



Laws

— BOOK I —

persons in the dialogue: *ATHENIAN STRANGER*
 CLINIAS *of Cnossus, Crete*
 MEGILLUS *of Sparta*
scene: *ascending from Cnossus to the cave of Zeus*

624 a *ATHENIAN:* Well, my friends, was it a god or some human who was responsible for establishing your laws?

CLINIAS: A god, stranger. Yes, that is the fairest answer. Among ourselves in Crete it was Zeus, while among the Spartans, where this man comes from, I think they say it was Apollo. Is this so?

MEGILLUS: Yes.

624 b *ATHENIAN:* Don't you say, as Homer does, that Minos used to make regular visits every ninth year to be with his father, Zeus, and he set down the laws for your cities based upon his pronouncements?¹

CLINIAS: Yes, that is what we say. And, indeed, we also say that his brother, Rhadamanthus – you have heard the name I am sure – was exceedingly just. And we Cretans would maintain that he won this reputation, deservedly, based on the way he dealt with the legal issues of the time.

ATHENIAN: A good reputation indeed, and most befitting to a son of Zeus. And since yourself and this man have been brought up under such lawful customs as these, I presume that spending time now, listening to one another speak about civic affairs and laws, would not be an unpleasant prospect as we proceed on our journey. The road from Cnossus to the cave and sanctuary of Zeus is quite a long one I am told, but there are it seems resting places, shaded from this extreme heat, along the way, among the tall trees. At our age it would be appropriate that we take a rest often among them, relax and exchange stories with one another, and thus complete the entire journey with ease.

625 c *CLINIAS:* Yes indeed, my friend, and as we proceed there are tall cypress trees of wonderful beauty in the groves, and there are meadows too in which we may take a rest and converse.

ATHENIAN: You are right to suggest this.

CLINIAS: Yes, indeed, and we will say so all the more when we see them. So let us proceed, and may good fortune attend us.

ATHENIAN: So be it. But tell me this. Why is it that the law regulates your common meals, physical exercise, and the nature of your military equipment?

625 d *CLINIAS:* Well, my friend, I think that our arrangements are easy for anyone to understand. Indeed, the entire Cretan countryside is not, as you see, flat like Thessaly, and so they make more

use of horses; while we are runners, since our territory is rugged and more suited to exercise that involves running. In a country like this then, it is necessary to wear light armour rather than trying to run in heavy armour, and the lightness of bows and arrows seems to fit in with this. All these arrangements equip us for war, and, as I see it, the lawmaker had this in mind when he made all the regulations. And that is probably why he got people together for common meals, seeing that all those who are ever on military campaign necessarily have meals together for their own protection, for the duration, because of the circumstances. Here, I believe, he is demeaning of the stupidity of the broad mass of people who do not understand that there is always constant warfare going on against all of the cities throughout one's life. Now, if it is necessary when there is a war on to have meals together for purposes of protection, and for some rulers and some subjects to act in turn as their guards, the same thing should be done in time of peace. For what most of the people call peace is so in name only, while in fact all the cities are, by nature, always involved in undeclared warfare against all other cities. And if you look at it in this way, you will surely find that the Cretan lawgiver had an eye to warfare when he instituted all these regulations of ours, be they public or private. And he gave us the task of protecting the laws based on these principles, because nothing else at all, no possessions or pursuits, are of any use unless we prevail in war, since all the goods of the defeated city go to the victorious one.

ATHENIAN: Well, stranger, when it comes to the thorough understanding of Cretan law, you seem to me to have been very well trained. But explain something to me more clearly. The definition you gave of a well-governed city seems to me to be saying that it should be organised and managed so that it is victorious in war against other cities. Is this so?

CLINIAS: Yes, indeed. And I believe that this man here agrees with this.

MEGILLUS: Heavens! How could any Spartan say otherwise?

ATHENIAN: Now, although this is true of a city in relation to another city, does something different apply to a village in relation to another village?

CLINIAS: Not at all.

ATHENIAN: Is it the same?

CLINIAS: Yes.

ATHENIAN: What about one household in the village in relation to another, and one man against another? Is it the same?

CLINIAS: The same.

ATHENIAN: And what about the man himself, in relation to himself? Should he think of himself as an enemy? Or what do we say in this case?

CLINIAS: O Athenian stranger! I am not prepared to refer to you as a mere inhabitant of Attica, for I think you really deserve to be named after the goddess,² since you have correctly brought the argument back to its source and made it clearer. As a result, you will easily discover that we were right to say just now that all are enemies to all, at the level of the community or of the individual, and each individual is an enemy of himself.

ATHENIAN: That is surprising! What do you mean?

CLINIAS: That is to say he himself, winning a victory over himself, my friend, is the first and the best of all victories, while he himself, being defeated by himself, is the worst and most shameful defeat of all. Indeed, these statements are indicating that there is a war going on in each of us, against our own selves.

¹ *Odyssey* xix.178–179. Minos was the legendary king of Crete, son of Zeus and Europa, who, every nine years, made King Aegeus select fourteen children (seven girls and seven boys) to be devoured by the Minotaur.

² The goddess referred to here is Athena, the goddess of wisdom and foundress of the city of Athens.

627 a ATHENIAN: Well, let us turn the argument around again. For since each one of us is both better than himself and worse than himself, should we maintain that the same holds for a household, a village and a city, or not?

CLINIAS: Are you asking about being better than itself and worse than itself?

ATHENIAN: Yes.

CLINIAS: And you are right to ask, for this certainly is the case, very much so, especially in cities. For in any cities, where the superior people win a victory over the majority, who are inferior, the city may rightly be said to be better than itself, and the city may quite justly be praised for such a victory. And the opposite applies under the opposite circumstances.

627 b ATHENIAN: Let us set aside the possibility that the inferior might somehow be better than the superior, since that would involve a longer argument. But as I now understand you, you are saying that unjust citizens, of the same stock, born in the same city, will sometimes get together in large numbers and forcibly enslave just citizens who are fewer in number. Whenever they prevail, the city itself may rightly be said to be worse than itself and bad, and whenever they are defeated, the city itself may be said to be better than itself and good.

627 c CLINIAS: What you are describing is most unusual, stranger. Nevertheless, we have to agree that this is most necessarily so.

ATHENIAN: Hold there. Let us consider this once more. Many brothers may presumably be born, sons of one father and one mother, and it would not of course be a surprise if more of them turned out to be unjust, and less of them to be just.

CLINIAS: It would not.

ATHENIAN: And it would not be appropriate for you and me to pursue the point that the entire household, and the family, would be referred to as worse than itself if the evildoers were victorious, and as better than itself if they were defeated. For what we are now considering, 627 d in relation to the argument of the majority, is not concerned with the appropriateness or inappropriateness of verbal expressions, but with laws, and the precise nature of correctness and freedom from error in them.

CLINIAS: Very true, my friend.

MEGILLUS: Yes, I agree. This has been very well expressed so far.

ATHENIAN: Then let us look at the following question too. The brothers that were spoken of just now would, presumably, have a judge?

CLINIAS: Yes, indeed.

ATHENIAN: Now, which of these two would be superior, a judge who destroyed the bad people 627 e among them, and directed the better people to rule over themselves, or one who made the good people rule, while allowing the inferior types to live on as their willing subjects? And there is perhaps a third judge we should mention in terms of excellence – if such a person 628 a exists – one who takes a single quarrelling family in hand, does not destroy anyone, but reconciles them for the future, and would be able to ensure that they are on friendly terms with one another by giving them laws.

CLINIAS: This sort of judge, who is also a lawgiver, would be far superior.

ATHENIAN: And yet, he would not be enacting laws for them with a view to war. The very opposite would be the case.

CLINIAS: That is true.

ATHENIAN: What about the one who brings the city together in harmony? Does he order the life of 628 b the city with a view to external warfare, rather than looking out for warfare that arises from time to time within the city, which is called faction? And this is something that no one ever wants in his own city, and when it arises he wants it to be eliminated as quickly as possible.

CLINIAS: He will look out for faction, of course.

ATHENIAN: What if faction were to come to a peaceful end because some people had been destroyed while others had been victorious? Would that be preferable to reconciliation of the faction and having to turn their thoughts then to external enemies, in friendship and peace with one another? 628 c

CLINIAS: In the case of their own city, the reconciliation is what everyone would prefer.

ATHENIAN: Doesn't the same apply to the lawgiver?

CLINIAS: Of course.

ATHENIAN: And wouldn't every lawgiver institute all the regulations for the sake of what is best?

CLINIAS: How could he do otherwise?

ATHENIAN: And what is best is neither warfare nor faction. It would be terrible if we needed these. What is best is peace and a friendly disposition towards one another at the same time. What is more, it seems the city itself, winning a victory over itself, is not to be counted among the best outcomes, but among those that are necessary. It is as if someone were to think that a sick body, which had undergone medical purgation, was then in the best possible condition and did not pay any attention to a body that did not need any treatment at all. In like manner, no one would ever become a true statesman by focusing exclusively and primarily upon external warfare as a means of ensuring the happiness of the city and of the individual. Nor would he ever be a lawgiver in the strict sense of the word, unless he instituted laws relating to warfare for the sake of peace, rather than instituting laws relating to peace for the sake of warfare. 628 d 628 e

CLINIAS: It appears somehow that this argument of yours, my friend, has been formulated correctly. And, yet, I wonder if the regulations here, and those in Sparta too, have not been enacted, in all seriousness, for the sake of warfare.

ATHENIAN: Perhaps so. Yet we should not do battle with them aggressively, but question them gently about the issues, since we are most serious about all this, and so are they. Follow along with my argument then. At any rate, let us introduce Tyrtaeus,³ an Athenian by birth, who later became a citizen of Sparta. He, of all men, was particularly interested in these matters, and he said that 629 a

*I would make no mention of a man or take account of him,
even if he were the wealthiest of men even if he possessed goods aplenty...* 629 b

and here he lists almost all of them

...unless he turned out to be consistently excellent in warfare.

I presume that you have heard these poems too, while I am sure that our friend here has had his fill of them.

MEGILLUS: I certainly have.

CLINIAS: Yes, indeed, and they have reached us here too, imported from Sparta.

ATHENIAN: Come on, then. Let us question this poet together in some such manner as this: "O Tyrtaeus, you are surely the most divine of poets, for you seem to us to be wise and good indeed, because you have sung the praises of those who excel in war, and you have excelled in doing so. Now, I myself, and this man, and Clinias of Cnossus, are already in full agreement with you on this matter, or so we think, but we would like to know for certain whether or not we are both talking about the same people. So tell us, do you think, for certain, as we do, that there are two kinds of warfare? Or what do you think?" 629 c

In response to this, I believe, even a far lesser man than Tyrtaeus would state the truth, that there are two, one which all of us call faction, which is the most bitter of all kinds 629 d

³ Tyrtaeus was an elegiac poet who lived in Sparta. He was noted for his poetry, which exhorted the Spartans to fight courageously in defence of their city. The Athenian stranger quotes the first line of the poem and paraphrases the subsequent nine lines.

of warfare, as we ourselves said just now. And we shall all propose, I believe, that the other kind of warfare is what we engage in when quarrelling with other peoples externally, and this is much milder than internal faction.

CLINIAS: Of course.

629 e ATHENIAN: “Come on then, which warfare were you praising? And which men did you praise so highly, or criticise? It seems it was the men involved in external warfare, for you say in your poems that you simply cannot stand the sort of men who shrink at the sight of blood-drenched slaughter, and will not grapple with the enemy at close quarters.” And after all this, shouldn’t we also say, “It seems, Tyrtaeus, that you lavish most praise on those who achieve fame in external warfare against foreigners.” I presume he would agree with this, and accept the point.

CLINIAS: Of course.

630 a ATHENIAN: But although these men are good, we maintain that those who excel conspicuously in the greatest warfare are better by far. And we have a poet as witness to this too, Theognis,⁴ a citizen of Megara in Sicily, who says, “In a bitter contest, a faithful man is worth his weight in silver and gold, Cyrnus.” We maintain then that this man turns out to be altogether better than that other man in more bitter warfare. He is better to much the same extent as
630 b justice, sound-mindedness and wisdom, combined with courage, are better than courage just by itself. For faith and soundness in the midst of faction would never arise in the absence of overall excellence. But in the external warfare that Tyrtaeus speaks of, there are vast numbers of mercenaries ready and willing to stand their ground and die fighting, almost all of whom turn out to be reckless, unjust, arrogant and devoid of intelligence, with some few exceptions.

630 c Well, where will this present argument of ours finally lead? And what precise point is it trying to make by saying all this? Obviously it is this. The god-inspired lawgiver of this country, and any lawgiver who confers even a little benefit, always institutes laws while looking, above all, to nothing else except the very greatest excellence. This, according to Theognis, is “faithfulness in the midst of danger”, which may be called ‘perfect justice’. But what Tyrtaeus for his part has praised most – although it is noble, and has been appropriately glorified by the poet – should nevertheless, properly speaking, be placed fourth in
630 d terms of its status and the respect it commands.

CLINIAS: My friend, we are relegating our own lawgiver to the lowest rank.

ATHENIAN: No, my friend, we are not doing it to him. We are relegating ourselves whenever we believe that Lycurgus and Minos instituted all the regulations,⁵ here and in Sparta, mainly with a view to warfare.

CLINIAS: How should we have spoken of this?

630 e ATHENIAN: In a way that is true and just, I believe, since we are conversing on behalf of a divine personage. We should not say that he instituted laws with a view to a portion of excellence, and the most commonplace portion at that, but with a view to excellence in its entirety. And we should say that he sought to institute the laws kind by kind, but not the kinds proposed by those who institute laws nowadays. For at present each seeks to propose whatever kind he needs, so one person is concerned with inheritances and heiresses, another with assaults,
631 a others with countless other cases like these. But we maintain that the search for laws, when properly conducted, proceeds just as we have now begun. And I thoroughly admire your attempt to explain the laws, for beginning with excellence, and saying that the lawgiver instituted the laws for the sake of this, is correct. But when you went on to maintain that he institutes laws by referring everything to a mere portion of excellence, and the smallest portion at that, I thought you were clearly mistaken, and that is why the latter part of our dis-

cussion was needed. Well then, what sort of distinction would I have liked to hear you making as you spoke? Would you like me to tell you? 631 b

CLINIAS: Yes, certainly.

ATHENIAN: You should have said: “Stranger, it is not for nothing that the laws of Crete are held in exceptionally high regard among all Greeks. They are correct laws that bring about happiness in those who use them, for they provide everything that is good. Now, goods are of two kinds – human and divine – and the human goods depend upon the divine. And if a city receives the greater it also acquires the lesser, but if it receives not the greater it is deprived of both. Of the lesser goods, health is the leader, beauty comes second, third comes strength in running and the other activities of the body, fourth comes wealth – not blind,⁶ but keen-sighted, provided it follows wisdom. Now, the first of the divine goods, and their leader, is wisdom; second is a sound-minded disposition of the soul, imbued with reason; and third, from the combination of these two with courage, comes justice; while courage itself is fourth. All of these have a natural priority over the human goods, and that indeed is how the lawgiver must rank them. After all this, the citizens must be told that the other civic regulations have these goods in view; the human look to the divine, and the divine all look together to their leader, reason. 631 c

“In their connections through marriage, and afterwards in the birth of their children and their nurture, be they male or female, when they are young or when they get older and into old age, it is necessary to care for them by bestowing honour or dishonour in the right way. And in all their interactions, in their pleasures, pains, desires and intense passions, they should be watched and supervised, and censure or praise should be bestowed in the right way, through the laws themselves. In anger too, and in fear, and amidst any tribulations that arise in their souls because of bad fortune – and the escape from such tribulations in good fortune – and amidst the effects that disease, war, poverty and their opposites have upon people when they occur, under all such circumstances, what is good and what is bad about the situation should be defined and taught in each case. 631 e 632 a 633 b

“Besides this, it is necessary for the lawgiver to watch over the acquisition and disposition of property by the citizens, regardless of how they do it, and to oversee their joint ventures in furtherance of this, and the dissolution of these, be they voluntary or involuntary, noting the way in which they behave towards one another in each of these ventures, and which are just, and which are not. He should assign honours to those who are obedient to the laws, and impose legally prescribed penalties upon those who disobey them. When he reaches the end of the entire constitution, he would look to the manner in which the dead should be buried in each case, and what honours should be assigned to them. Having surveyed this, the one who instituted the laws will, over all these, appoint guardians, some who proceed through wisdom, some who work through true opinion, so that reason may bind them all together and declare that they are following sound-mindedness and justice, rather than wealth and ambition.” 632 c 632 d

So, my friends, that is how I at least wanted, and still wish even now, to hear you describe how all these are present in the laws that are said to come from Zeus, or in the laws of Pythian Apollo, which Minos and Lycurgus instituted. And I also want you to

⁴ Theognis was a lyric poet. Despite what the Athenian stranger says here, he is likely to have hailed from the Megara near Athens rather than the Megara in Sicily. His poetry was lively, and provided practical advice about life and commentary on civic matters.

⁵ According to tradition, Lycurgus and Minos established the Spartan and Cretan constitutions.

⁶ Plutus, the god and personification of wealth, was, in some contexts, depicted as being blind so that he could distribute his benefits without prejudice.

explain how the order they have acquired is evident to someone experienced in the laws, either technically or practically, while it is not at all apparent to the rest of us.

CLINIAS: Well, my friend, what should we say next?

632 e ATHENIAN: In my opinion we should go through this again from the beginning, starting, as we did at the outset, with activities conducive to courage, and then if you wish we shall go through another kind of excellence, and another one after that. Once we have described the first one, we should try to set this up as a model, and pass the journey nicely by discussing the others in the same way. Later, god willing, we shall demonstrate that what we have described just now has excellence in its entirety in view.

633 a MEGILLUS: That is a good suggestion. Let us try to put our friend here, who praises Zeus, to the test first.

ATHENIAN: I shall also try to test yourself and myself, since the argument is common to us all. So tell me, do we maintain that the common meals and physical training were devised by the lawgiver for the purposes of warfare?

MEGILLUS: Yes.

ATHENIAN: And what comes third and fourth? For it may perhaps be necessary, in the case of the rest of excellence, to rank the parts, or whatever they should be called, in this way, as long as our meaning is clear.

633 b MEGILLUS: Well I myself, and anyone from Sparta, would say that he devised hunting third.

ATHENIAN: We should try to say what comes fourth or fifth if we can.

MEGILLUS: In fourth place, I would still try to argue, lies the endurance of pain, which is so important to us both in our boxing matches and in the robberies we devise, in which there is always a lot of physical violence. Then there is our so-called ‘secret service’,⁷ which
633 c involves a lot of pain, but teaches endurance wonderfully. They go without shoes in winter, sleeping on the ground, wandering through the entire countryside by day and by night, looking after themselves without any attendants. Our naked games too are formidable tests of endurance, battling against the raging heat of summer. And there are so many other examples that someone who tried to recite them all would almost never stop.

ATHENIAN: Well said, Spartan stranger. But come now, what should we propose courage is? Is it
633 d simply, as you say, doing battle only against fears and pains, or is it set against desires and pleasures too, and against certain formidable corrupting flatteries, that soften the hearts even of those who think they are above this sort of thing?

MEGILLUS: Yes, that is what I think. It is set against them all.

ATHENIAN: Well, if we recall the earlier arguments, this man here spoke of a city that is worse than itself, and of such a man too. Is this so, stranger from Cnossus?

CLINIAS: Very much so.

633 e ATHENIAN: And are we now saying that the man who is worse than the pains is bad, or is the man who is worse than the pleasures bad too?

CLINIAS: In my opinion, the one who is worse than the pleasures is more so. Indeed, we all say, presumably, that someone who is ruled by pleasures is worse than himself, shamefully so, rather than someone who is ruled by pains.

634 a ATHENIAN: Now, surely Zeus’ lawgiver and the Pythian one did not institute a crippled courage capable of resisting only the things on its left-hand side, but unable to resist the allurements and flatteries on its right? Or can it resist on both sides?

CLINIAS: On both sides, I would say.

ATHENIAN: Shall we say then, once more, what formal activities of both our cities involve tasting the pleasures rather than avoiding them, just as the other activities did not avoid pains but immersed people in them, and used honour to compel or persuade people to rule over the

pains? Where then, in the laws, is the same arrangement in relation to pleasures?

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Let us say what this arrangement of yours is that makes the same people courageous, in like manner, in the face of pains and in the face of pleasures, winning victories over what they should, and never coming off worst against their own closest and harshest enemies.

