of dialectic and many men capable of being rhetorically influenced to good action.

CHAPTER V: RELIGION

FOOTNOTES

[1]Plato, Laws, 930a-932.

[2]Ibid., 909b.

[3]Ibid., 828c-d.

[4]Ibid., 936e, 843a, 921c, 730a, 941a.

[5]Ibid., 717a-b.

[6]George Daux, "Athenes et Delphes." Harvard Studies in Classical Philology. Sup. Vol. 1., 1940, p. 39.

[7]Plato, Laws, 759c.

CONCLUSION

We have looked at the Laws through two basic concepts, rhetoric and dialectic. Rhetoric was defined as a type of discourse that attempts to have opinion mistaken for knowledge by giving emotionally satisfying presentations that are rationally inadequate. Dialectic was defined as the pursuit of knowledge by rational, friendly conversation. These two concepts, which appear to be mortal enemies, were successfully made into mixture. We defined mixtures as a binding together of elements which without coercion would repel or destroy each other.

The legitimacy of the practice of dialectic was never a question for Plato in the Laws or anywhere else; in fact it was his hallmark. On the other hand, rhetoric, the art of persuasion, seemed to represent all that was unplatonic. The worth of our project was to show how these two elements were joined. Basic to this is isolating a type of rhetoric which we called true rhetoric. Like all other rhetoric it aimed to instill opinion rather than knowledge. But unlike other rhetoric it was based on knowledge. The practice of true rhetoric requires knowledge of the truth of the given subject and knowledge of the intellectual limitations of the audience. With these

two factors true rhetoric attempts to give the audience an image of the truth--but not the truth itself. Another condition of (and reason for) true rhetoric is that it must benefit the society (not necessarily every individual) to which it is addressed. These conditions for true rhetoric distinguish it from the ignorant, selfish rhetoric of Plato's enemies, the sophists.

Book X, which we took to be the preamble to the legislation of the Laws, uses a mixture of rhetoric and dialectic. The theology in this section, which we strictly limited to the Athenian's treatment of the proposition 'gods exist,' is the chief instance of dialectic in the Laws. This discussion maintained that the concepts nous (eternal intuitive intelligence) and psyche (principle of self-motion) were essential to the cosmic order. These elements were also shown to be present in the well ordered polis. This related the polis to the cosmos in a way that the philosopher would be interested in virtuous civic activity. For those not capable of this level of discussion, Book X provides rhetorical propositions concerning the gods' providential interests and their incorruptible character. The treatments of these latter propositions were aimed at making the general run of citizen (the non-philosophers) virtuous.

Religion we took to be the main instance of rhetoric

in the Laws. Plato, through the Athenian Stranger, attempts to persuade the citizens to virtue by enlisting a wide range of religious entities. These were not immediately based on the esoteric entities that were dialectically demonstrated to exist; they were based on the popular Greek notions of the divine. These beings range from dead relatives and homicide victims to Olympian gods. What distinguishes these rhetorical creations from the blameworthy rhetoric of the sophists is that Plato works from a dialectically discerned basis for divine being and a realistic view of the intellectual capacities of the citizens. These capacities make the popular divine entities the most effective symbols of the real divine beings. These rhetorical creations are also made with the idea of improving the political society by fostering virtue (or at least politically acceptable behavior).

Plato (as the good legislator) combines dialectic and rhetoric in the Laws to make a political constitution that is related to the cosmic order of things, and is able to be inhabited by actual men. It is dialectic that theoretically relates the city to the cosmos. It is rhetoric that relates the city to the citizens. These two necessary conditions of the good city of the Laws have their main instances in theology and religion.

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