MEGILLUS: Well, stranger, although I was able to describe, as I did, many laws that are set against pains, I would probably not be so well provided with significant or obvious instances if I had to speak about pleasures. But I might come up with some minor instances.

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CLINIAS: Nor could I myself point to an obvious instance of this sort in the laws of Crete.

ATHENIAN: Best of strangers, that is no surprise. But if any one of us is going to censure anything about each other's own domestic laws because he wishes to discern the truth, and what is best too, we should accept one another's censures submissively, and not make difficulties.

CLINIAS: Rightly said, Athenian stranger. We should heed that.

ATHENIAN: Yes, Clinias. It would not be appropriate for men of our age to make difficulties.

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CLINIAS: Indeed, it would not.

ATHENIAN: Whether or not someone is right to criticise the constitution of Crete or Sparta is another matter. However, when it comes to the views expressed by most people, I am probably better able to state them than either of you. If your laws have indeed been arranged properly, one of the best laws would be that no young person may conduct an enquiry as to which laws are worthy and which are not, but all must declare together, with one voice, from a single mouth, that all is well with what the gods have ordained. If anyone says otherwise, he is not given a hearing at all. Yet if any old person has some issue on his mind about your laws, he presents arguments of this sort to someone in authority, someone of his own age, with no young person present.

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CLINIAS: What you are saying is quite correct, stranger. And although you are far removed in time from whoever instituted them, it seems you have now guessed his thinking on the matter quite well, like a prophet, and you really are speaking the truth.

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ATHENIAN: Well, there are no young people among us just now. So if the lawgiver permits us, on account of our old age, to discuss these matters just by ourselves, we would be doing no great harm, would we?

CLINIAS: This is so. And do not hold yourself back from criticising our laws, since recognising something that is not good is not disrespectful. In fact, a remedy can be a consequence of this, provided that what is said is received without resentment, in a good spirit.

635 b

ATHENIAN: Very well, but I shall not speak critically of your laws just yet, not until I have investigated them to the best of my ability, and am more certain about them. Instead, I shall tell you of my difficulties. As far as we can discover, your lawgiver is the only one, among Greeks or non-Greeks, who gave directions to refrain from the greatest pleasures and amusements, and not to taste of them at all. Yet when it came to pains and fears, as we explained earlier, he believed that if someone flees from these from his earliest years, in the end whenever he meets with unavoidable hardships, fears and pains, he is going to flee from people who are trained and practised in these, and he will be enslaved by them. I am of the view then that the same lawgiver should have thought the very same thing about pleasures, saying to himself, "If our citizens grow up from their very childhood with no experience of the greatest pleasures, and become totally unpractised in enduring in the face of pleasures, and in resisting the urge to perform shameful acts, their weakness of spirit when it comes to pleasures will place them in the same predicament as those who are overcome by fears. They will be enslaved, in a different and even more shameful way,

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635 d

⁷ An official group of young Spartan citizens who were tasked with ensuring the compliance of the slaves (helots).

by people who are able to practise endurance in the face of pleasures, and who have mastered the realm of pleasure, people who are sometimes thoroughly bad. The state of their own soul will be partly slave, partly free, and they will not be worthy of being hailed as courageous and free without reservation.” So think about whether anything that has been said is of any particular relevance.

635 e CLINIAS: Well, although the argument somehow seems to us to make sense, it might well be both naïve and foolish to be persuaded, so quickly and easily, about matters of such significance.

ATHENIAN: But if we turn to the next topic we proposed to discuss after courage, which was sound-mindedness, then, Clinias and my friend from Sparta, we should ask a question. What characteristic difference shall we find between these systems of government and systems that
636 a are managed in a more random manner? In the case of courage, the difference related to warfare. Where does it lie in the case of sound-mindedness?

MEGILLUS: Hardly an easy question, but it does seem that the common meals and physical training have been well devised to promote both virtues.

ATHENIAN: It does, of course, seem hard, strangers, for anything relating to constitutions to be as uncontroversial in practice as it is in theory. Indeed, it is probably like the human body, for which it is not possible to prescribe a single activity for a single body, which would not
636 b turn out to be harmful to our bodies in some respects, but beneficial in other respects. So too these physical exercises and common meals, although they benefit the cities in lots of other ways, give rise to the problem of faction, as the young people of Miletus, Boeotia and Thurii demonstrate. What is more, this practice seems to have corrupted an ancient law that also accords with nature, concerning the sexual pleasures not just of humans, but also of
636 c animals. And your cities might be held primarily responsible for these, along with any other cities that place most emphasis upon physical training. And whether such matters are taken lightly or seriously, we should note that when the female and male natures combine for procreation, the associated pleasure seems to have been bestowed naturally. But combining male with male, or female with female, seems contrary to nature, and the daring of those
636 d who first did this seems to have arisen from uncontrolled desire. And, indeed, we all accuse the Cretans of making up the story about Ganymede.⁸ Since their laws are believed to have come from Zeus, they added this story about Zeus so that they could still enjoy this harvest of pleasure while following their god.

But let us bid farewell to the story. Yet, when human beings are considering laws, almost the entire enquiry is about pleasures and pains, either in the city, or in the behaviour
636 e of individuals. For pleasure and pain are two springs sent forth by nature. Drawing from the right one at the right time and in the right quantity leads to happiness in like manner for a city, an individual, or any living being. But whoever draws in ignorance and at the wrong time lives a life that is the very opposite.

MEGILLUS: What has been said, stranger, is in a sense all very well, and it leaves us speechless as to what to say in response. Nevertheless, I still think that the Spartan lawgiver was right to exhort us to flee from pleasures. As for the laws of Cnossus, our friend here can defend
637 a them if he wants to. But it seems to me that the regulations in Sparta relating to pleasure are the best in the world. For our law has cast out, from the entire country, the practice that is most inclined to plunge people into extremes of pleasure, arrogance and utter mindlessness. Neither in the countryside nor in the cities that are under Spartan control would you ever see drinking parties, and all the pleasures that are set in train with such force by whatever goes on there. There is no man among us who would not impose a severe penalty, there
637 b and then, upon any drunken reveller he came across, and the feast of Dionysus would not serve as an excuse to get him off. I saw this sort of thing once on the festival wagons in

your country. And among our own colonies, in Tarentum, I saw the entire city drunk at a festival of Dionysus.⁹ There is nothing like this among us.

ATHENIAN: Dear Spartan stranger, everything of this sort is laudable where there is an inherent steadiness of character, but where this is let go, it all becomes quite stupid. Indeed, one of our people, in his defence, might perhaps take you to task by pointing to the looseness of your womenfolk. Yet in anything of this sort, in Tarentum, among ourselves or among yourselves, a single response seems to do away with the notion that the behaviour is bad and improper. For everyone will say to a stranger who is amazed at seeing something that is unfamiliar among his own people, “Do not be surprised, stranger. This is the law among us, and perhaps your law about the same things is different.” But our present argument is not concerned with humanity in general, my dear friends, but with the badness and excellence of the lawgivers themselves. Indeed, we should still say more about drunkenness in general, for it is not a trivial matter, nor can an ordinary lawgiver understand it. And I am not speaking about wine, and partaking of it, or not partaking of it at all, but about drunkenness itself. Should we have recourse to it as the Scythians and Persians do – and the Carthaginians, Celts, Iberians, Thracians too, warrior races all – or should we avoid it totally, as you do in Sparta? The Scythians and Thracians, women as well as men, drink completely undiluted wine, pour it all over their garments, and regard this as a lovely, happy activity to engage in. The Persians also indulge in this with great relish, and in the other luxuries that you have banned, but they are more orderly than those other peoples.

MEGILLUS: But, my good man, once we take up arms we put all these people to flight.

ATHENIAN: Best of men, do not say that. In fact, there have been lots of victories and routs that were unexplained, and there will be many more. Therefore, we should never say that victory or defeat in battle is a decisive indicator of whether practices are good or bad. This is a questionable criterion, since larger cities obviously defeat smaller ones in battle, and so we find the Syracusans enslaving the Locrians, who are reputed to have the best laws in that region, the Athenians enslave the Ceians, and you will find countless other examples of this sort. So let us try to persuade ourselves, by speaking of each practice in its own right, excluding victory and defeat from the argument for the moment. We should simply say how a practice of one sort is good, while a practice of another sort is bad. But first, listen to me as I explain how we should investigate what is useful about these practices themselves, and what is not.

MEGILLUS: How do you say it should be done?

ATHENIAN: It seems to me that those who set about discussing some practice, and propose to criticise it or praise it as soon as it is mentioned, are not proceeding in a proper manner at all. They are acting like someone who has just heard cheese being praised as good food, and immediately criticises it without enquiring as to the effect it has and the manner in which it is administered, by whom, accompanied by what, and to people in what condition.

I think we are now doing the very same thing in these arguments, for at the mere mention of drunkenness, as soon as we heard the word, some of us criticised it there and then, while others praised it, most strangely in both cases. We each exalt our own position by recourse to witnesses and praise. Some of us claim we have made a decisive point because we produce so many witnesses, others because we can all see that those who refrain from drunkenness are victorious in battle, and this claim too is a matter of dispute between us.

Now, if we are also going to go through each of the other legal regulations in this

⁸ Ganymede was kidnapped and taken to Olympus to serve as Zeus’ cup-bearer, etc. *Iliad* xx.231 ff.

⁹ Dionysus was the god of wine and fertility. Festivals in his honour typically involved liberal consumption of wine.

638 e way, that would not seem reasonable to me. But I am willing to describe another approach, a necessary one in my view, in relation to this very practice, drunkenness. I shall try my best to demonstrate the correct method of investigating anything of this sort, since thousands upon thousands of people will enter the fray verbally on these issues, and argue against both your cities.

MEGILLUS: And, indeed, if we have a correct method of investigating such matters, there should
639 a be no reluctance to hear it.

ATHENIAN: Then let us conduct our enquiry along the following lines. Suppose someone were to praise goat-rearing, and the animal itself as a good beast to own, while someone else, having seen goats grazing without a goatherd, and wreaking havoc on farm land, were to criticise them, and also disparage any other unruly animals he saw, or any that had bad minders, do we think that the censure of such a person could ever be sound on any issue at all?

MEGILLUS: No, how could it be?

639 b ATHENIAN: Would someone be useful to us in charge of a ship if he only had navigational knowledge, regardless of whether he suffered from seasickness or not? What would you say?

MEGILLUS: He would not be useful at all if he had the skill, and the sickness you mentioned too.

ATHENIAN: And what about someone in charge of an army? Would he be up to the task if he had military knowledge, despite being a coward in the face of dangers, seasick, and drunk with fear?

MEGILLUS: How could he be?

ATHENIAN: What if he did not have the skill, and was a coward too?

MEGILLUS: Now, you are describing an utterly worthless fellow, who is not a ruler of men at all, but of some thoroughly effeminate types.

639 c ATHENIAN: Consider any community of any sort which has a natural leader, and which is beneficent when that leader is present. What if someone were to praise or criticise this, without ever having seen the community working properly together with its leader in place? What if he had only seen it without a ruler, or with bad rulers? Do we think that an observer of this sort, observing a community of this sort, would ever come up with any useful criticism or praise?

639 d MEGILLUS: How could he when he has never seen, or been involved in, any communities like this when they are operating properly?

ATHENIAN: Hold there. Although there are lots of communities, may we suggest that companions in drink and drinking parties constitute one such gathering?

MEGILLUS: Very much so.

ATHENIAN: Now, has anyone, so far, ever seen such a gathering operating properly? The two of you can easily answer that you have not seen this at all, since these are not the custom of your country, nor are they lawful. But I have come across lots of them in lots of places. And what is more I have made a sort of study of them, and I have hardly seen or heard of
639 e one that was properly conducted in its entirety. And even if a few minor details were somehow right, most of them were almost completely wide of the mark.

CLINIAS: In what sense do you mean this, stranger? Explain this more clearly since we, as you
640 a have acknowledged, have no experience of such gatherings. And even if we came across them, we would probably not immediately recognise what was proper and improper about the way they were being conducted.

ATHENIAN: What you say is quite likely, but try to understand from this explanation of mine. You do understand, don't you, that in all gatherings and communities associated with any activities whatsoever, it is always proper in each case that there be a leader?

CLINIAS: There must be.

ATHENIAN: And, indeed, we said just now that the leader of men in battle must be courageous.

CLINIAS: He must.

ATHENIAN: Now, the courageous man is less troubled by fears than the cowards.

CLINIAS: This too must be so.

640 b

ATHENIAN: And if there had been some contrivance for putting an utterly fearless and untroubled general in charge of an army, wouldn't we have done so, by any possible means?

CLINIAS: Definitely.

ATHENIAN: But at the moment we are not talking about a leader of an army of men in time of war, when enemies are set against enemies, but a leader of friends, communing with friends in a spirit of friendship in time of peace.

CLINIAS: Quite right.

ATHENIAN: And yet, a gathering of this sort, since it will be accompanied by drunkenness, is not without trouble. Is this so? 640 c

CLINIAS: On the contrary, I think trouble is inevitable.

ATHENIAN: So in the first place, don't they too need a leader?

CLINIAS: Of course, especially in this situation.

ATHENIAN: Now, if possible, shouldn't we provide the kind of leader who is untroubled?

CLINIAS: Of course.

ATHENIAN: And, indeed, he should be intelligent in relation to social gatherings, since he becomes the guardian of their existing friendship, and responsible for ensuring that this increases because of the current gathering. 640 d

CLINIAS: Very true.

ATHENIAN: Shouldn't a sober and wise ruler be set over those who are drunk, and not the opposite? For someone who was drunk, young, and not wise, would need a lot of good luck to avoid causing harm on a large scale.

CLINIAS: A lot of luck, indeed.

ATHENIAN: Now, if someone were to criticise such gatherings, in cities where they are being properly conducted as best they could, because he finds fault with the activity itself, perhaps he might be justified in his criticism. But if someone reviles a practice when he has only seen it going wrong in every way possible, it is obvious, firstly, that he is unaware that this is not being properly conducted, and secondly, that any activity at all will look bad under circumstances where it is performed without a sober master or leader. Or don't you realise that when he is drunk, a ship's captain, or any leader of anything, overturns everything, be it a ship, a chariot, an army, or whatever he happens to be in charge of? 640 e

CLINIAS: What you have said, stranger, is true in every respect. But tell us next what possible good would it do us if this regulation about drinking were to operate properly. For instance, we have just explained that if an army is led properly, the result is military victory for the troops, and that is no small benefit. There are other examples too, but what significant benefit would there be, to people or to a city, from a drinking party that is properly guided? 641 a

ATHENIAN: What about this? What great advantage would we say accrues to the city from a single child, or even a single group, being guided in the right way? Or having put the question in this way, would we reply that there might be some slight benefit to the city from a single instance? But if we ask generally what great benefit the city derives from the education of all its educated citizens, it is not difficult to reply that having been well educated they would prove to be good men, and, as such, their general behaviour would be noble, and, what is more, they would triumph over their enemies on the battlefield. Now, although education also brings victory, victory sometimes undoes the education, for many people, having become arrogant because of military victories, have then been filled up with countless other 641 c

vices because of the arrogance. And although education has never proved counter-productive or Cadmeian,¹⁰ humanity has won many such Cadmeian victories, and will do so again.

641 d CLINIAS: You seem to us, my friend, to be saying that time spent drinking wine together, provided it is properly conducted, is a significant contribution to education.

ATHENIAN: Why not?

CLINIAS: Well, could you now provide some justification that what you have said is true?

ATHENIAN: Stranger, with so much dispute as to how these matters stand, it belongs to God to assert the truth with certainty. But if you want me to explain how it appears to me, I shan't begrudge you that, since we have now set about constructing arguments in relation to laws and constitutions.

641 e CLINIAS: That then is what we should try to understand, your opinion on the issues that are now in dispute.

ATHENIAN: That is what we should do then. You should make an effort to understand the argument, while I attempt somehow or other to expound it. But listen to the following point first. The whole Greek world regards our city as fond of words and full of words, and Sparta as sparing of words, while Crete cultivates thoughtfulness rather than being full of words. Now, I am being careful not to give you the impression that I have a lot to say about something trivial, by enunciating a vast argument about the insignificant matter of drunkenness. But it would not be possible to consider the right treatment of this topic naturally, with sufficient clarity in our discussions, without considering correctness in music; and this would never be possible without considering education in its entirety; and all these involve very lengthy discussions. So what should we do? Let us see. What if we leave those matters for the moment and move on to some other argument relating to laws?

642 a MEGILLUS: Athenian stranger, perhaps you do not know that our family is the local representative of your city in Sparta. Now, it is probably the case with all children that once they hear that they are the local representatives of some city, straight away, from their earliest years, a certain goodwill towards that city develops in each of them, as if towards a second fatherland, second only to his own city. And that is what has now happened to me. For when the Spartans were criticising or praising the Athenians for something, I would immediately hear the other children saying, "That city of yours, Megillus," they would say, "has treated us badly" or "has treated us well", and through entering the fray on your behalf, again and again, against those who found fault with your city, I developed unreserved goodwill for it. Even now your accent delights me. And when I hear so many people say that any Athenians who are good are good in a special way, I think they are speaking the complete truth, for Athenians are good by a divine portion, good by their own nature without any compulsion, truly so, and not artificially so. Speak on then, as much as you like, and have no concerns on my account.

642 c CLINIAS: And, indeed, stranger, once you have heard my account too, and have accepted it, you may speak on boldly and say as much as you wish. Now, you may have heard that Epimenides, that divine man, was born in this country. He was a relative of ours, and ten years before the Persian War he went to Athens, to your people, to comply with an oracle of the god.¹¹ He performed some sacrifices that the god had ordained, and what is more, since the Athenians lived in fear of the Persian expeditionary force, he told them, "They will not arrive for another ten years, and when they get here they will depart without achieving anything they had hoped for, having suffered more harm than they inflicted." That is when our ancestors formed a bond of hospitality with yours, and I myself and my family have been well disposed towards your people ever since.

ATHENIAN: Well then, it seems that you are both ready to play your part and listen. As for myself,

although I am ready and willing, the capacity may be lacking as this is not at all easy, but I must make the effort nevertheless. In the first place then, to develop the argument, we should define what precisely education is, and what power it has. For we maintain that the argument we have taken in hand should proceed along the path of education, until it reaches God.

CLINIAS: Yes, certainly. Let us do that, if it pleases you.

ATHENIAN: Well, what is education? What should we say it is? Let me answer that, and you should decide if what I say is to your liking. 643 b

CLINIAS: Proceed.

ATHENIAN: What I say is this. I maintain that a man who is to be good at anything at all should practise just that activity from his earliest years, both as a game and seriously, using the particular tools that are appropriate to the activity. Take, for example, a man who is to be a good farmer or house-builder. The builder should play at building toy houses, and the other man should play at farming, and whoever is rearing them should provide each of them with little tools, imitations of the real ones. And, indeed, any of the essential subjects should be learned in advance. And so a carpenter should learn to measure and calculate, a military type should learn horse-riding for sport, or do something else like that, and we should endeavour to turn the pleasures and desires of the children, through games, to where they should ultimately be directed. 643 c

We are saying then that the essence of education is the correct upbringing which most effectively draws the soul of the child, as he plays, to an intense love of the activity in which he will need to be perfect, in terms of its excellence, when he becomes a man. Now, as promised, let us see if what I have said so far is to your liking. 643 d

CLINIAS: Of course it is.

ATHENIAN: Unless perhaps our description of education still lacks definition. For we are now criticising and praising various upbringings, and we say that one of us has been educated while another is uneducated, and sometimes we are speaking about people who have been thoroughly well educated in certain trades, or in merchant shipping and other such occupations. But in our present argument we would not, it seems, regard any of these as education. We mean education directed to excellence from earliest childhood, which produces an eager desire to become a perfect citizen who knows how to rule and be ruled justly. This argument of ours, having distinguished this particular upbringing from the others, would in my view wish to refer to this alone as education. And it would say that an upbringing whose aim is money, or some sort of strength, or even another kind of wisdom devoid of reason and justice, is base and slavish, and totally unworthy of being called education. 643 e

But let us not quarrel with one another over names. Let us hold to the argument we have just agreed upon: that those who have been properly educated usually become good, and education should be shown no disrespect anywhere, since it is foremost among the fairest acquisitions that the best men have. And if it ever goes astray, it is possible to set it right, and this is what everyone should do, unceasingly, to the very best of his ability throughout his entire life. 644 a

CLINIAS: That is right. We agree with what you are saying.

ATHENIAN: And, indeed, we agreed some time ago that the good people are those with the ability to rule over themselves, while the bad are those who cannot do so.

CLINIAS: What you are saying is correct.

¹⁰ A Cadmeian victory is one that comes at a greater loss than the benefit it brings. It is a proverbial saying that references Cadmus, the legendary founder of Thebes. It is comparable to our phrase 'Pyrrhic victory'.

¹¹ Epimenides was a legendary seer who was granted the power of prophecy after having slept for 57 years in a sacred cave on Crete. Clinias' description puts his birth about a century after its actual date.

644 c ATHENIAN: Well, let us look at this again, more clearly this time, and say what precisely we mean.
And if you allow me, I shall explain this to you by means of an image, if I can.

CLINIAS: Proceed.

ATHENIAN: May we assume that each of us is, himself, one?

CLINIAS: Yes.

ATHENIAN: But we each possess, in ourselves, two opposed advisers, devoid of intelligence, which we call pleasure and pain.

CLINIAS: This is so.

ATHENIAN: Besides these two, there are opinions relating to the future. These go by the general
644 d name of ‘expectations’. But to be specific, the expectation prior to pain is called fear, while the expectation prior to pleasure is called confidence. Then there is reasoning about all these as to which is better and which is worse, and when reasoning becomes a doctrine that is common to the city, it is given the name ‘law’.

CLINIAS: I am following you somehow, but with difficulty. However, assume that I am following you, and tell me what comes next.

MEGILLUS: Yes, I feel the same way.

ATHENIAN: Then let us think about these matters as follows: let us consider each of us living crea-
644 e tures as a puppet of the gods, constructed as their plaything, or for some serious purpose. This we do not understand, but we do know that these emotions within us, like cords or strings, are drawing us, and because they are opposites they are pulling against one another, towards opposite activities, and here lies the boundary line between excellence and evil. And the argument declares that we should each always follow the lead of one of these pulls, and never forsake that one at all, but pull against the other cords. The cord to follow is the
645 a golden and sacred guidance of reasoning, called the common law of the city. The other cords are hard and of iron, and they occur in endless varieties, but this one is soft because it is made of gold. We should co-operate then with the exalted guidance of the law. For reasoning, although it is noble, is also gentle and not violent, so its guidance needs our support, so that the golden race within us may triumph over the others.

645 b And so the story about excellence, the story about us being puppets, would be saved, and the meaning of being better than oneself and worse than oneself would somehow become clearer. It would also be more obvious that the individual should take to heart the true account concerning these various pulls, follow this, and live accordingly; while the city, having adopted an argument either from some god, or from this person who understands these matters, should pass a law to govern its dealings with itself and other cities.

645 c In this way too, the distinction between badness and excellence might be clearer to us, and once this has become more evident, perhaps we shall have a better perspective on education and the other practices. And in particular, although the pastime of wine drinking might seem to be commonplace, and an odd topic to discuss at such great length, it may well turn out to be worthy of a lengthy discourse after all.

CLINIAS: Well said. So let us proceed with whatever this discussion requires.

645 d ATHENIAN: Come on, then. If we bring drunkenness to bear upon this puppet of ours, what sort of effect will it have?

CLINIAS: Why do you ask? What’s the purpose of this enquiry?

ATHENIAN: Nothing in particular, I am just asking what sort of thing generally happens when this interacts with that. But I shall try to explain what I mean more clearly. Does the consumption of wine make pleasures and pains, anger and passion, more intense?

CLINIAS: Much more intense.

645 e ATHENIAN: But what about sense perception, memory, opinions and intelligence? Do these become

more intense in the same way? Or do they totally forsake a person once someone becomes intensely drunk?

CLINIAS: Yes, they forsake him completely.

ATHENIAN: Doesn't his soul revert to the same state it was in when he was a child?

CLINIAS: Indeed.

ATHENIAN: And that is when he would be least in control of himself?

CLINIAS: Least.

646 a

ATHENIAN: And don't we say that a person like this is thoroughly bad?

CLINIAS: Thoroughly so.

ATHENIAN: So it is not just the old man, it seems, who experiences a 'second childhood', but the drunkard too.

CLINIAS: Excellent, stranger. Well said.

ATHENIAN: In that case, is there any argument that will attempt to persuade us that this is a practice we should indulge in, and not one we should flee from with all the strength we can muster?

CLINIAS: It seems that there is. At any rate, you maintain that there is such an argument, and you were ready to state it a moment ago.

ATHENIAN: Yes, that is true, you remember. And I am now ready to do so, since you have both declared your willingness and eagerness to listen.

646 b

CLINIAS: We shall listen. We simply must, if only because of your surprising and odd assertion that a person should ever plunge himself, willingly, into an utterly depraved state.

ATHENIAN: Are you referring to the state of his soul? Is that what you mean?

CLINIAS: Yes.

ATHENIAN: What about this, stranger? Would we be surprised if someone ever, of his own free will, got into a physical state of emaciation, ugliness and weakness?

646 c

CLINIAS: We would of course.

ATHENIAN: Now, do we imagine that people, who themselves go along to medical centres to be treated with drugs, do not realise that shortly afterwards, and for many days, their body will be in such a state that if they had to live like that for the rest of their lives, they could not bear it? And we know, don't we, that people who go to the gymnasium and do hard exercises become weak at first.

CLINIAS: Yes, we know all this.

ATHENIAN: And don't we also know that we engage in all these willingly, for the sake of the benefits that follow from them?

CLINIAS: Quite so.

646 d

ATHENIAN: Shouldn't we also think about any other practices in the same way?

CLINIAS: Yes, indeed.

ATHENIAN: In that case, we should also think of the pastime of wine drinking in the same way, if it may, indeed, properly be thought of as one of these practices.

CLINIAS: Of course.

ATHENIAN: Now, if it turns out that this practice is beneficial to us, just as beneficial as the practices associated with the body, it would still win out over physical exercise, because that is accompanied by pain in the beginning, while wine drinking is not.

CLINIAS: You are right about that, but I would be surprised if we were able to discover any such benefit in this.

646 e

ATHENIAN: Then this, it seems, is just what we should now attempt to explain. So, tell me. Can we discern two kinds of fear that are almost direct opposites?

CLINIAS: What kind of fears?

ATHENIAN: As follows. Presumably we are afraid of evils when we expect them to occur?

CLINIAS: Yes.

ATHENIAN: And we are often afraid of opinion when we believe that people will form a bad opinion about us, for doing or saying something that is not noble. And we ourselves, and I believe
647 a everyone else too, refer to this fear as shame.

CLINIAS: Of course.

ATHENIAN: These are the two fears I meant. The second of them stands in opposition to pains, and to the other fears, and also to the most numerous and intense pleasures.

CLINIAS: Correct.

ATHENIAN: Now, doesn't the lawgiver, and anyone else who is of any use, show the utmost respect for this fear and refer to it as 'reverence'? The boldness that is opposed to this he calls
647 b 'irreverence', and he regards this as the greatest possible evil, both for a private individual and for a community.

CLINIAS: Correct.

ATHENIAN: Doesn't this fear save us in many other ways, all of them important? And doesn't this, more so than anything else, ensure victory in war, and our safety in every case? For there are two things that ensure victory: boldness in the face of enemies, and fear before our friends of the evil associated with shame.

CLINIAS: Quite so.

647 c ATHENIAN: So each of us should become fearless, and fearful, for the reasons we have distinguished in either case.

CLINIAS: Certainly.

ATHENIAN: And, indeed, when we wish to make each person fearless in the face of many fears, we ensure this by drawing him into fear, legally.

CLINIAS: Apparently so.

ATHENIAN: And what about our attempts to make someone fearful, in a manner that conforms to justice? Shouldn't we make him victorious in the battle against his own pleasures, by pitting him against shamelessness, and training him to oppose it? A person should become perfect in courage by doing battle against the cowardice in himself and defeating it. And, indeed,
647 d anyone who has no experience or training in such struggles would not attain even half of his own potential in terms of excellence. But in the case of sound-mindedness, can he ever attain perfection without putting up a strong fight against the many pleasures and desires that turn him to shamelessness and injustice, and prevailing against them with the aid of reason, action and skill, both in play and seriously, rather than being devoid of experience of this sort of thing?

647 e CLINIAS: That would be quite unlikely.

ATHENIAN: What about this? Is there a drug for fear, that some god has given to humanity, such that the more someone is willing to drink of it, the more he regards himself, with every drop he drinks, as doomed to misfortune? He gets afraid of everything, present and future alike, and in the end even the most courageous man there is gets consumed with fear. But once he has slept off the potion and is rid of its effects, he always becomes himself once again.
648 a

CLINIAS: Is there a potion like this, stranger? Can we claim that such a thing exists?

ATHENIAN: There is no such thing. But if it had existed somewhere, would it have been of any use to the lawgiver in promoting courage? We might well have had a discussion with him about this, somewhat as follows: "Come, lawgiver, whether you are proposing laws for Crete or for any other people, would you like first to have a test at your disposal to determine the
648 b courage and cowardice of the citizens?"

CLINIAS: Every legislator would obviously say, "Yes".

ATHENIAN: What about this? Would you like a test that is safe, and without significant risks, or the opposite?

CLINIAS: The test should be safe. Everyone will agree on this.

ATHENIAN: And would you use the test by inducing these fears, and testing the people under these circumstances, so as to compel them to become fearless by exhorting, warning and rewarding them? Would you dishonour anyone who did not obey you and thus become the sort of person you directed them to be? And wouldn't you let someone go without a penalty if he had completed his training well and courageously, but impose some penalty if he had done badly? Or would you not use the potion at all, even though you had nothing else to say against it? 648 c

CLINIAS: How could he decline to use it, stranger?

ATHENIAN: In any case, my friend, in comparison with what is done nowadays, this training would be wonderfully easy to apply to one person, a few, or to as many people as anyone might ever wish. And what if someone preferred to be alone, in solitude, ashamed at the prospect of being seen until he believed he was in good condition? Suppose he exercised against the fears in this way, equipped only with the potion instead of lots and lots of practices? Wouldn't he be acting correctly? And so too would someone else who, trusting that he himself was properly equipped by nature and by practice, had no reluctance about engaging in the exercise, along with numerous drinking companions, and demonstrating his capacity to transcend this, and retain control in the face of the inevitable disturbance brought on by the potion. And so, because of his excellence, he would not succumb to any serious disgraceful conduct at all, nor would he behave differently. And before the last draught arrived, he would quit the scene, for fear of the defeat that the potion finally inflicts upon everyone. 648 e

CLINIAS: Yes, stranger. In fact a person like this, acting like this, would be demonstrating sound-mindedness.

ATHENIAN: Then, let us speak once more to the lawgiver as follows. "So be it, lawgiver. Although no god has actually given a fear-inducing drug like this to humanity, nor have we devised one ourselves – and I am excluding sorcerers – is there nevertheless a potion to induce excessive courage at the wrong time, where it is not needed?" 649 a
What do we say?

CLINIAS: I presume he will reply that there is such a potion, and he will say that it is wine.

ATHENIAN: Doesn't this have the very opposite effect to the one we described just now? Initially it immediately makes the person who drinks it more cheerful than he was before, and the more of it he imbibes the more he is filled with high hopes and with power too, or so he thinks. And in the end, doesn't a person like this behave like a wise man, and abound in utter frankness, freedom, and complete fearlessness, so that he says anything at all without hesitation, and acts in just the same way? I think everyone would agree with us on all this. 649 b

CLINIAS: Of course.

ATHENIAN: Let us remind ourselves then of the following. We declared that there are two things in our souls that should be cultivated: one so that we may be as confident as possible, and the other, its opposite, so that we may be as fearful as possible. 649 c

CLINIAS: This one we call reverence, I believe.

ATHENIAN: Well remembered. And since courage and fearlessness should be practised in situations of fear, we have to decide whether their opposite would need to be cultivated under opposite circumstances.

CLINIAS: Well, that is likely to be the case.

ATHENIAN: So, there are situations in which we naturally become exceptionally bold and daring. And these are the situations in which we should practise being as free as we possibly can

649 d from shamelessness and audacity, and fearful of ever daring to say, feel, or do anything shameful.

CLINIAS: So it seems.

ATHENIAN: Now, we are like this, aren't we, in anger, passion, insolence, ignorance, avarice, cowardice? And we may also include wealth, beauty, strength, and anything else that makes us drunk with pleasure and drives us out of our minds. And when it comes firstly to providing
649 e an inexpensive and harmless test of these, and for practising with them too, can we think of any pleasure more measured than a playful trial in wine drinking, provided it is conducted carefully? Let us consider this. Should we test for an intractable and wild soul, the source of countless injustices, by entering into business dealings with the person, and run all the
650 a associated risks, or is it safer to get together at a festival of Dionysus? Or should we carry out a trial of a soul that is dominated by sexual desires by turning our own daughters, sons and wives over to that person, thus putting our nearest and dearest in danger, in order to see the condition of his soul? And, indeed, you could give countless examples, and still not show just how superior this safe and secure method of observing people through play actually is.

And, indeed, I do not think the Cretans or any other peoples at all will dispute the
650 b fact that in these matters, this is a fair way of testing one another. And in terms of its low cost, safety and speed, it is superior to other tests.

CLINIAS: Well, that is true.

ATHENIAN: This then, the recognition of the natures and dispositions of souls, would be one of the most useful things for that skill which involves caring for them. And this skill, according to us, is I presume statesmanship. Is this so?

CLINIAS: Entirely so.



Laws

— BOOK II —

ATHENIAN: It seems, then, that the next question we need to consider is whether discerning one another's natures is the only good that comes from the correct use of wine parties, or whether they involve some important benefit that deserves to be taken very seriously. Well, what do we say? The argument, it seems, wishes to indicate that such a benefit is involved, but we should hear how and in what sense, paying close attention in case we get tangled up in the argument. 652 a
652 b

CLINIAS: Speak on.

ATHENIAN: Well then, I wish to recall once more what exactly we say right education is, in our view. For my guess now is that the salvation of education lies in this activity being organised in the right way. 653 a

CLINIAS: That is a bold claim.

ATHENIAN: Well, I am saying that the first, primitive sensation in children is pleasure and pain, and it is in these that excellence and vice first come to the soul. As for understanding, and confident true opinions, fortunate is the man to whom they come even in old age, and perfect is the person who has acquired these, and all the goods that are in them. And I call education the excellence that comes to children first, when pleasure, affection, pain and hate are engendered in the right way, in the souls of those who are not yet able to understand the reason. And when they do come to understand, they will concur with reason, and accept that they have become accustomed to acting in the correct manner because the habits of their childhood are so fitting. Now, this total concurrence is excellence, but there is a part of this that may be isolated in the argument and may be referred to as education, and in my opinion it would be right to do so. This part is the correct upbringing in relation to pleasure and pain, so as to hate what one should hate, from the very beginning right until the end, and love what one should love. If our argument were to separate this off and refer to it as education, we would in my opinion be naming it correctly. 653 b
653 c

CLINIAS: Yes, indeed, stranger. What you said earlier about education, and what you are saying now, sounds right to us.

ATHENIAN: Good. Now, although this correct training in pleasures and pains constitutes education, it slackens and diminishes to a considerable extent over the course of one's life, and the gods, taking pity on the natural hardship suffered by the human race, have instituted festival days as respites from our labours. And they have provided the Muses, and Apollo their leader, and Dionysus too, as our festival companions to regulate the festivals. And they provided sustenance there in the company of the gods. 653 d

There is an argument that is repeated constantly nowadays, and we should see whether or not it is true, and accords with nature. It maintains that the young, all of them, are more or less incapable of keeping their bodies or their mouths quiet. Their constant

653 e endeavour is to move and make sounds, leaping and jumping, dancing with delight and playing around, and making all sorts of noises. Now, the other animals have no awareness of the kinds of order or disorder in their various movements, order that we call rhythm and harmony. But to us humans, who as we said were given the gods as our companions in dance, these very gods have given us an awareness of rhythm and harmony, accompanied by pleasure. By this awareness they move us and act as our chorus leaders, connecting us to one another with songs and dances. And they gave the chorus its name ‘chorus’ because of its natural charm.¹ First, then, do we accept this, and may we propose that education is, initially, through the Muses and Apollo? Or what should we say?

CLINIAS: Just that.

654 b ATHENIAN: So, for us, the uneducated person will be someone who has not participated in the chorus, and we should propose that the educated person has participated enough.

CLINIAS: Indeed.

ATHENIAN: Now, a choral performance involves dancing and singing combined together.

CLINIAS: Of course.

ATHENIAN: So the person who has been well educated would be capable of singing and dancing well.

CLINIAS: So it seems.

ATHENIAN: Let us look at what exactly it is that we are saying now.

CLINIAS: What are you referring to?

654 c ATHENIAN: We say that ‘he sings well’ or ‘he dances well’, but should we add ‘provided that what he sings is good and what he dances is good’. Or should we not add this?

CLINIAS: We should add this.

ATHENIAN: What about someone who regards what is good as good, and what is base as base, and makes use of them accordingly? Will such a person, in our view, be better educated in choral performance and music when he is consistently able to be faithful enough, physically and verbally, to his concept of what is proper, but takes no delight in anything good, and has no aversion to whatever is not? Would he be better educated than someone who was not really able, verbally or physically, to successfully accomplish anything good, or to conceive of it mentally, but is right when it comes to pleasure and pain, because he embraces whatever is good, and detests whatever is not?

654 d CLINIAS: These two cases, stranger, are vastly different in terms of education.

ATHENIAN: Well then, if the three of us recognise what is good in relation to singing and dancing, we shall also know correctly who has been educated and who is uneducated. But if we do not recognise this, we would never be able to recognise clearly whether a guardian of education exists, and where it is. Isn’t this so?

654 e CLINIAS: It is so, indeed.

ATHENIAN: So what we have to track down next, like hounds following a trail, is what is good bearing, melody, song and dance. But if these escape us and get away, vain would be our subsequent argument about correct education, either of Greek or of non-Greek.

CLINIAS: Yes.

ATHENIAN: So be it. What exactly then is good bearing and melody? What should we say? Come on then. Consider a courageous soul in difficult circumstances, and a cowardly soul under the very same circumstances. Will their bearing and their utterances turn out to be much the same?

655 a CLINIAS: No, how could they when their very complexions differ?

ATHENIAN: Well said, my friend. But bearing and melody are present in music, which is concerned with rhythm and harmony, and so we may rightly speak of good rhythm and harmony in melody and bearing, but it is not right to use the analogous term ‘good colour’, as the choral

teachers do. And yet, it is right to speak this way about the bearing and the melody of the coward and of the brave, and in the case of the brave these may correctly be referred to as good, and in the case of the cowards as base. Indeed then, to avoid an excessively lengthy speech, let's just say that altogether the bearings and melodies associated with excellence itself, or some image of this, are good, while those associated with badness are bad. This applies to excellence and badness of soul or body. 655 b

CLINIAS: You are right to propose this, and for now our response is that this is how things are.

ATHENIAN: There is a further question. Do all of us take a similar delight in all choral performances, or is this far from being the case? 655 c

CLINIAS: Far from it, totally.

ATHENIAN: Well then, what precisely is it that has sent us astray? Is it that what is good is not the same for all of us, or is it the same but does not seem to be the same? For I presume no one will ever say that choral performances of badness are better than those of excellence, or that he himself delights in the bearing that belongs to degeneracy while others prefer a Muse of the opposite sort. And yet most people say that the ability of music to provide pleasure to souls is the correct standard to judge it by. But this is unacceptable, and it is irreverent in the extreme even to say so. But what sends us astray is, more likely, something else. 655 d

CLINIAS: What?

ATHENIAN: Since choral performances involve imitations of characteristics arising in activities and situations of all sorts, each of the performers goes through the process using habit and imitation. Now, in cases where anything that is said, sung or performed accords with their character, by nature, by habit or by both, they are delighted, and cannot help but praise these performances and pronounce them good. But in cases where the performances go against their nature, character or some habit, they are unable to take any delight in them or to praise them, so they pronounce them bad. Those whose nature is correct but whose habit is not, or those whose habit is correct but whose nature is not, are people who praise what does not please them. For they declare that each of these performances is pleasant but degenerate, and in the presence of others whom they regard as wise, they are ashamed to adopt bodily movements of the sort that feature in these performances, and ashamed also to sing songs of this sort and imply that they seriously approve of them. But, in private, they enjoy all this. 655 e

CLINIAS: You are quite right.

ATHENIAN: Now, does any harm come to someone who takes delight in bearing or melodies that are degenerate, or do any benefits come to those who take pleasure in the opposites of these?

CLINIAS: Quite likely.

ATHENIAN: Likely? Is he not, necessarily, in the same predicament as someone who keeps company with bad people of degenerate behaviour, and is delighted rather than repelled? He censures them, half joking, barely dreaming of just how vile this is. Then, of course, this happy man inevitably becomes like whatever company he delights in, even though he would be ashamed to be heard praising it. And, indeed, what greater good or evil could befall us than a totally inevitable process of this sort: a process of becoming like the company we keep? Can we say? 656 b

CLINIAS: I do not think there is one.

ATHENIAN: Now, where laws dealing with education about music in general, and entertainment, are established in the right way, or will be so in future, do we think the poets will be allowed in their poetry to adhere to whatever rhythm, melody or utterance pleases the poet himself 656 c

¹ Wordplay based on an alleged connection, likely fanciful, between the Greek words for 'chorus' and 'joy'.

and teach this to the children of citizens who have such good laws, and to the young people in the choruses, regardless of the effect this has in terms of excellence or vice?

CLINIAS: No, that does not make sense. How could it?

656 d ATHENIAN: And yet, nowadays, this is what is permitted, more or less, in all cities except in Egypt.

CLINIAS: Tell us then. What laws about such matters have been put in place in Egypt?

ATHENIAN: It is an amazing story to hear. For the very argument that we are now stating was, it seems, recognised by them long ago, the argument that the young people in the cities should practise good bearing and good melody in familiar actions. They codified all the rules, indicating what they are and what they are like, and they displayed these in their temples. They did not allow either painters or anyone else who represents bearing and that sort of thing to
656 e innovate or contrive contrary to these, either in these areas or in music generally, except along traditional lines. Nor do they allow this today. And you will find, if you take a look, that the ten-thousand-year-old paintings and sculptures there – and they are literally ten thousand years old – are neither more beautiful nor less so than what is being produced
657 a today, because the same skill is being applied.

CLINIAS: Amazing.

ATHENIAN: Yes indeed, it is a triumph of legislation and statesmanship, but you will find problems there in other areas. But in the case of music this is the truth, and it is worthy of consideration. It was possible to be firm about such matters, and enact laws encouraging melodies that possess a natural correctness. This would be a task for a god or some divine man, and
657 b in fact there in Egypt, they say that the melodies that have been preserved for such a lengthy period of time are actually compositions of Isis.² So, as I said, if someone is able to grasp the correctness of these in any way at all, he should be bold enough to arrange them into a legal framework, since the yearning, driven by pleasure and pain, to indulge continually in new music does not really possess any great power to corrupt the sacred choral performance merely by referring to it as outdated. In Egypt, at any rate, it seems to have had no such corrupting influence at all – quite the opposite in fact.

657 c CLINIAS: Yes, that appears to be how matters stand, based on what you are now saying.

ATHENIAN: In that case, may we be so bold as to describe the correct use of music and entertainment with choral performances somewhat as follows? We are delighted whenever we think we are doing well, and conversely whenever we are delighted we think we are doing well. Isn't this so?

CLINIAS: It is so, indeed.

ATHENIAN: And indeed, in a situation like this where we are delighted, we are unable to come to rest.

CLINIAS: True.

657 d ATHENIAN: Now, aren't our young folk ready and willing to perform in the chorus themselves, while we, their elders, think it more appropriate to spend our time watching them, delighting in their play and festive celebrations. Indeed, our own liveliness is forsaking us now, and because we yearn for this and cherish it, we set up contests for those who are able, as best they can, to rouse us through memory into youthfulness.

CLINIAS: Very true.

657 e ATHENIAN: So, we should not presume that what is commonly said nowadays about people who celebrate festivals is completely unfounded. It is said that whoever does the best job of cheering us up and delighting us should be regarded as the wisest, and judged to be the winner. In fact, since we are allowed to enjoy ourselves on such occasions, whoever brings most delight to the most people should be honoured most, and as I said just now he should
658 a carry off the victory prizes. So, consider what has been said. Isn't it right, and wouldn't this be the right course of action if it were to happen like this?

CLINIAS: Perhaps.

ATHENIAN: But, blessed man, let us not judge such an issue in haste. Let us rather take it part by part and consider it somewhat as follows. What if someone, sometime, were to set up a contest in some very simple way, without even defining whether it was a contest in gymnastics, music or horse-riding. Suppose he were to bring everyone in the city together, set up some victory prizes, and proclaim that anyone who wishes may come along and compete in a contest that is concerned only with pleasure. Whoever provides most entertainment to the spectators, without any restriction on how he does so, and who is better than everyone else at doing just this, and is judged to be the most pleasing competitor of all, will win. What do you think would come of a proclamation like this? 658 b

CLINIAS: In what sense?

ATHENIAN: It is likely, I suppose, that someone would present an epic poem, just like Homer; someone else a harp song or a tragedy or a comedy; and I would not be surprised if someone were to imagine that he really should be victorious because he put on a puppet show. So when people like this, and thousands of others too, enter the contest, can we say who deserves to win? 658 c

CLINIAS: What a strange question. Indeed, who could ever answer you knowledgeably until he had heard each of the contestants, and listened to them himself?

ATHENIAN: Well then, would you like me to give you this equally strange response?

CLINIAS: Indeed.

ATHENIAN: If very little children are to be the judges, they will opt for the puppet show, won't they?

CLINIAS: How could they do otherwise? 658 d

ATHENIAN: And if the bigger children decide, they will opt for the comedy, while educated women, young adolescents, and the vast majority of the population will probably choose a tragedy.

CLINIAS: Probably indeed.

ATHENIAN: And perhaps old men like us would be most pleased at hearing a rhapsode reciting the *Iliad* or the *Odyssey* or something from Hesiod in a glorious manner, and would declare that he is the outright winner. So, who would be the rightful winner? This is the next question, isn't it?

CLINIAS: Yes.

ATHENIAN: Obviously, myself and yourselves will inevitably declare that whoever is chosen by people of our own age are the rightful winners, for of all the customs prevailing nowadays, in all of the cities, this seems best to us. 658 e

CLINIAS: Indeed.

ATHENIAN: I agree with the majority viewpoint, to this extent at least: we should judge music by the pleasure it gives, but not to any random person. Rather, music that gives pleasure to the best and most adequately educated people is almost the very finest music of all, especially the music that pleases the one person who excels in excellence and education. That's why we maintain that those who judge such matters need excellence. They have to possess understanding in general, and courage in particular. Nor should the true judge arrive at his judgement by learning from the audience, and be overpowered by the commotion of the crowd and his own lack of education. Nor again, even though he knows better, should he deliver his judgement without due care because he is a coward who lacks courage, thus speaking lies from the very same mouth out of which he invoked the gods when becoming a judge. For a judge, rightly speaking, does not sit as the pupil of the spectators, but rather as their 659 a 659 b

² Isis was a goddess in the Egyptian pantheon. She was the sister of Osiris, and it was believed that she assisted the dead in their transition to the afterlife.

teacher, and he opposes those who ply them with pleasure in a way that is neither appropriate nor correct. Indeed, the ancient Greek law allowed the judges to do this. But nowadays, in Sicily and Italy, the law hands the decision over to the majority of the spectators to decide the winner by a show of hands. This process corrupts the poets themselves, who then compose for the degenerate pleasure of their judges – the audience – thus corrupting the tastes of the actual audience members. Consequently, the audience itself is instructing the judges. For although they need to adopt more elevated pleasures by constantly hearing of behaviour that is superior to their own, the very opposite now happens to them, and they do it to themselves. What precisely do these various considerations in our argument wish to indicate to us? Think about it. Is it as follows?

CLINIAS: What?

ATHENIAN: It seems to me that the argument has come back full circle to the same place for the third or fourth time, and it says that education consists in drawing or leading children towards the argument that is said by the law to be correct, and is confirmed as indeed correct by the experience of the most reasonable and mature people. The soul of the child should not get into the habit of being delighted or pained in a manner that is opposed to the law, and to those who obey it. The child's soul should follow along and be delighted and pained by the very same things as the elder folk. That is why we have songs, as we call them, which are really charms for souls, seriously intended to produce the sort of concord we are speaking of. But because the souls of the young are unable to bear the seriousness, we refer to these as entertainments and songs, and we act accordingly. It is just like the situation in which those who care for sick people with weak bodies try to give them the wholesome nourishment in some pleasant food and drink, and the unwholesome substances in unpleasant food and drink, so that they develop the good habit of being fond of one and detesting the other. In the same way, then, the good lawgiver will persuade, or, failing that, compel, the poetical type, in beautiful and encouraging language, to portray the bearing and the melodies of sound-minded, courageous and entirely good men, in his rhythms and melodies, by composing them correctly.

CLINIAS: By Zeus, stranger, do you really think that that is how they compose in other cities these days? For as far as I can see, apart from ourselves and Sparta, I do not know of any cities doing what you are describing. Innovations are constantly being introduced in dance, and in the entire realm of music in general, and the changes are not based upon the law but on certain disordered pleasures, which are very far from being the same and unchanging, as they are in Egypt, according to your description. In fact, they are never the same.

ATHENIAN: That is excellent, Clinias. But if you think I am saying that what you are referring to is current practice, in that case then I would not be surprised if this happened because I am not expressing my thoughts clearly enough. I was describing what I would like to see happening in relation to music, and perhaps I gave you the impression that I was describing current practice. Now, it is not at all pleasant to criticise practices that are beyond remedy and well advanced in error, but sometimes it is necessary to do so. But since you agree with me on these matters, tell me, do you maintain that such practices are more prevalent among yourselves in Crete, and among the Spartans, than they are among other Greeks?

CLINIAS: Indeed.

ATHENIAN: And what if they were to be adopted by the other Greeks too? Should we maintain that these practices would be an improvement over the current situation?

CLINIAS: I expect it would make a big difference if the Spartan practices, or ours, or even the ones you prescribed just now, were adopted.

ATHENIAN: Come on then, let us agree on the immediate issues. In your cities, isn't this what is

said on the entire subject of education and music? You compel the poets to say that the good man, being sound-minded and just, is also happy and blessed, and it makes no difference whether he is big and strong or small and weak, or whether he is rich or poor. In fact, even if he is richer than Cinyras or Midas,³ but is unjust, he is a wretched man living a miserable life. And your poet says – if he is right about this – “I would not even mention a man, or write his name down” unless he enacted and acquired everything that is said to be good, but did so in consort with justice. And, indeed, he shows a man like this “lunging at the enemy in close combat”, while the unjust man doesn’t even dare “to look upon the face of bloody slaughter”; nor does he outrun the “Thracian North Wind”; nor does he ever achieve anything else that is attributed to good people.⁴ 661 a

Indeed, the things that are said to be good by most people are not being described correctly. For it is said that what is best is health, beauty is second, wealth third. And countless other goods are listed, including acuteness of sight and hearing, and keen perception of sense objects generally, and even becoming a tyrant and doing whatever you like. And the very pinnacle of all happiness is, they say, to acquire all these and become immortal, there and then. But I presume that you and I say that these are all excellent possessions for men who are just and holy, but to the unjust they are all of them thoroughly bad, beginning with health. And, indeed, we would say that seeing, hearing, perceiving and being alive at all, are evil in the extreme when someone is immortal forever, and possesses all these so-called goods in the absence of justice and total excellence, but the evil is less when such a person has a shorter span of life. Now, I think you will compel your own poets to say all that I say, and to educate your young people in this way by giving them rhythms and harmonies that accord with what is said. Is this so? Look at it this way, for I am saying in plain terms that the things that are said to be bad are good for the unjust people, but for the just people they are actually bad, while the good things really are good for the good people, but for the bad people they are bad. So, I repeat my question. Are the two of you and I in agreement, or not? 661 b
661 c
661 d

CLINIAS: Well, in some respects I think we are, but in other respects certainly not.

ATHENIAN: Suppose someone is possessed of health, wealth and endless tyrannical power – and for the two of you let me add exceptional strength and courage accompanied by immortality – and that none of the other so-called evils befall him. But suppose that all he has within himself is injustice and arrogance. Perhaps you two are not convinced that someone who lives in this way is not really happy, but is obviously wretched? 661 e

CLINIAS: That’s perfectly true.

ATHENIAN: So be it. What should I say to you next? Well, suppose someone is courageous and strong, handsome and wealthy, and does whatever he likes throughout his entire life. Don’t you agree that if he is unjust and arrogant, he would necessarily be living in a shameful manner? Will you perhaps accept this word ‘shamefully’ at least? 662 a

CLINIAS: Yes, indeed.

ATHENIAN: What about the word ‘badly’?

CLINIAS: No, that’s different.

ATHENIAN: What about saying that he lives an unpleasant life that is not profitable to himself?

CLINIAS: How could we possibly agree with that?

ATHENIAN: How? Only if God, it seems, were to grant us some degree of concord, my friend, since for the moment at least there is a fair amount of discord among us. Yes, to me it appears 662 b

³ Cinyras and Midas were legendary kings of ancient kingdoms in Cyprus and Phrygia, respectively.

⁴ The lines quoted here are from the elegiac poet Tyrtaeus.

that this is necessarily the case. It is even more obvious, my dear Clinias, than the fact that Crete is an island. And as a legislator, I would try to compel the poets, and everyone else in the city, to speak in this way. And I would impose perhaps the heaviest of penalties in cases where anyone in the land would say that there are some people who are degenerate and yet live pleasant lives, or who say that some things are profitable or advantageous while others are more just. And there is much else I would persuade my citizens to say that contradicts the prevailing views of Crete and Sparta, it seems, and indeed of humanity in general.

Come on then, best of men, by Zeus and Apollo. What if we were to ask these very gods who gave you your laws, “Is the most just life the most pleasant life? Or are there two lives, one that happens to be the most pleasant while the other is the most just?” If they were to declare that there are two, we would, if we were questioning them correctly, probably ask them again, “Which should we say are the happier people, those who live the most just life or those who live the most pleasant one?” Now, if they were to reply, “Those who live the most pleasant one”, their argument would be bizarre. But I don’t want to attribute such a response to the gods, but rather to our forefathers and lawgivers. So let my former question be put now to a forefather and lawgiver, and let him reply that whoever lives the most pleasant life is most blessed. I would then say, “Father, did you not want me to live as happily as possible? Yet you were always calling upon me unceasingly to live as justly as possible.” Now, whoever suggests this, be he a forefather or a lawgiver, would I think look most odd, and be at a loss about how to speak in a manner that is consistent with himself. But if, on the other hand, he declares that the most just life is happiest, anyone who hears this would, I believe, want to know what the law is praising in the just life. What does the just life contain that is good and noble, and superior to pleasure? Indeed, what good, apart from pleasure, could a just man have? Come on then, is fame and the acclaim of humanity and the gods pleasant, while the opposite applies to infamy? “Dear legislator,” we’ll say, “not at all”. If we neither do nor suffer injustice, is that unpleasant, even though it is good or noble? And is doing injustice pleasant, even though it is disgraceful and bad?

CLINIAS: No, how could this be so?

ATHENIAN: Now, although the argument does not separate pleasant, on the one hand, from just and good and noble, on the other, even if it does nothing else it still persuades a person to prefer to live a life that is holy and just. And for a legislator, the most disgraceful argument, directly opposed to his purposes, is the one that denies that this is the case. For no one would wish, willingly, to be persuaded to do anything that did not result in more pleasure than pain. But looking at things from afar produces a sort of dizziness in everyone, especially in young children, unless a lawgiver introduces a perspective that is the opposite of this; unless, having banished the darkness, he persuades people, somehow or other, by habits, praise or arguments, that their notions of justice and injustice are a play of shadows. When seen from the personal viewpoint of an unjust bad person who is opposed to justice, what’s unjust appears pleasant and what’s just appears most unpleasant. But from the perspective of the just person, the view of justice and injustice is the complete opposite in every way.

CLINIAS: Apparently so.

ATHENIAN: And which of these two judgements is more authoritative in terms of truth, the judgement of the worse soul or of the better one?

CLINIAS: It must be the judgement of the superior one, I presume.

ATHENIAN: So, it must be the case that the unjust life is not only more shameful and degenerate than the just and holy life, but is in truth more unpleasant too.

CLINIAS: That, my friends, is quite likely, according to the present argument at least.

ATHENIAN: But even if what the argument has just established proved not to be the case, could a

lawgiver, who was in any way useful, and who dared tell a lie to the young folk for some good purpose, ever tell a more profitable lie than this, or one with more power to make everyone do what's just in everything, willingly and without compulsion? 663 e

CLINIAS: Truth is noble and enduring, stranger, but it seems to be difficult to persuade people.

ATHENIAN: So be it. But it proved easy to persuade people of the myth about the Sidonian,⁵ incredible though it was, and the same applies to countless other stories.

CLINIAS: Of what sort?

ATHENIAN: The story about the teeth being sown in the ground, and armed men growing from them.⁶ In fact, this is a great example for the lawgiver of persuading the souls of the young folk about anything at all, if one tries. Accordingly, in considering this, all he needs to do is find out what story would, once they believed it, lead to the greatest good for the city. And in this regard, he should seek out any means whatsoever whereby an entire community of this sort, and their discourse, would hold always to this theme with one and the same voice, as much as they can in their songs and in their stories. But if anything else occurs to anyone besides this way of looking at these matters, he should feel free to present a contrary argument. 664 a

CLINIAS: No, I don't think either of us would be capable of presenting a counter argument, not on these matters at any rate. 664 b

ATHENIAN: The next point is up to me then. So, I say that all the choruses, three in number, should sing to the still young and tender souls of the children, stating all the noble principles we have recounted, and will, indeed, recount hereafter. Let's summarise them as follows. When we maintain that the most pleasant life, and the best life, are said by the gods to be the same, we shall be stating the very truth. And, at the same time, we shall persuade those who need persuading, more effectively than we would by saying anything else. 664 c

CLINIAS: We have to agree with what you are saying.

ATHENIAN: To begin with, it is only right that the children's chorus, dedicated to the Muses, should come in first to sing such songs, in all seriousness, before the entire city. Second should come the chorus of those who are under thirty, invoking Apollo Paean⁷ as witness of the truth of what is being said, and praying that he be gracious to the young, and convince them. A third chorus, consisting of those who are aged between thirty and sixty, should be next to sing. And that leaves the older group, who are no longer up to the task of singing, to present stories about the same characters through divine utterance. 664 d

CLINIAS: What is this third chorus you refer to, stranger? For we don't really understand clearly what you wish to say about these people.

ATHENIAN: And yet most of the argument we have discussed so far was more or less concerned with these.

CLINIAS: We don't understand yet. Please try to explain even more clearly. 664 e

ATHENIAN: We said, if you recall, at the beginning of our discussions, that the nature of all young creatures is fiery, and unable to keep either the body or the voice quiet. The nature is constantly making disordered sounds and leaping about. We also said that none of the other creatures ever develops any sense of order in body or voice. Human nature alone has this ability. The order associated with movement is called rhythm, and in the case of the human voice, the blending together of high- and low-pitched sounds is called harmony, and the two of these combined is called a choral performance. And we said that the gods, out of 665 a

⁵ This is a reference to the story of Cadmus.

⁶ Cadmus was said to have slain a sacred dragon whose teeth, when planted, grew into a group of fully armed fierce warriors known as the Spartoi.

⁷ The god of healing.

pity for us, gave us two fellow chorus members and chorus leaders, Apollo and the Muses, and in fact, you may recall, we said there was a third, Dionysus.

CLINIAS: How could we fail to remember?

665 b ATHENIAN: Well, we have described the chorus of Apollo and of the Muses, so the third chorus, the remaining one, must be called the chorus of Dionysus.

CLINIAS: How so? Please explain. A chorus of old men, dedicated to Dionysus, sounds most unusual on first hearing. Are men who are over thirty or over fifty, or even as old as sixty, really going to be involved in a chorus dedicated to Dionysus?

ATHENIAN: That is perfectly true. An argument is needed here, I believe, to show that if this were to happen, it would be a reasonable development.

CLINIAS: Indeed.

ATHENIAN: Now, are we in agreement about the previous matters?

665 c CLINIAS: Specifically?

ATHENIAN: About the need for every man and child, free born or slave, female or male, and indeed the whole city, to sing to themselves unceasingly the very charms we have described, changing them this way and that to provide all sorts of variety so that the singers develop an insatiable desire for the songs, and take pleasure in them.

CLINIAS: How could anyone disagree? Yes, this is what should be done.

665 d ATHENIAN: Where then should the very best people in our city sing their magnificent and exalted songs so as to do the most good? These are the people who are more persuasive than anyone else in the city because of their age and level of understanding. Shall we be so foolish as to set this group aside when they are masters of the most exalted and beneficial songs?

CLINIAS: No, setting them aside is out of the question, based on what is now being said.

ATHENIAN: How shall we address this properly? See whether this will do.

CLINIAS: What then?

665 e ATHENIAN: Everyone I believe, as he gets older, becomes reluctant to sing songs, and takes less and less delight in doing so, and when compelled to do so is embarrassed. And the older and more sound-minded he becomes the more embarrassed he becomes. Isn't this so?

CLINIAS: It is so indeed.

ATHENIAN: Wouldn't he be even more embarrassed to stand before people of all sorts, in the theatre, and sing? And if old people like this were compelled to sing, thin and fasting, just like chorus members training their voices for a competition, they would presumably take no pleasure in the task, and sing in embarrassment and without any enthusiasm?

666 a CLINIAS: Yes, that's inevitable.

ATHENIAN: How, then, shall we encourage them to be enthusiastic about singing? Shouldn't we first pass a law that children may not partake of wine at all until they are eighteen years old, explaining that fire must not be poured upon the fire that is already in their body and their soul before they turn their hand to life's labours. Here we are being cautious about the excitable disposition of the young. But after this they may partake of wine, in measure, until they are thirty, but drinking too much and getting drunk are totally prohibited to the young man.

666 c As he approaches forty years of age, he may enjoy the common meals and call upon the other gods, and he should invoke Dionysus in particular at the ritual for the older men, which is also their recreation. The god gave this to humanity as a healing draught to cure the crabbedness of old age so that we may grow young again, and our soul, by forgetting its dispiritedness, may become softer rather than harder in character, and become more malleable, just like iron when placed in the fire. First, wouldn't each of them, when this is the state of their soul, be willing to sing, or chant as we have often called it, more eagerly and

with less embarrassment, not in front of lots of strangers, but before a select group of friends?

CLINIAS: Yes, much more.

ATHENIAN: So, as a means of getting them involved in our singing, this approach would not be entirely objectionable.

CLINIAS: No, not at all.

666 d

ATHENIAN: What sort of sound will the men send forth? Or is it obvious that there must be some music appropriate to them?

CLINIAS: There must be.

ATHENIAN: So what music would be appropriate to divine men? Would it be the music of the choruses?

CLINIAS: Well, stranger, we in Crete, and these Spartans, would be incapable of singing any other song besides the one we learned and became familiar with in the choruses.

ATHENIAN: That is reasonable enough, since you have not actually attained the most exalted level of singing. Indeed, you have the civic constitution of a military camp but you have never settled in cities, and you keep your young people in a flock like a collection of grazing colts. None of you takes his own animal and drags it away from the grazing herd, as it gets wildly distressed. You don't appoint a private horse trainer to train him by rubbing him down and taming him and giving him everything that is appropriate for his upbringing so that he may be not just a good soldier, but able to manage a city or a town – someone who, as we said at the outset, is more of a warrior than Tyrtaeus' warriors, because he respects courage, always and everywhere, in private individuals and in entire cities, not as the foremost excellence, but as fourth in the scale of excellence.

666 e

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CLINIAS: I don't know, stranger, whether or not you are somehow disparaging our lawgivers yet again.

ATHENIAN: My good man, if I am doing this at all, I am not doing it intentionally. But if you please, let's follow the argument wherever it may lead. For if we have music that is more exalted than the music of the choruses, or the popular theatres, we should try to make this available to these men, who we say are ashamed of that music and are eager for involvement with this most exalted music.

667 b

CLINIAS: Certainly.

ATHENIAN: Isn't it the case, first and foremost, with anything accompanied by some grace, that what is most significant is either the grace just by itself or else a certain correctness, or, thirdly, the benefit? For instance, food, drink and nutriment in general have an associated grace which we call pleasure. As for their correctness and benefit, we consistently refer to the healthiness of whatever is consumed, and this very healthiness is what's most correct about them.

667 c

CLINIAS: Yes, certainly.

ATHENIAN: And there is indeed a grace that accompanies learning, namely pleasure, but that which produces its correctness – benefit, goodness and nobility – is the truth.

CLINIAS: Quite so.

ATHENIAN: What about skills that involve imitation and which produce likenesses? If they succeed in producing a likeness, may we rightly refer to the associated pleasure as grace?

667 d

CLINIAS: Yes.

ATHENIAN: But the extent and the degree of equality with the original is what would, presumably, constitute the correctness of such likenesses, generally speaking, rather than the pleasure.

CLINIAS: That's right.

ATHENIAN: In that case, using the criterion of pleasure, the only thing that we may judge correctly is something that is produced in order to provide neither benefit nor truth, nor likeness, nor

667 e

indeed to do any harm – something that would exist only for the sake of that which accompanies these other factors, the grace which, when none of these other factors accompany it, is best called pleasure.

CLINIAS: You are referring only to harmless pleasure.

ATHENIAN: Yes. And I am saying that this very pleasure is indeed amusement, whenever it does no harm or good worth mentioning seriously.

CLINIAS: Very true.

ATHENIAN: In that case, based on what we are now saying, we would maintain that it is entirely inappropriate to judge any imitation, or indeed its equality, by the criterion of pleasure or by untrue opinion. What is equal or symmetrical is not equal or symmetrical because it seems so to someone or because it does not please someone, but most of all because of the truth, and least of all because of any other consideration.

CLINIAS: Entirely so.

ATHENIAN: Now, don't we maintain that all music is based upon likeness and imitation?

CLINIAS: Indeed.

ATHENIAN: So whenever someone asserts that music is to be judged by the criterion of pleasure, this argument should be rejected, and if this music does somehow exist, we should not take it at all seriously in our search. We should seek rather the music that contains the likeness to the imitation of the beautiful.

CLINIAS: Very true.

ATHENIAN: And those seeking the most exalted song and music should not, it seems, seek what's pleasant but what's correct, for correctness of imitation, according to us, consists in reproducing the original, in quantity and in quality.

CLINIAS: Of course.

ATHENIAN: And, indeed, everyone would agree on this at least, that in the case of music everything that is produced involves imitation and representation. Wouldn't the composers, the audience and the actors all agree on this at any rate?

CLINIAS: Very much so.

ATHENIAN: Then anyone who is to avoid falling into error in a particular case should, it seems, recognise what precisely each of the compositions is. For if he does not recognise its being, what precisely the composition intends, and what it is a likeness of, he will hardly discern the correctness or error of the intention.

CLINIAS: Hardly indeed.

ATHENIAN: And would someone who does not recognise correctness ever be able to discern goodness or badness? But I am not expressing myself very clearly. Perhaps it would be clear if I put it as follows.

CLINIAS: How?

ATHENIAN: There are, I suppose, thousands of imitations related to sight.

CLINIAS: Yes.

ATHENIAN: Well, what if someone was ignorant about the things that are being imitated in these cases, and did not know precisely what body each of them has? Could he ever recognise the correctness of the finished representation? For example, could he tell whether it has the correct number and placement of bodily parts, capturing how many there are, and how they are situated next to one another in their proper arrangement, including their colours and shapes, or whether all these have been fashioned in a confused manner? Do you think anyone could ever decide on this without knowing what precisely the creature being imitated actually is?

CLINIAS: How could he?

ATHENIAN: What if we were to recognise that what has been drawn or manufactured is a human

being, and that the artist's skill has captured all of its parts, colours and shapes? Is it necessarily the case that someone who recognises this also recognises, quite readily, whether the product is beautiful or is deficient in beauty in some particular way? 669 a

CLINIAS: Well, in that case, stranger, we would all in a sense recognise the beauties of the various animals.

ATHENIAN: What you are saying is most correct. So in the case of each image – in painting, in music, or in any form at all – mustn't anyone who is to be an intelligent judge have the following three abilities? Mustn't he be able firstly to recognise what it is, then how correctly it is rendered, and thirdly how well any of the images has been fashioned in language, melody and rhythm? 669 b

CLINIAS: So it seems, anyway.

ATHENIAN: Now, let us not omit mention of the difficulty that is involved in music. Indeed, since there is more talk about music than there is about the other images, it requires much more caution than any of the other images. For someone who falls into error here could do enormous harm by favouring degenerate behaviour, and the error is very hard to notice because our poets are lesser poets than the Muses themselves. For the Muses would never fall into error to such an extent as to compose words for men, and give them the colour or melody that belongs to women. Nor indeed would they frame a melody and bearing that belongs to free men, and harmonise it with rhythms that belong to slaves and to men devoid of freedom. Nor would they decide upon a rhythm and a bearing that is free, and then assign it a melody or words that are opposed to the rhythm. Nor would they ever combine the sounds of beasts, humans, mechanical devices, and noises of all sorts, into a unity, as though they were imitating one thing. But human poets, who blend such sounds together with great relish and jumble them up without rhythm or reason, would provide great amusement to people who, as Orpheus⁸ says, "are ripe for delight", when they see these all jumbled up. But the poets go further, and divorce rhythm and bearing from melody, put bare words to a metre, and leave melody and rhythm without any language by making use of the harp and the flute on their own. It is very difficult then to recognise, without words, what the rhythm and harmony signify, or what imitations worth mentioning they resemble. So, we need to understand that this sort of thing is crude in the extreme, as it is based on such a passion for speed, dexterity and animal sounds that it uses the flute and the harp in the absence of dance or song. But using either instrument on its own is the mark of a thoroughly uncultured trickster. 669 c

That is where the theory of all this stands. But in our case we are not considering how our over thirty-year-olds and those who are over fifty should not practise music, but how exactly they should do so. At this stage, then, our argument is indicating that those over fifty-year-olds whose role will involve singing should receive a better education than they get from choral music. For they need to be well aware, themselves, of rhythms and harmonies and recognise them. How else could someone recognise the correctness of the melodies and know which is suited to the Dorian mode and which is not, or whether the rhythm that the poet assigned to this has been correctly assigned or not? 670 a

CLINIAS: No, it's obvious that he could not do so at all.

ATHENIAN: Indeed, the general populace are being ridiculous when they believe they are up to the task of recognising what constitutes good rhythm and harmony and what does not when they have only been drilled in singing along and marching in step, and do not realise that they are engaging in these activities in total ignorance. Whereas, in fact, every melody that has what is appropriate to it is constituted correctly, and if it has what is inappropriate to it, 670 b

⁸ Orpheus was a legendary poet, musician and prophet.

it is constituted improperly.

CLINIAS: That's quite inevitable.

ATHENIAN: What about someone who does not recognise what exactly the melody has? Will he ever recognise, as we were asking, whether it has been correctly constituted in any case?

CLINIAS: No, how could he?

ATHENIAN: Well, it seems we are now discovering, once again, that these singers of ours whom we
 670 d are encouraging – and, in a sense, compelling – of their own free will to sing need to have
 been educated to the following extent. They each need to be capable of following the steps
 of the rhythms and the chords of the melodies so that they may be able to select those that
 are appropriate and suitable for men of their age and character to sing. They would sing in
 670 e this way, and as they sang they would enjoy innocent pleasures themselves, there and then,
 and would provide leadership to the younger generation in the proper appreciation of good
 character. Having been educated thus far, they would have access to a more rigorous edu-
 cation than what is made available to the general population, and indeed to the poets them-
 selves. Indeed, it is not imperative that a poet recognises whether the imitation is beautiful
 or not beautiful, which was our third principle earlier, although it is well-nigh essential that
 he knows harmony and rhythm. But our elders need to know all three principles in order to
 671 a decide what imitation is most exalted and what lies in second place, or they would never
 be up to the task of charming our young folk towards excellence.

The argument intended, from the very outset, to demonstrate that our defence of the
 chorus of Dionysus was a noble undertaking, and it has now said so, as best it can. So let's
 consider whether it has actually succeeded. Now, a gathering of this nature inevitably keeps
 on getting more and more boisterous, I presume, as the drinking proceeds, and we said ini-
 tially that this is an unavoidable outcome in the cases we are now describing.

671 b CLINIAS: Unavoidable.

ATHENIAN: Everyone is beside himself and has a joyful time. In this condition he does not listen to
 the others, but is free with his own speech, and he thinks he has become capable of ruling
 both himself and the others.

CLINIAS: Of course.

ATHENIAN: Now, didn't we say that when this happens, the souls of the drinkers, being heated like a
 671 c piece of iron, become softer and younger? So, just as they were in their younger days, they
 are easily led by someone with the ability and the knowledge to train them and shape them.
 And the one who shapes them now is the one who shaped them then. This is the good lawgiver,
 who should give laws for the drinking party that are capable of making someone willingly do
 the exact opposite when he is so confident and bold, so improperly devoid of shame, so resist-
 ant to orderly behaviour, and so reluctant to observe in turn silence and speech, drinking and
 671 d music. The laws should be able also to send forth, along with justice, that most exalted and
 divine fear which we call reverence and shame, to do battle against the ignoble courage.

CLINIAS: Quite so.

ATHENIAN: There should be legal guardians of these laws who work alongside them, as calm, sober
 generals set over men who are not sober, since doing battle against drunkenness without
 such men is more daunting than fighting your enemies without calm commanders. And
 671 e what is more, anyone who is unable willingly to obey these officers of Dionysus, the over
 sixty-year-olds, shall incur as much disgrace, and more, than those who disobey Ares' com-
 manders on the battlefield.

CLINIAS: And rightly so.

ATHENIAN: Now, if there was this sort of drunkenness and this sort of entertainment, wouldn't such
 drinking companions be benefitted, and part from one another better friends than they were

previously, rather than parting as enemies, as they do nowadays? Wouldn't all their dealings with one another be conducted in accordance with the laws, following these whenever the sober men give the lead to those who are not sober? 672 a

CLINIAS: That's right, provided the party is as you are describing it.

ATHENIAN: Then let us not criticise the gift of Dionysus in this unqualified way any longer, saying that it is bad for the city and should be rejected. In fact, one could elaborate on this to an even greater extent. Yet I am reluctant to describe to most people the greatest good that it bestows, because people misunderstand and misinterpret what is said.

CLINIAS: What sort of benefit are you referring to? 672 b

ATHENIAN: There is a report and a tradition in circulation according to which, this god, Dionysus, was robbed of his soul's understanding by his stepmother, Hera, and because of this he introduced revelry and frenzied dancing to get his revenge. And that's the very reason why he gave us the gift of wine too.⁹ Now, I leave such stories to those who think it safe to relate them about the gods, but this much I do know. No living creature is ever born with the intelligence, or as much intelligence, as it should possess when it reaches maturity. During the stage of life in which it has not yet acquired its proper intelligence it is totally mad, makes disordered noises, and as soon as it can stand up it jumps about in a disordered manner too. And we should remind ourselves that the origins of both music and gymnastics, according to us, lie in such behaviour. 672 c

CLINIAS: We remember, of course.

ATHENIAN: Didn't we also say that this was the origin of the awareness of rhythm and harmony instilled in us humans, and that the gods responsible for this were Apollo, the Muses and Dionysus? 672 d

CLINIAS: Of course.

ATHENIAN: And, indeed, according to everyone else's account, wine, it seems, was given to humanity out of revenge, to make us mad, whereas our own account maintains, on the contrary, that it is a remedy, given so that we may acquire reverence of soul, and health and strength of body.

CLINIAS: Your recollection of the argument is excellent, stranger.

ATHENIAN: Let us say, then, that one half of choral performance has been dealt with fully. Shall we deal with the other half, as seems best, or shall we leave it? 672 e

CLINIAS: What are you referring to? What are the two divisions you are making?

ATHENIAN: Choral performance as a whole was, for us, the process of education as a whole, and rhythm and harmony was the part of this that relates to the voice.

CLINIAS: Yes.

ATHENIAN: But although the part that relates to the movement of the body and the part that relates to the movement of the voice have rhythm in common, bearing is unique to the body's motion, while melody is unique to the motion of the voice. 673 a

CLINIAS: Very true.

ATHENIAN: Now, those aspects of the education of the voice towards excellence, which actually reach the soul, we have for some reason called music.

CLINIAS: And rightly so.

ATHENIAN: But the movements of the body in creatures at play we called dance. And when movement of this sort is conducive to the excellence of the body, we should refer to this skilled discipline of the body, when used for such a purpose, as gymnastics.

CLINIAS: Correct.

⁹ Euripides, *Cyclops* 3.

673 b ATHENIAN: As for music, we said a moment ago that this half of choral performance had been described and dealt with fully, and we may say so again now. But what about the other half? What should be done about it, and how?

CLINIAS: My good man, you are conversing with Cretans and Spartans, and we have described music in detail, but we are leaving out gymnastics. So what sort of answer do you expect from either of us in reply to your question?

673 c ATHENIAN: I would say that you have responded in pretty plain terms to my question, by asking your question. Yes, I understand that although it is now a question, as I said, it is also an instruction to deal with the subject of gymnastics fully.

CLINIAS: You have understood very well, and you should act accordingly.

ATHENIAN: So I should. Indeed, there is no great difficulty in speaking to the two of you on matters you both know so well, for you are far more experienced in this art than in the other one.

CLINIAS: True enough.

673 d ATHENIAN: Well, the origin of this playfulness is the habitual leaping that is natural to all creatures. But the human being, as we said, having acquired an awareness of rhythm, developed and brought forth dance. And since melody brings to mind and awakens rhythm, the two combined together brought forth choral performance and play.

CLINIAS: Very true.

ATHENIAN: And we maintain that we have already dealt with one part of this, and we shall try to deal with the other part next.

CLINIAS: Yes, indeed.

673 e ATHENIAN: Well, if it is acceptable to you two, let us put the finishing touch to our discussion of the use of drunkenness first.

CLINIAS: What do you mean? What sort of finishing touch?

ATHENIAN: What if some city makes serious use of the practice we are referring to, in a lawful and orderly manner, practising it in order to cultivate sound-mindedness? Suppose, in like manner, that it does not do away with the other pleasures, on the same principle, because it is aiming at mastery over them. Then this approach of ours should be applied to all these.

674 a But what if, on the other hand, this is regarded as entertainment, and anyone who likes is allowed to drink, whenever he likes, with whomsoever he pleases, while engaging in any sort of behaviour at all? Then I could not cast my vote to allow this city or this man ever to have recourse to drunkenness. And I would go even further than the practice of the Cretans and Spartans, and propose the law of the Carthaginians, that no soldier may ever taste liquor whilst on campaign. He should, rather, become a water drinker for the entire duration. In the city too, no slave, male or female, should ever taste thereof, nor should a magistrate during his year in office, nor should steersmen or jurors ever taste wine at all whilst on duty, nor should any councillor who is attending a council meeting of any importance. In the daytime, no one should taste it at all except as part of a training regime or to treat a disease. Nor at night either, whenever a man or a woman intends to conceive a child. And one could mention very many other situations in which those in possession of reason and correct law should not drink wine. And so, according to the argument, no city should need lots of vineyards, and although agricultural production in general, and the entire lifestyle, would be regulated, the production of wine in particular would be more moderate and modest than anything else.

674 b So, dear strangers, let this, if you agree, be our finishing touch to the argument concerning wine.

674 c CLINIAS: Well said. We agree.



Laws

— BOOK III —

ATHENIAN: So, let us leave this issue then. But what is the origin of a political system? What should we say? Wouldn't this be appreciated most easily, and in the best way, from the following perspective? 676 a

CLINIAS: From what perspective?

ATHENIAN: The perspective from which we should always observe the progress and transformation of cities in the direction of excellence or evil.

CLINIAS: What perspective do you mean?

ATHENIAN: The perspective, I believe, of a vast and limitless span of time and of the changes that occur within it. 676 b

CLINIAS: In what way?

ATHENIAN: Come on now, for a very long time there have been cities and people have lived as citizens. Do you think we could ever discern for how long this has been so?

CLINIAS: That would not be at all easy.

ATHENIAN: Well, at any rate, the time period would be immense and enormous.

CLINIAS: That is certainly so.

ATHENIAN: Haven't thousands upon thousands of cities come into existence over that time period, and, by the same reckoning, haven't just as many of them perished, and haven't they each been governed at one time or another by all sorts of political systems? Sometimes a large city has arisen from a small one, and at other times a small one from a large one, better has arisen from worse, and worse from better. 676 c

CLINIAS: Inevitably.

ATHENIAN: Then let us discover the cause of this transformation, if we are able, for that might perhaps reveal to us how political systems come into existence in the first place, and how they change.

CLINIAS: Well said. So, we should get on with it, you to explain what you have in mind on these matters, and the two of us to follow along.

ATHENIAN: Well then, do the ancient accounts seem to you to possess any degree of truth? 677 a

CLINIAS: Which ones?

ATHENIAN: Those saying that humanity has been destroyed many times by floods, plagues, and lots of other disasters, after which only a small remnant of the human race was left.

CLINIAS: Yes, indeed, everyone finds a story like this convincing.

ATHENIAN: Come on then, let us think about one of these many destructions, the one that happened once because of the flood.¹

CLINIAS: What line of thought do you want us to pursue?

¹ This refers to the legendary flood in the age of Deucalion. He and his wife Pyrrha were the only survivors.

677 b ATHENIAN: That those who escaped the destruction at the time would almost all be mountain-dwelling shepherds, I presume, little embers of the human race surviving among the high mountain peaks.

CLINIAS: Of course.

ATHENIAN: And, indeed, men like this necessarily lack experience in the other skills, and especially in the devices employed against one another by city dwellers to further their greed and ambition, and any other foul deeds they decide to inflict on one another.

CLINIAS: Quite likely.

677 c ATHENIAN: Now, may we assume that the cities situated on the plains or by the sea were destroyed totally at the time?

CLINIAS: We may.

ATHENIAN: Wouldn't all their tools be destroyed too, and if some significant skill in the realm of politics or any other branch of wisdom had been discovered, shall we say that all these also disappeared at the time? For, best of men, if these inventions had remained all the while as undisturbed as they are now, how would anything new ever have been discovered?

677 d CLINIAS: This means that for countless ages these matters were unknown to people at that time, but in the past thousand or two thousand years some have been revealed to Daedalus, others to Orpheus or Palamedes, matters musical to Marsyas and Olympus, the lyre to Amphion, and lots of other matters to various others, all, so to speak, just yesterday or the day before.²

ATHENIAN: It is good of you, Clinias, to omit mention of your acquaintance who was literally a man of just yesterday.

CLINIAS: You mean Epimenides, don't you?

ATHENIAN: Yes, the very man. Indeed, he far surpassed every one of you with his invention, my friend. Hesiod had an intuition about it in theory, long before, but this man realised it in action, as you people say.³

677 e CLINIAS: Yes, that's what we say.

ATHENIAN: Should we say that the situation for the human race after the destruction occurred was as follows? In spite of the terrible and widespread desolation, there was still a vast expanse of available land, and although most other living creatures had disappeared, some herds of cattle, and perhaps some goats, happened to survive, and these initially provided some meagre sustenance at the time.

678 a

CLINIAS: Indeed.

ATHENIAN: Now, our present argument has dealt with cities, political systems and legislation. Do you think there would, in any sense, have been any memory of these at all?

CLINIAS: Not at all.

ATHENIAN: Now, it is from those people living under such circumstances, isn't it, that everything we have nowadays has arisen – our cities, our political systems, our skills and our laws, a lot of degeneracy and a great deal of excellence too?

CLINIAS: How do you mean?

678 b ATHENIAN: Do we imagine, my good man, that the people of that time, with no experience of all the good associated with city life, or the many evils either, were ever completely excellent or completely evil?

CLINIAS: A good question. Yes, we now understand the point you are making.

ATHENIAN: But with the passage of time and the multiplication of our race, everything eventually came to be as everything is now.

CLINIAS: Correct.

ATHENIAN: But this in all likelihood did not happen suddenly, but gradually over an enormous span of time.

CLINIAS: Most likely, indeed.

678 c

ATHENIAN: Yes, for they were all, I imagine, haunted still by the fear of coming down from the high places to the plains.

CLINIAS: Of course.

ATHENIAN: Now, although they were always glad to see one another in those days, because there were so few of them, any means of transportation by land or by sea to visit one another had, for the most part, all perished, so to speak, along with the relevant skills. So I do not think they found it at all easy to get together. For iron and bronze and all other metals had disappeared in the flood, and there were no means at all of extracting such materials from the earth, and consequently there was a shortage of timber. Indeed, any tools that had survived in the mountains were quickly worn out and disappeared, never to reappear until the skill of working with metal had been restored to humanity.

678 d

CLINIAS: Indeed, how could they have tools?

ATHENIAN: How many generations later do you think this happened?

CLINIAS: Very many, of course.

678 e

ATHENIAN: And wouldn't any skills that required iron and bronze, and anything of that sort, also have disappeared for the same amount of time or even longer?

CLINIAS: Indeed.

ATHENIAN: Then civil strife and warfare too disappeared at the time for a variety of reasons.

CLINIAS: How so?

ATHENIAN: In the first place, they were kind and had a friendly disposition towards one another because of their isolation. And what is more, food was not a matter of contention for them, for there was no shortage of pastureland except perhaps in some cases initially, and most of them lived off this at the time. Indeed, they were not at all lacking in milk or in meat, and they provided plenty more wholesome food for themselves by hunting. And, indeed, they were quite well off for clothing, bedding, dwellings, and vessels for cooking and for other purposes. For the skills that involve moulding and weaving do not require any iron, and God gave both these skills to humanity to provide all these necessities, so that whenever the human race faced a challenge of this sort, it would still be able to develop and progress.

679 a

679 b

Now, under such circumstances they were not especially poor, nor did poverty force them into conflict with themselves. Yet, they could never become wealthy either in the absence of gold and silver, which they did not have then. Now, the noblest characters of all generally arise in a society in which neither poverty nor riches reside, since violence and injustice, rivalry and jealousy find no place there. Because of all this, and because of their so-called simple-mindedness too, they were good people. Indeed, such was their simple-mindedness that whenever they heard something described as noble or as base, they took this to be the very truth, and they believed what was said. For unlike people nowadays, none of them knew how to use wisdom in order to suspect falsehood. So they took what is said about the gods and humanity to be true, and they lived in accordance with what is said. Consequently they were, in every respect, the sort of people we have been describing.

679 c

CLINIAS: Well, I agree with you on this anyway, and so does this man here.

ATHENIAN: Therefore, shouldn't we say that the many generations who lived in this way were bound to be less skilled and have less understanding of skills in general than people born

679 d

² Daedalus was an inventor and master craftsman who constructed the Labyrinth for King Minos of Crete; Orpheus was a legendary musician and prophet; Palamedes was a prince from Euboea, credited with inventing, among other things, mathematics and writing; Marsyas and Olympus were both musicians who played the doublepipe (aulos); Amphion was a brilliant lyre player.

³ Epimenides was a Cretan seer to whom many magical happenings were attributed.

before the flood, or people nowadays, especially the military skills practised now in land battles or on the open seas, or, indeed, in the city itself, where they are called law suits and civil factions which contrive, by word and deed, to inflict mutual harm and injustice by every possible means? Weren't they simpler, more courageous people, more sound-minded too, and altogether more just? And we have already explained the cause of all this.

CLINIAS: That's right.

ATHENIAN: Now, whatever we have said, and anything we will say next as a consequence, all has a purpose. We want to appreciate what need the people of that era had for laws, and who their lawmaker was.

CLINIAS: Yes, you put that very well.

ATHENIAN: Wasn't it the case that they had no need of lawgivers in that age, nor indeed was anything of this sort likely to arise then? For people born during that part of the cycle⁴ did not yet even possess the art of writing; they lived, rather, in accordance with custom and the so-called laws of their forefathers.

CLINIAS: Quite likely.

ATHENIAN: And yet, this already constitutes some manner of political system.

CLINIAS: What manner?

ATHENIAN: The political system of that era, which is still prevalent nowadays among the Greeks and the non-Greeks too, is what everyone, I believe, calls a dynasty. Homer says that this system constituted the domestic arrangement of the Cyclopes, and he says: "These people have no institutions, no meetings for counsels; rather they make their habitations in caverns hollowed among the peaks of the high mountains, and each one is the law for his own wives and children, and cares nothing about the others."⁵

CLINIAS: It seems that this poet of yours was quite charming. In fact, we have also studied other verses of his which were most sophisticated, not many though, since we Cretans are not much in the habit of using foreign poetry.

MEGILLUS: As for ourselves in Sparta, we do make use of Homer, and he seems superior to other poets of this sort, even though the way of life he generally describes is more Ionian than Spartan. But just now he seems to support your argument, when his story attributes the ancient system of these fellows to their wildness.

ATHENIAN: Yes, he does provide support, and we may use him as evidence indicating that political systems of this sort do arise on occasion.

CLINIAS: Good.

ATHENIAN: Don't these originate from the people who were dispersed into single family units or clans due to the difficulty during the destructions? Under such systems, doesn't the eldest person exercise authority because authority originates from the father and mother, whom they follow like birds? Don't they form a single flock living under paternal law, and a kingship that is the most just kingship of all?

CLINIAS: Very much so.

ATHENIAN: After all this, they come together in larger numbers, thus forming cities. They take to farming, at first in the foothills, building enclosures surrounded by dry stone walls to provide a defence against wild animals, and they construct a single large common dwelling place.

CLINIAS: Yes, that's likely to be how all this happens.

ATHENIAN: There is something else that is likely too.

CLINIAS: What?

ATHENIAN: These dwelling places grew in size out of the lesser units that were there initially. Each of the small units arrived, clan by clan, with its own ruling elder and its own particular customs, because of the fact that they had dwelled apart from one another. Since those who begot

and reared them were different in each case, the customs they adopted concerning the gods and themselves were different too. They were more orderly when they had more orderly ancestors, and more courageous when they had more courageous ones. So, as we were saying, each group arrived into the larger unit having its own particular laws, and, accordingly, each imposed its own preferences upon their children and their children's children.

CLINIAS: Yes, it's inevitable.

ATHENIAN: And it is also inevitable, I presume, that each group would favour its own laws over the laws of others. 681 c

CLINIAS: Quite so.

ATHENIAN: It seems then that we have somehow unwittingly made a foray into the origins of legislation.

CLINIAS: It does indeed.

ATHENIAN: In any case, what's needed next is for these groups that have come together to choose some representative from among their number who will review all of the regulations. Whatever regulations they most favour for common use, they will present openly and put them forward for adoption by the various leaders and chiefs of the people, who are, in a sense, their kings. The representatives themselves will be called lawgivers, and once they have put rulers in place and thus formed an aristocracy, or indeed a kingship, instead of the dynasties, they will themselves live under this transformed political system. 681 d

CLINIAS: Yes, that's what would happen next, albeit gradually.

ATHENIAN: Well, let us go on to speak of a third sort of political system that arises. In this system all forms of political systems, and of cities too, converge together, and all sorts of things happen to them.

CLINIAS: What sort is this?

ATHENIAN: The one that Homer too indicated as coming after the second when he said that the third sort arose as follows: "He founded Dardania," he says, I believe, "since there was yet no sacred Ilium he made a city in the plain to be a centre of peoples, but they lived yet in the foothills of Ida."⁶ Yes, these lines that he speaks, and the others about the Cyclopes too, are in accord somehow with God and with nature. For the poetical folk, being inspired when they are singing, are also, indeed, divine, and in the company of some Graces and Muses they often lay hold of a true version of events. 681 e

CLINIAS: Yes, very much so.

ATHENIAN: Let us delve further into the story that is engaging us now, since it may perhaps indicate something relevant to our overall purpose. Shouldn't we do so?

CLINIAS: Yes, indeed. 682 b

ATHENIAN: Ilium was founded, we maintain, when they moved down from the high places to a vast and beautiful plain. It was situated on a low ridge that had numerous rivers coming down from Mount Ida.

CLINIAS: Yes, so they say.

ATHENIAN: Don't we think that this happened many years after the deluge?

CLINIAS: Yes, it must have been many years later.

ATHENIAN: At any rate, they were, it seems, strangely forgetful of the disaster we are speaking of, since they located their city in this way, below numerous rivers flowing down from the high places, and put their trust in some ridges of no great height. 682 c

⁴ The 'cycle' referred to here is the period of time between cataclysmic events.

⁵ *Odyssey* ix.112-115, Lattimore.

⁶ *Iliad* xx.216-218, Lattimore. Dardanus, an ancestor of the Trojan kings, ruled the entire Troad. His grandson Tros gave his name to Troy and the Trojans. Ilium was more commonly known as Troy.

CLINIAS: It is obvious then that they were separated from the disaster by an enormous interval of time.

ATHENIAN: And many other cities, I imagine, had already been founded by then as the human race increased in numbers.

CLINIAS: Indeed.

ATHENIAN: These presumably waged war against Ilium, and they probably did so by sea, since by then they were all taking to the sea fearlessly.

682 d CLINIAS: Apparently.

ATHENIAN: And after a ten-year wait, the Achaeans sacked Troy.

CLINIAS: They certainly did.

ATHENIAN: Now, during this ten-year period when Ilium was under siege, matters unfolded very badly for the various besiegers in their own countries because of rebellion on the part of the younger generation. And when the combatants got back to their own cities and homes, 682 e the young did not receive them in a noble and just manner, and so there was death, slaughter and exile on a huge scale. Those who had been expelled came back again under a changed name, being called Dorians rather than Achaeans, after Dorieus who had gathered the exiles together at the time. And you Spartans tell the story of all the events that happened after this, and you describe them in detail.

MEGILLUS: Indeed.

ATHENIAN: Well, as if by divine intervention, we have now arrived back again at the very point from which we digressed in the early stages of our discussion about laws, when we came across the subject of music and drunkenness. And our argument is letting us come to grips 683 a with it, so to speak, for it has come around to the establishment of Sparta itself, and you maintain that Sparta was established correctly, as was Crete, which has kindred laws. So, we have now gained this much advantage from the wandering course of our argument, as we deal with various political systems and settlements; in the settlements we have seen a first, second and third city succeeding one another, we believe, over some immense span of time. And now this fourth city,⁷ or nation if you prefer, has arrived. It was once in the process of being founded, and has now been founded. Now, perhaps we might be able to 683 b understand from all this what has been properly founded and what has not, what sort of laws save those that are saved, or ruin those that are ruined, and what sort of changes, in what respects, would produce a happy city. If we can do so, dear Megillus and Clinias, then we should state all this once more as if we were starting all over again, unless we find some fault with the earlier arguments.

MEGILLUS: Well, stranger, if some god were to promise us that, in return for making a second attempt at the enquiry into legislation, we would hear arguments that are no worse and no 683 c shorter than what has just been presented, I for one would willingly go far to hear it, and this day would seem short to me, even though it is almost the summer solstice when the god turns summer days towards winter.

ATHENIAN: It seems we should conduct an enquiry then.

MEGILLUS: Very much so.

ATHENIAN: Then let us use our imagination to place ourselves in that age when Sparta, Argos, 683 d Messene and their adjacent territories, had all more or less come under the control of your ancestors. They decided next, so the story goes, to divide the host into three, thus founding three cities, Argos, Messene and Sparta.

MEGILLUS: Yes, indeed.

ATHENIAN: And Temenus became king of Argos, Cresphontes of Messene, and Procles and Eurysthenes of Sparta.

MEGILLUS: Of course.

ATHENIAN: And everyone at the time swore an oath to these kings to come to their aid should any-one ever try to destroy their kingdom. 683 e

MEGILLUS: Indeed.

ATHENIAN: But, by Zeus, is a kingdom ever brought down, or indeed has any government ever been brought down, by anything else besides the rulers themselves? Or have we now forgotten that we proposed this a short time ago in those arguments we came across?

MEGILLUS: No, how could we forget?

ATHENIAN: In that case, we can now make this position more certain, since we have come across historical events that seem to bring us to the same argument. Accordingly, we shall be investigating it on the basis of something that actually happened in truth, rather than something abstract. What actually happened was as follows: each of the three kingships, and the cities over which they reigned, swore an oath to one another in accordance with the common laws which they had instituted about ruling and being ruled. The rulers swore not to make their rule more oppressive as the years and the generations advanced. The subjects swore that as long as the rulers upheld the agreement, they themselves would never subvert their kingship nor allow others to do so. Kings swore to come to the aid of kings, and of the people too, when they were wronged, and the people swore to aid other peoples, and kings too, when they were wronged. Isn't this so? 684 a 684 b

MEGILLUS: It is indeed.

ATHENIAN: Wasn't this the most important factor in the settled order of the political systems in the three cities as established by law, whether enacted by kings or anyone else?

MEGILLUS: What?

ATHENIAN: That two cities are always allies set against the other one, if it ever disregards the established laws.

MEGILLUS: Of course.

ATHENIAN: And, indeed, most people insist that their legislators pass the sort of laws that the general populace will accept willingly. It's as if a trainer or physician had to look after and cure people's bodies in a pleasant way. 684 c

MEGILLUS: Entirely so.

ATHENIAN: But very often it is quite satisfactory if one can bring about a sound and healthy condition of the body, without the involvement of an enormous amount of pain.

MEGILLUS: Indeed.

ATHENIAN: And the legislators at the time had a further, not insignificant, advantage in instituting their laws easily. 684 d

MEGILLUS: What sort of advantage?

ATHENIAN: The legislators were not subject to one very serious accusation as they set about ensuring equality of wealth, an accusation that arises in many other cities when they are passing laws. Whenever someone seeks to make a change in land ownership or to cancel debts, because he sees that without such measures it would not ever be possible for equality to arise to any significant extent, he meets resistance. Everyone opposes a lawgiver who attempts to change anything of this sort, telling him not to disturb the fixed systems, and they curse him for introducing the redistribution of land and the abolition of debts, with the result that everyone ends up perplexed. But for the Dorians there was also the advantage that all this worked out nicely and without any evil consequences, because there was 684 e

⁷ The first city is a dynasty, the second is an aristocracy, the third city is in the plains, exemplified by Troy. The fourth, which will be described presently, is a league of cities.

no dispute over the distribution of land, and there were no large, long-standing debts.

MEGILLUS: True.

ATHENIAN: Then why ever, best of men, did their settlement and legislation turn out as badly as it did?

685 a MEGILLUS: In what way? What fault do you find with them?

ATHENIAN: That although three states were founded, two of the three quickly subverted their own political systems and their laws, and one alone has remained as it was, and that is your city, Megillus.

MEGILLUS: You are asking a difficult question.

ATHENIAN: And yet this is what we should now consider and investigate as we play this sober old men's game concerning laws, to relieve the pain of our journey, as we said when we first set out.

685 b MEGILLUS: Indeed. We should do as you say.

ATHENIAN: Well, when it comes to laws, what better enquiry could we make than an enquiry into the laws by which these states have been regulated? And when it comes to the foundation of cities, could we consider any that are greater and more renowned than these?

MEGILLUS: Apart from these, it is not easy to name any others.

ATHENIAN: Well, this much is fairly obvious, the people of that era intended this arrangement as
 685 c an adequate protection, not just for the Peloponnese, but for all of Greece, in case any of the non-Greek peoples should do them wrong. This is just what those who lived around Ilium did at the time. They placed such trust in the might of the Assyrians as it stood during the reign of Ninos⁸ that they arrogantly provoked the war against Troy. For the still surviving grandeur of the Assyrian empire was quite considerable, and the Greeks of the time feared its unified structure, just as we fear the Great King nowadays.⁹ Indeed, the second taking
 685 d of Troy¹⁰ became a great reproach against the Greeks since it was part of the empire of the Assyrians. To deal with all these issues, there was that single arrangement of military forces, divided then into three cities under the command of three kings who were brothers, as they were all sons of Heracles. This, it seems, was an excellent arrangement, superior indeed to
 685 e the Trojan expedition. For in the first place, these sons of Heracles were regarded as better commanders than the sons of Pelops.¹¹ And what's more, this military force was thought to be superior in excellence to the Trojan expedition which consisted of Achaeans, who, although they had been victorious at Troy, were later defeated by the Dorians. Don't we imagine that people organised themselves in this way in those days, and with this intention?

MEGILLUS: Entirely so.

ATHENIAN: Now, weren't they also likely to presume that these arrangements would possess some
 686 a stability, and would last for a considerable period of time, since they had shared many hardships and dangers together, and had been organised under the command of a single family, their kings being brothers? What's more, they had consulted many oracles among whom was Apollo of Delphi.

MEGILLUS: Yes, that is most likely.

ATHENIAN: But these high hopes, it seems, took flight and were gone soon after, except, as we said
 686 b just now, for a small part of the alliance, the part in your region, and this has engaged in uninterrupted warfare against the other two parts, right down to the present day. But if the original intention had come to fruition, and they had agreed upon a single aim, they would have possessed military power that none could withstand.

MEGILLUS: Inevitably.

ATHENIAN: So, how was it destroyed and what led to its destruction? Isn't it worth investigating what turn of fortune brought down such a great confederacy as this?

MEGILLUS: Yes. For anyone who neglects these issues and investigates something else would hardly catch sight of laws and political systems that preserve such great and noble undertakings, or indeed, on the contrary, bring them down completely. 686 c

ATHENIAN: Well, in that case, it seems we have fortunately embarked somehow upon a significant investigation.

MEGILLUS: We have, indeed.

ATHENIAN: So, my good man, are we now, like most people, unwittingly presuming every time we see some good object that it would accomplish something wonderful if only someone knew, somehow or other, how to use this properly? But perhaps we are neither thinking correctly nor in accordance with nature about this very issue, and neither is anyone else who thinks in this way about any other matters. 686 d

MEGILLUS: What do you mean? What exactly is this argument of yours concerned with? What can we say?

ATHENIAN: My good man, I was laughing just now at my own behaviour. For as soon as I beheld this host we are talking about, it seemed glorious to me and a wonderful acquisition for the Greeks to come by, if only, as I said, someone had used it properly at the time. 686 e

MEGILLUS: Wasn't it sound and reasonable for you to say all this, and for us to endorse it too?

ATHENIAN: Perhaps. At any rate, I am of the view that everyone who sees something of significance, possessing power and a lot of strength, immediately feels that if only its possessor knew how to use this, being the sort of thing it is, being as great as it is, he would produce wonderful results aplenty, and would enjoy happiness.

MEGILLUS: That's correct too, isn't it? Or what do you say? 687 a

ATHENIAN: Well, consider this. What should a person look to to ensure that he says the right thing when bestowing such praise on anything? Firstly, in the case we are now discussing, if those who were organising the military force at the time had known how to arrange it properly, how would they have set about achieving their objective? Wouldn't they have had good grounds for praising the arrangement if they had set it up securely, safe for all time, so that they themselves were free and had authority over others as they wished, and that they themselves, and their descendants too, could do as they pleased among their fellow men, Greeks and barbarians alike? 687 b

MEGILLUS: Entirely so.

ATHENIAN: And isn't it also the case that someone who sees enormous wealth or exceptional family prestige, or anything else of that sort, might say the very same things? He looks at this and assumes that through this someone might obtain everything he desires, or the most significant part of it anyway.

MEGILLUS: Quite likely.

ATHENIAN: Come on then, is there one object of desire, common to all men, that is now being revealed by the argument, according to the argument itself? 687 c

MEGILLUS: What sort of desire?

ATHENIAN: That whatever happens would take place according to the command of his own soul, in most cases, or failing that in the case of human affairs at least.

MEGILLUS: Indeed.

⁸ Ninos was the legendary founder of the Assyrian Empire, an important kingdom in the Upper Tigris region in modern-day Iraq.

⁹ The 'Great King' always referred to the King of the Persian empire.

¹⁰ According to the *Iliad* (v.640-651), Heracles sacked Troy a generation prior to the Trojan War.

¹¹ Menelaus, king of Sparta and Agamemnon, king of Mycenae, who were both leaders of the second expedition against Troy.

ATHENIAN: Now, since all of us, children and old men alike, are wishing for something of this sort all of the time, wouldn't we also necessarily pray for this constantly?

MEGILLUS: Inevitably.

687 d ATHENIAN: And, indeed, we would presumably join our loved ones in prayer for whatever they pray for themselves.

MEGILLUS: Indeed.

ATHENIAN: Now, a son, who is a child, is loved by his father, who is a man.

MEGILLUS: Of course.

ATHENIAN: And yet in many cases, the father might pray to the gods that what the son prays for, for himself, would never come to pass at all.

MEGILLUS: You mean when the prayers are uttered while his son is still young and foolish?

687 e ATHENIAN: But what if the father, because of his old age, or out of sheer impetuosity, with no recognition of what's good and just, prays with great eagerness whilst gripped by passions akin to those of Theseus towards his son Hippolytus, who died so tragically?¹² Do you think that a son who realises this will join in the prayers of his father?

MEGILLUS: I understand your meaning. Indeed, you seem to me to be saying that a man must not pray and strive that everything conform to his own wishes, but that his wishes conform to his own wisdom. Every city, and each and every one of us, should pray and be eager for this – to possess reason.

688 a ATHENIAN: Yes, and a statesman or lawgiver especially should always look to this when putting legal arrangements in place. And I am myself reminded, and I am reminding the two of you, that at the beginning of our discussion, if you recall, your principle was that the good lawgiver should institute all regulations for the sake of war. But I maintained that this would
688 b encourage them to institute the laws, aiming at only one of the four excellences, when they should really look to all four, but most of all and primarily to the chief and leader of all excellence combined. This would be wisdom, reason and opinion, along with the love and desire that follow them.

So, our argument has arrived back at the same place once more, and I am now saying once again what I said then in jest, if you please, or in all seriousness, that to have recourse to prayer without possessing reason is perilous, and what unfolds is the opposite of what
688 c was wished for. You may take me seriously if you wish to do so, for I really expect that you will discover, if you follow the argument we put forward a while ago, that the cause of the destruction of the kingdoms, and of the entire plan of action, was not cowardice or ignorance of warfare on the part of the rulers or their proper subjects. They were ruined by evil in
688 d general, but mostly by ignorance of the most important of human undertakings.

Now, since we are friends, I shall try my best to discover and to show you, if you like, by going systematically through the argument that this was how matters unfolded at the time, and still unfold today given similar circumstances, and that hereafter nothing will happen in a different way.

CLINIAS: Well, stranger, mere words of praise would be an insult to you, so we shall praise you heartily with our deeds, for we shall follow what you say eagerly, and that's how a free born man makes his approval or disapproval most evident.

688 e MEGILLUS: Excellent, Clinias, we should do so as, you say.

CLINIAS: Let it be so, God willing. Speak on.

ATHENIAN: So, following the remaining course of the argument, we maintain that what destroyed the power at that time was enormous ignorance, and naturally it still does the same thing today. Accordingly, if this is so, the lawgiver must try to implant as much wisdom as he can in the cities, and do his very best to eradicate ignorance.

CLINIAS: Of course.

ATHENIAN: What kind of ignorance may justifiably be called the greatest? Decide whether you both agree with what I say, for I am going to make a suggestion. 689 a

CLINIAS: What is it?

ATHENIAN: It is the ignorance whereby something seems noble and good to someone, but he does not love this, but hates it, and loves and welcomes what seems degenerate and unjust. This discord between pleasure and pain on the one hand, and reasoned opinion on the other, is, I maintain, the utmost and greatest ignorance because it pervades most of the soul. Indeed, the part of the soul that feels pain and pleasure corresponds to the general populace of a city. Now, when this part is opposed to knowledge, opinion and reason – the soul’s natural ruling elements – this I call folly in a city, when most of the people do not obey the rulers and the laws. And it’s the same in a single individual too when the noble principles present in the soul accomplish nothing, but have the very opposite effect. All these, I would suggest, constitute the most discordant forms of ignorance in a city, and, indeed, in any one of its citizens, but not the ignorance of its workmen, if you understand me, strangers. 689 b
689 c

CLINIAS: We understand, my friend, and we agree with what you are saying.

ATHENIAN: So that’s settled then, and let it be resolved and proclaimed that no authority should be entrusted to those who are in the grip of such ignorance. They should be censured for their ignorance, even if they are highly rational and well trained in all sorts of cleverness, and in everything that naturally produces a quick-witted soul. Those, however, who are more or less the opposite of these fellows should be hailed as wise, and authority should be given to them because they are sensible people, even if as the saying goes, “they don’t know how to read or to swim”. 689 d

For how, my friends, could there be wisdom even to the slightest extent in the absence of concord? There could not. But the greatest and most exalted concord may quite rightly be called the greatest wisdom, and whoever lives in accord with reason shares in this. But he who is devoid of this turns out, time and again, to be a subverter of his household and no saviour of his city, but the exact opposite because of his foolishness in these respects. So, as we just said, let this stand as our declaration. 689 e

CLINIAS: Yes, let it stand.

ATHENIAN: Now, in our cities there must, I presume, be people who rule and people who are ruled.

CLINIAS: Indeed.

ATHENIAN: So be it. And how many rights, of what sort, to rule and be ruled, are there in cities large or small, and in households too in like manner? Isn’t one of these the right of father and mother? And, in general, wouldn’t the right of parents to rule over their offspring be accepted everywhere? 690 a

CLINIAS: Very much so.

ATHENIAN: Following from this, is the right of the well-born to rule over the base-born, and thirdly, as a consequence of these, that the elder should rule and the younger be ruled.

CLINIAS: Indeed.

ATHENIAN: And fourthly, that slaves should be ruled and their masters should rule them. 690 b

CLINIAS: Of course.

ATHENIAN: Fifthly, I believe that the stronger should rule and the weaker should be ruled.

CLINIAS: Yes, that one is quite inevitable.

¹² Hippolytus was falsely accused by Phaedra, his stepmother, of attempting to sexually assault her. Her husband, Theseus, believed her accusations and cursed his son, asking the sea god Poseidon to kill him. Poseidon sent a bull from the sea, which terrified the horses pulling Hippolytus’ chariot. He became entangled in their reins and was dragged to his death.

ATHENIAN: Yes, and this one is prevalent among all living creatures, and it accords with nature, as Pindar the Theban once said.¹³ But the most important right, it seems, would be the sixth, declaring that the wise should lead and rule, and anyone devoid of knowledge should follow. And yet, O wise Pindar, I myself could never maintain that such natural rule of law over willing subjects, without use of force, is contrary to nature. It accords with nature.

CLINIAS: Absolutely correct.

ATHENIAN: We say that the seventh form of rule involves the favour of god and good fortune. So we introduce people to a lottery system, and the most just outcome, we maintain, is that he to whom the lot falls should rule, while he who fails should depart and be ruled.

CLINIAS: Very true.

ATHENIAN: And to someone who sets about instituting laws in a light-hearted manner, we might say playfully, “My dear lawmaker, do you see then just how many rights there are relating to rulership, and that they are naturally in conflict with one another? In fact, we have now discovered a wellspring of conflicts which you need to remedy. But first, join us in an enquiry as to how the kings of Argos and Messene destroyed themselves and, simultaneously, the power of the Greeks which was so wondrous at the time. What was their transgression of these rights? Wasn’t it their ignorance of the excellent maxim of Hesiod that the half is often more than the whole?¹⁴ Meaning that when it is ruinous to get the whole, and half is the right measure, he thought that what’s measured aright is more because it is better than what’s unmeasured and worse.”

CLINIAS: A very true saying indeed.

ATHENIAN: Now, do we think that this brings about destruction when it arises among kings or among the general population?

CLINIAS: Well, this is likely for the most part to be a disease of kings because of their opulent and luxurious lifestyle.

ATHENIAN: Isn’t it clear, then, that the kings at the time were the first to catch this disease of greed for more than the established laws allowed? There was no concord among them on the very agreement they had sworn to adhere to under oath, and this discord, which, according to us, is the greatest ignorance even though it seems like wisdom, destroyed everything through a discordant and strident unmusicality.

CLINIAS: Quite likely.

ATHENIAN: So be it. Now, what precaution should the lawgiver have taken at the time to ensure that this affliction did not arise? By the gods, it takes no wisdom to understand this today and the question is easy to answer, but if it could have been foreseen at the time, whoever had foreseen it would have been wiser than any of us.

MEGILLUS: What are you referring to?

ATHENIAN: By looking at what happened among your people, Megillus, it is possible today to come to an understanding, and then say quite readily what should have happened at that time.

MEGILLUS: Explain this more clearly.

ATHENIAN: The clearest explanation would be along the following lines.

MEGILLUS: What?

ATHENIAN: If someone gives the greater to the lesser, be it a sail to a ship, food to a body, authority to a soul, without regard for the measure, he turns everything upside down, and in their wantonness some will run to disease, others to injustice born of arrogance. So what exactly are we saying? Is it something like this? There is no mortal soul whose nature will ever be able to bear supreme authority over human beings while still being young and irresponsible. Its thinking will be filled with ignorance, that terrible disease, so that the soul comes to hate its nearest and dearest, and when this happens, soul itself is quickly destroyed and all of its

power comes to nothing. Now, to guard against this by understanding the measure is the mark of great lawgivers. So, today it is quite reasonable to guess that this actually happened at that time, but it seems there was also...

MEGILLUS: What?

ATHENIAN: There was some god caring for you who foresaw the impending events and expanded your line of kings to two instead of one, thus reducing their power more in the direction of due measure.¹⁵ As well as this, someone¹⁶ whose human nature had a mixture of divine power saw that your government was still at fever pitch. So he blended the sound-minded power of old age with the self-willed strength of the royal line by making the vote of the twenty-eight elders equal to the power of the kings on the most important matters. And your third saviour,¹⁷ observing that your government was still wanton and inflamed, cast a sort of bridle around them, and this was the power of the ephors,¹⁸ which is close enough to the power of the lottery. And, according to this account, your kingdom, constituted from the appropriate mixture of elements and possessed of due measure, having saved itself, went on to become responsible for the salvation of the others.¹⁹ Since, if this had been left to Temenus and Cresphontes and the legislators at the time, whoever those legislators may have been, they were not sufficiently experienced in the business of legislation, so even the portion belonging to Aristodemus²⁰ would not have survived. Otherwise they would hardly have presumed, with a few oaths, to bring measure to a young soul that had just acquired a position of authority that could develop into a tyranny. But now, the god has shown what rulership should have been like then, and should indeed be like now, if it is to endure.

For us to recognise all this now that it has already happened is, as I said earlier, no mark of wisdom, since it is not difficult to see something from an example from the past. But if someone had foreseen all this at the time and had been able to moderate the rulers and unify the three of them, all the noble aspirations of that era would have been preserved, and no Persian horde or any other would ever have attacked Greece, despising us as people of no account.

CLINIAS: True.

ATHENIAN: At any rate, they repulsed them, Clinias, in a disgraceful manner. And by disgraceful I don't mean that the men of that age were not victorious, and I am not denying that they won notable battles by land and by sea. No, I maintain that what was disgraceful at the time was, firstly, that of these three cities only one came to the defence of Greece. The other two were so badly corrupted that one of them²¹ even impeded Sparta in her defence of Greece by fighting against her with all its might, while the other, Argos, in spite of its primacy at the time of the original division, when called upon to defend Greece against the barbarians, paid no heed and did not defend her. And a lot more could be said about what went on during that war which would not reflect at all well on Greece. In fact, it wouldn't even be

¹³ The allusion here is to a short portion of a poem by Pindar, of which only a small fragment remains (Fragment 109, Snell).

¹⁴ Hesiod, *Works and Days* 40.

¹⁵ The first kings of Sparta were Procles and Erythones, twin sons of Aristodemus.

¹⁶ This refers to Lycurgus, founder of the Spartan Council of Elders.

¹⁷ 'Third saviour' was a proverbial phrase arising from the custom of offering the third libation at banquets to Zeus the Saviour.

¹⁸ A group of five overseers who were elected annually by the Assembly (all Spartan citizens were eligible) and who had judicial, financial and administrative powers over the kings and the senators.

¹⁹ Sparta had two royal families, both claiming descent from Heracles. The two kings were political, military and religious figures.

²⁰ 'The portion belonging to Aristodemus' is a reference to Sparta.

²¹ The reference here is to Messene.

693 a right to say that Greece defended itself, because if the joint enterprise of the Athenians and the Spartans had not repulsed that impending enslavement, almost all the Greek nations would have been intermixed with one another by now – barbarians with Greeks, and Greeks with non-Greeks. This is exactly the situation of those who are under the tyranny of Persia nowadays. Having been dispersed and then jumbled together, they live out their lives wretchedly in scattered communities.

693 b These, Megillus and Clinias, are the criticisms we must direct at the so-called statesmen and lawmakers of past ages and of today, so that by investigating the causes of these failings, we may discover what other courses of action besides these they should have adopted. For instance, in the present case we said that we should not pass laws creating positions of authority that are too powerful, or indeed too pure. We should, rather, keep in mind that the city should be free, wise, and a friend to itself, and the lawgiver should pass laws with his eye fixed upon this aim. Now, we have already proposed certain aims many times that the lawgiver should look to when passing laws, but we should not be surprised
693 c if the proposals seem different to us on each occasion. We need to reckon for ourselves that when we maintain that he should look to sound-mindedness, or to wisdom or friendship, these aims are not different but the same, and we should not be troubled if various other expressions of this sort occur.

693 d CLINIAS: We shall try to do as you suggest as we go back over the arguments. But now tell us, in the case of friendship, wisdom and freedom, what were you intending to say the lawgiver should aim at?

ATHENIAN: Listen then. It would be right to say that there are, as it were, two mother-forms of political systems from which all others arise: one is called monarchy, the other democracy. The extreme of the former is the Persian system, while that of the latter is ours. The others are practically all, as I said, variations of these two. Now, a city must necessarily have a share in both of these if it is to have freedom and friendship accompanied by wisdom. This,
693 e then, is what our argument wishes to prescribe by saying that a city could never be properly governed in the absence of these two.

CLINIAS: Indeed, how could it be?

ATHENIAN: Well, the Persian regime has embraced the monarchic, while the other, ours, has favoured freedom exclusively, to a greater extent than they should in each case. Neither regime has got both of these in the right measure, but your regimes in Sparta and Crete do
694 a have it more. So did the Athenians and Persians in ancient times, but this is less so nowadays. Should we give the reasons why? What do you think?

CLINIAS: Of course, if we are serious about pursuing our objective.

ATHENIAN: Listen then. The Persians, during the reign of Cyrus,²² observing the proper measure of subservience and freedom, first attained freedom themselves, and then attained supremacy over many others. For, as rulers, they granted freedom to their subjects and maintained
694 b equality, so the soldiers were well disposed towards the generals and didn't hold back in the face of danger. And what's more, if anyone among them was wise and capable of offering advice, the king did not begrudge him that opportunity. He allowed free speech and respected those who could assist him in his deliberations, and so the benefit of a man's wisdom was made available to the community at its very heart. In fact, everything prospered for them in those days because of this freedom, friendship and communal spirit.

CLINIAS: Well, that's likely to be how things happened, anyway.

694 c ATHENIAN: How was it ever destroyed under Cambyses,²³ and more or less restored again under Darius? Would you like us to use some sort of prophetic sense to come up with an answer?

CLINIAS: That might help with the enquiry we have embarked upon.

ATHENIAN: The sense I now have of Cyrus is that although he was a good general who loved his city, he had no contact at all with the right sort of education, and had never applied his mind to economics.

CLINIAS: Why would we say this?

ATHENIAN: He spent his life, it seems, from his earliest years, on military campaigns, and entrusted the upbringing of his children to women, who reared them from their very childhood as though they were already favoured with the blessings of heaven, with no deficiencies. The women would allow no one to oppose the children in anything because they were so blessed, and they made everyone else praise whatever the children said or did. So they brought them up to be people of a particular sort. 694 d

CLINIAS: A noble upbringing, it seems.

ATHENIAN: A feminine one, as you would expect from women of the royal household who had recently become rich, who were rearing children in the absence of any men, because they were all caught up in warfare with all its perils. 694 e

CLINIAS: That makes sense.

ATHENIAN: But their father acquired flocks for them, sheep too and herds of humans, and various collections of all sorts of things, but he did not realise that he was about to give all this to boys who had not been educated in their fathers' own skill, the skill of a Persian. The Persians were shepherds, sprung from a harsh land, and their skill was a tough one, just what was needed to produce very strong shepherds well able to live in the open air, go without sleep, and serve in the army if necessary. He simply did not notice that his sons, having been educated by women and eunuchs, had received a corrupted Median education²⁴ because of their so-called blessedness. So, having been brought up without hearing a word of reproach, they turned out to be the sort of people you would expect from such an upbringing. Now, when Cyrus died and the children inherited the kingdom, they were infected with luxury and licentiousness. First, one killed the other because he was angry over their equal status, but after that, he himself, maddened by drink and ill-education, lost his kingdom to the Medes and the so-called eunuch,²⁵ who had such utter contempt for the foolishness of Cambyses. 695 a 695 b

CLINIAS: That's what's said anyway, and it's quite likely that is more or less what happened. 695 c

ATHENIAN: And, indeed, it is also said, I believe, that authority reverted to the Persians through Darius and the 'Seven'.²⁶

CLINIAS: Indeed.

ATHENIAN: Let us look at this then, by following the account. For Darius was no king's son and he was not reared and educated in sumptuous luxury. When he came to power, having taken control as one of a group of seven, he divided the kingdom into seven parts, small traces of which remain to this day. He thought it best to administer the kingdom by passing laws introducing some social equality, and he fixed, by law, the tribute money that Cyrus had promised to the Persians, thus ensuring friendship and fellow-feeling among all the Persians by winning the Persian people over with generous gifts. Consequently, his armies were so full of goodwill that they won as much territory for him as Cyrus had originally left to him. 695 d

²² Cyrus the Great, having become king of a small kingdom in Persia, extended the territory considerably, by conquest and in so doing founded the Persian (Achaemenid) Empire.

²³ The reign of Cambyses, Cyrus' son, was marred by military defeats. His successor, his son Darius, was able to steady the ship of state through sensible policies.

²⁴ This expression denotes an education in extreme luxury.

²⁵ Gomates, the Eunuch, seized Cambyses' kingdom for a short time by impersonating his dead brother while Cambyses was away in Egypt.

²⁶ After seven months, Gomates was slain by seven Persian nobles, one of whom was Darius.

695 e After Darius came Xerxes, who had, once again, received a pampered royal education. We could quite justifiably say to Darius, “O Darius, because you did not learn from Cyrus’ mistake, you trained Xerxes in the very same habits that Cyrus taught to Cambyses.” Anyway, since he was a product of the very same education, Xerxes ended up suffering more or less the same fate as Cambyses. And since then there has hardly been a single king among the Persians who has been truly great in anything more than name. And what is responsible for this, according to my argument, is not ill-fortune, but the bad life that is for the most part lived by the children of exceptionally wealthy folk and tyrants. In fact, no child or man, old or young, could ever attain an exceptional level of excellence from such an upbringing as this. These, then, are issues which, we maintain, the lawgiver should take into consideration and we should do the same right now.

696 a Well, it is only right, my Spartan friends, to grant your city this much at least: you do not assign any special honour or training to rich or poor, king or commoner, beyond the prophetic directions you were given at first by some god. In fact, pre-eminent civic honours should not be conferred just because someone is especially wealthy, no more than we should do so just because the person is swift or pretty or strong, unless he has some excellence, and even the excellence should include sound-mindedness.

MEGILLUS: What do you mean by this, stranger?

ATHENIAN: Courage is presumably one part of excellence?

MEGILLUS: Of course.

ATHENIAN: Well then, listen to the argument and decide this for yourself. Would you choose someone who was extremely courageous, but devoid of sound-mindedness and restraint, as your housemate or neighbour?

696 c MEGILLUS: What a suggestion!

ATHENIAN: What about someone who has a skill and is wise in that sense, but unjust?

MEGILLUS: Not at all.

ATHENIAN: And yet justice does not flourish without sound-mindedness.

CLINIAS: No, how could it?

ATHENIAN: Nor indeed does the wisdom we described a while ago of the person whose pleasures and pains are in accord with and adhere to correct reasoning.

MEGILLUS: Indeed, it does not.

696 d ATHENIAN: There is a further point we should consider on the issue of civic honours, and what sort are correctly or incorrectly conferred on any occasion.

MEGILLUS: What point?

ATHENIAN: Would sound-mindedness, present in a soul on its own without any other excellence, be honourable or dishonourable, rightly speaking?

MEGILLUS: I don’t know how to answer you.

ATHENIAN: And yet, you have responded quite reasonably. In fact, had you chosen either of the two alternatives, you would, in my opinion anyway, have gone awry.

MEGILLUS: So my answer has turned out quite well.

696 e ATHENIAN: Indeed. It is not worth saying anything about this additional element in the honourable and dishonourable. Mute silence is a better option.

MEGILLUS: I presume you mean that sound-mindedness is the additional element.

ATHENIAN: Yes. And whatever benefits us most, when combined with this additional element, would rightly be honoured most. The second most beneficial would be honoured second. And if each successive benefit was given its place in the sequence of honours in this way, that would be the right way to arrange them.

697 a MEGILLUS: Quite so.

ATHENIAN: Well then, shouldn't we also say that it is once again the role of the legislator to assign these?

MEGILLUS: Very much so.

ATHENIAN: Would you like, then, to leave it to him to deal with them all, each individual task and all the details, while we, aspiring to be men of the law, make a threefold division in an effort to distinguish separately between those that are most significant, and those that are in second or third place?

MEGILLUS: Yes, certainly.

ATHENIAN: So, we are saying, it seems, that a city that is to save itself and be as happy as humanly possible must, of necessity, assign honours and their opposites in the correct manner. It is only right that the goods of the soul occupy the first and most honoured position, provided the soul is possessed of sound-mindedness. In second place are the goods and beauties of the body, and third are the so-called goods associated with property and wealth. Any law-giver or city that goes outside of those rankings by elevating wealth to a position of honour, or promoting any of the lesser benefits to a higher status in terms of honour, is performing an unholy and unstatesmanlike act. May we say this or what should we say?

MEGILLUS: We may say this, plainly.

ATHENIAN: Although our investigation of the political system of the Persians made us say all this at such length, we still find that they ended up in an even worse predicament. The reason for this, according to us, was that they restricted the freedom of the populace excessively, introduced more subservience than appropriate, and thus they undid the friendship and communal spirit of their city. And once this is gone, the policy of the rulers is no longer framed in the interests of their subjects and the populace, but in the interests of their own authority. If they ever think it will be to their own advantage, even slightly, they devastate whole cities, and friendly peoples too, by destroying them with fire, and so they are hated, relentlessly and mercilessly, and they return that hatred. And when they need the populace to fight for them, they find there is no communal spirit among them, no willingness to do battle eagerly in the face of danger. So although in theory they have a vast population at their disposal, they are all useless in a war, so they hire people in as though they were in short supply, believing that their safety lies in foreign mercenaries. As well as this, they inevitably show their ignorance by proclaiming, through their own actions, that everything the city calls honourable and good is a mere trifle in comparison with gold and silver.

MEGILLUS: Entirely so.

ATHENIAN: Well, let that be the end of our discussion of the Persians and how badly their affairs are managed nowadays because of their extreme subservience and authoritarianism.

MEGILLUS: Certainly.

ATHENIAN: Next we should describe the Attic political system in the same way, showing that total freedom, without any rulers, is far worse than the regulated authority of others. Indeed, at the time of the Persian advance upon the Greeks, or perhaps upon more or less all the inhabitants of Europe, we had a political system of ancient date with positions of authority based upon four valuations. Reverence was present among us as a queen, and because of her we were willing to live in subservience to the laws of the time. What's more, the sheer magnitude of the horde that came by land and by sea struck us with fear and perplexity, and increased our subservience to our rulers and our laws to an even greater extent. As a result of all this, a strong bond of affection developed among ourselves.

Indeed, some ten years before the battle of Salamis, Datis arrived, leading a Persian horde. He had been sent by Darius with explicit orders directed against the Athenians and

698 d Eretrians.²⁷ He was to enslave them and deport them, and his own death was the penalty for failure. Datis did not take long to completely overpower the Eretrians with his vast army, and he sent a frightening message to our city, Athens, that not a single Eretrian had escaped him. In fact, Datis' soldiers, with joined hands, had swept through the whole territory of Eretria like a dragnet. This account, whatever its source, whether true or false, terrified the
698 e other Greeks, and especially the Athenians, and no one except the Spartans was willing to help them when they sent embassies everywhere. But because their war against Messene was ongoing at the time, and perhaps because they were delayed by something else we don't know about, the Spartans arrived one day late for the battle of Marathon.

After this, reports of large-scale preparations and endless threats kept reaching us
699 a from the king. Eventually we were told that Darius had died, and his son, who had inherited the throne, was young and energetic and had no intentions of giving up on the invasion plan. The Athenians presumed that all these preparations were directed against themselves because of what happened at Marathon, and when they heard that a canal had been dug at Athos, that the Hellespont had been bridged, and of the huge number of ships in the Persian fleet, they decided that they would be safe neither by land nor by sea. They realised that no one would help them, for they remembered that when the Persians invaded previously and
699 b were successful in Eretria, no one came to their aid, nor did anyone run the risk of fighting alongside them. So they were expecting the same thing to happen again this time, by land anyway, and they lost all hope of safety by sea when they saw a thousand Persian ships, or even more, bearing down upon them.

It occurred to them that there was only one safe course, slender and perilous, but the only one. They looked back at what happened previously, and how, from the bleak situation
699 c that they also faced then, military victory appeared to emerge. Uplifted by this hope, they discovered that their own refuge lay in themselves alone, and in the gods. A number of factors combined to engender a feeling of friendship among them. One was a fear born of their perilous circumstances at the time, while another originated in the ancient laws, a fear they had acquired through their subservience to those laws of old. We have often referred to this fear in our earlier discussions as 'reverence', and we said that anyone who is to be a good person should be subject to this. But the coward is free of reverence and does not experience it, and unless such people had been seized by terror at the time, they would never have
699 d joined the defensive effort to protect their temples, tombs and fatherland, their family and friends, by helping as they did on that occasion. We would rather have been routed then, and all of us scattered this way and that.

MEGILLUS: Very much so, stranger, what you have said is correct and a great credit to yourself and your fatherland.

ATHENIAN: Quite so, Megillus, and it is only right to recount the events of that age to you, since you have inherited the character of your forefathers. Now, you and Clinias should consider
699 e whether we are saying anything that is relevant to law-making. For I am not telling these stories for their own sake, but for the sake of the topic I am discussing. Yes, look, the same thing, somehow, happened to ourselves as happened to the Persians, except that they totally subjugated the populace, while we, in contrast, urged the masses in the direction of total freedom. So, what should we say next, and how should we express it, since our previous
700 a arguments have in a way been quite well stated?

MEGILLUS: Good point, but please try to explain what you are saying to us a bit more clearly.

ATHENIAN: I will. Under our ancient laws, my friends, the populace was not the master. The populace was rather, in a sense, willingly subject to the laws.

MEGILLUS: To what sort of laws?

ATHENIAN: Firstly, to the laws concerning the music of that era. Let's look there so that we may describe, from the beginning, the development of this excessively free lifestyle. At the time, our music was in fact divided into various forms and structures. One was a form of song consisting of prayers to the gods, which were called hymns. Another form of song, almost the opposite of this, consisted of what are best called dirges, and there was another consisting of paeans, and one more which is called a dithyramb,²⁸ which is about the birth of Dionysus, I think. Nomos were given this particular name as being a different kind of song,²⁹ which they said was for the cithara. Once these and some others had been duly set in order, it was not permitted to apply one form of melody to another form. The ultimate authority to understand these principles, and indeed pass judgement and impose penalties upon those who transgressed them, did not lie, as it does nowadays, with the trumpeting and uncouth clamouring of the multitude, nor their approving applause. The educated folk themselves agreed to listen in silence to the very end, while for children, their attendants and the common crowd, the rod of chastisement kept them in order. So in these matters, the majority of the citizens accepted such regulation and authority, and did not dare to pass judgement by clamouring.

After this, with the passage of time, poets arose who were responsible for an unmusical lawlessness, and although they were poetical by nature, they did not understand what was right and lawful in the realm of the Muses. Frenzied, and much in the grip of pleasure, they mixed dirges with hymns, paeans with dithyrambs, and even imitated the sound of flutes on the cithara. By combining everything with everything, they, in their ignorance, unintentionally perpetuated the false notion that there is no such thing as correctness in music, and that it is quite alright to pass judgement based upon the pleasure it affords to whomever enjoys it, regardless of whether that person is good or bad. By composing works of this sort and adding words of a similar sort, they instilled musical lawlessness into most of the people and the audacity to believe that they were themselves competent judges. And so, the spectators became noisy folk rather than a quiet people, as though they themselves understood what was good and bad in the realm of music, and so instead of the rule by the best, a degenerate rule by the spectators arose. Now, if a democracy of free men had arisen in music alone that would not have been a particularly serious development. But our current notion that everyone is wise about everything began with music, as did lawlessness, and following close behind them came liberty, for believing that they knew so much, they had no fear, and their lack of fear begat an absence of shame, for it is surely shamelessness of the lowest order not to fear the opinion of the best because of an impudence born of excessive liberty.

MEGILLUS: Very true.

ATHENIAN: Next, after this freedom comes another, which is an unwillingness to be subservient to rulers, and after this comes a flight from any subservience to, or correction by, father, mother or elders. As the end approaches, they have an urge to pay no heed to any laws, and finally, towards the very end of the process, they disregard oaths, entreaties, and anything to do with the gods, as they display and imitate the fabled ancient nature of Titans.³⁰ And reverting

²⁷ Datis was the commander of the first Persian expedition. He was sent to punish the island of Eretria, north of Athens, for taking part, along with Athens, in the revolt against Persian domination in Ionia.

²⁸ Paeans are hymns in honour of Apollo, and the dithyramb is a choral ode to Dionysos.

²⁹ *Nomos* (meaning law, custom, tradition) also refers to a style of song with a prescribed *harmonia* (tuning) and a definite rhythm.

³⁰ The Titans, the older generation of gods, were the first-born children of Uranus and Gaia. The Titans were overthrown by their children, the Olympian gods.

701 d once more to the same conditions as those fellows, they usher in a harsh age of unrelenting evils. Well, what again is the point of saying all this? Apparently I should restrain the argument from time to time and not allow myself to be borne along by the force of the argument, like a horse with no bridle in its mouth, and, as the saying goes, “fall off my donkey”. So I repeat the question once more. What is the point of saying all this?

MEGILLUS: Good question.

ATHENIAN: The point relates to what was said previously.

MEGILLUS: Which was?

ATHENIAN: We said that the lawgiver should frame laws with three aims in view: that the city under his laws will be free, friendly towards itself, and possessed of reason. These were the aims, were they not?

701 e MEGILLUS: Certainly.

ATHENIAN: With these aims in view, we picked the most authoritarian system of government and the one that allowed most freedom, and we are now considering which of these two is governed in the correct manner. Taking a moderate example of each of these, of authoritarianism on the one hand and of freedom on the other, we saw that everything went exceptionally well for them in each case. But when they went on to the extreme, either of subservience
702 a in one case or its opposite in the other, there was no benefit to either of them.

MEGILLUS: Very true.

ATHENIAN: And, indeed, for the same reasons we looked at the settlement of the Dorian horde, the settlement of Dardanos in the foothills, the maritime settlement too, and indeed the first people who survived the deluge, in addition to our previous discussions about music and
702 b drinking and the topics prior to these. All this was said for the same reason, in order to see clearly how exactly a city may best be governed and, in the case of an individual, how he may best live his own life. But have we achieved anything worthwhile? What test for ourselves may we suggest, Megillus and Clinias?

CLINIAS: I think I have one, stranger. It seems that a certain providence has governed these arguments we have just gone through. For I was at a stage where I was in need of these, and
702 c your arrival, along with Megillus here, was most opportune. I shan’t conceal my present predicament from you two, in fact I regard your presence as an omen. For most of Crete is engaged in forming a colony, and the people of Cnossus have been put in charge of the process, and their city has assigned the task to myself and nine others. At the same time they directed us to frame laws based upon any local laws that we approved of, and any laws
702 d from elsewhere that in our view were best, regardless of the fact that they were foreign. So let’s do this favour to myself and to yourselves. Let’s construct a city, in words, as though we were founding it from the very beginning, by drawing upon what we have said so far. At the same time, this will also constitute our enquiry into the topic we are investigating, and, what’s more, I may find this process useful for my future city.

ATHENIAN: Well Clinias, that’s not a declaration of war, so if Megillus has no objection, you may presume that as far as I am concerned you can count on my fullest possible cooperation.

CLINIAS: Well said.

702 e MEGILLUS: And the same goes for me.

CLINIAS: Thank you both. So let’s first try to found our city in words.



Laws

— BOOK IV —

ATHENIAN: Come on then, what precisely should we suppose our city will be? When I say this, I am not asking what name it has at present or what it should be called in future, since that might well be determined by the circumstances of its foundation, or by the region it is in, or the name of some river or spring or of one of the gods of that region might be applied to the newly founded city. Rather, in the case of the city, what I really want to ask is whether it will be on the coast or inland. 704 a 704 b

CLINIAS: Well, stranger, the city I have just been referring to is about eighty stades¹ or thereabouts from the coast.

ATHENIAN: What about harbours? Are there any on that side of the coast or does it have no harbour at all?

CLINIAS: On that side, stranger, it is well provided with harbours. As good as any.

ATHENIAN: Oh dear! What about the surrounding countryside? Does the land produce all your needs, or are there some needs that cannot be met? 704 c

CLINIAS: It is not really deficient in anything.

ATHENIAN: Will it have a neighbouring city close by?

CLINIAS: No, not really, that's why it is being founded. Emigration from the locality of old has left the land deserted for quite some time.

ATHENIAN: What about mountains, plains and forests? What proportion of each does it have?

CLINIAS: It is much the same as the rest of Crete generally.

ATHENIAN: Are you saying that it is rough terrain rather than flat? 704 d

CLINIAS: Certainly.

ATHENIAN: Then, when it comes to the acquisition of excellence, at least it would not be beyond remedy. For if the city was to be on the coast with a good harbour and did not produce all that was needed but had many needs that it could not meet, some mighty saviour would have been required, and some divine lawgivers too, if it were not to have a huge variety of depraved habits as a natural consequence. At the moment, those eighty stades afford some comfort. Yet, it is situated closer to the sea than it should be, and, more to the point, you say it has good harbours, but even this is acceptable. Indeed, having the sea close by makes everyday life pleasant, and yet it really is a “briny and bitter neighbour”² since it fills a city with commercial activity and retail business, breeds restless and distrustful traits in people's souls, and makes the city suspicious and unkind towards itself and towards the rest of humanity too. In the face of this, there is of course some consolation in the fact that it produces all that it needs, but because the territory is rugged it obviously would not produce 704 e 705 a 705 b

¹ Eighty stades is about 14.8 kilometres (9.25 miles).

² A quotation from Alcman, a Spartan poet.

everything that is needed, and a surplus besides. For if it had a surplus it would be able to export a great deal, gold and silver coin would fill its coffers in return, and in a way, all things considered, there is no greater enemy than this to the development of a just and noble character, as we said earlier, if you recall the discussion.

CLINIAS: Yes, we remember. And we agree now, as we did then, that it is correct.

705 c ATHENIAN: Well, what about this? How well is this region of our country supplied with wood for shipbuilding?

CLINIAS: There isn't any fir or pine worth mentioning, nor is there much cypress either. What's more, you would find very little larch or plane, which shipbuilders regularly need to use for ships' interiors.

ATHENIAN: That, again, would not be a bad feature of the country.

CLINIAS: How so?

705 d ATHENIAN: It is good that a city is unable to imitate its enemies too easily when the behaviour to be imitated is base.

CLINIAS: What makes you say this? Is it something we said earlier?

ATHENIAN: Well, my divine friend, keep an eye on me in view of what was said at the outset about the laws of Crete, that they should have a single aim in view. Now, the two of you said that this aim was military, but I responded by saying that although it is all very well that such regulations should look to excellence, I did not accept at all that they would look to a part of excellence and not to the entire. So the two of you should now watch over me, in turn, in my current legislative efforts in case I enact a law that is not directed towards excellence or to a part of excellence. For I am proposing that a law is rightly enacted only when it aims every time, like an archer, at an outcome that is always constantly accompanied by something ever beautiful, and at that alone. All else should be set aside, be it wealth or anything else of that sort, in the absence of the stated aims.

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Now, the base imitation of one's enemies that I spoke of earlier arises in the following way when people dwell close to the sea and are troubled by enemies. For instance – and I am not criticising your people, Clinias – Minos once imposed a cruel tribute to be paid by the inhabitants of Attica when he had acquired enormous maritime supremacy,³ while the others had, as yet, no ships fit for war, unlike nowadays. Nor indeed did their territory have lots of wood for shipbuilding so that they could readily provide themselves with a naval force. So they were not immediately able to defend themselves against their enemies by imitating Cretan seamanship and becoming mariners themselves. Indeed, it would have been even better for them to lose many times seven youths and remain as staunch foot soldiers rather than becoming mariners, who repeatedly jump from their ships and then rush back on board once more, who dare not stand their ground and face death when the enemy is bearing down on them, and see nothing shameful in that. Rather, since they always have plausible excuses, they are quite ready to cast their weapons aside and take flight in what they call retreats without dishonour. This sort of talk is inclined to arise as a consequence of resorting to naval warfare, and it merits not unbounded praise but the exact opposite, for degenerate behaviour should never become habitual, especially in the very best class of our citizens. We could also learn from Homer, I presume, that a practice of this sort is not noble. For he has Odysseus upbraid Agamemnon for ordering the ships to be dragged down to the water's edge when the Achaeans are being pressed hard by the Trojans. Odysseus gets angry with him and says:

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706 e *...you who in the very closing of clamorous battle
tell us to haul our strong-benched ships to the sea so that even
more glory may befall the Trojans, who beat us already,*

*and headlong destruction swing our way, since the Achaeans
will not hold their battle as the ships are being hauled seaward,
but will look about and let go the exultation of fighting.
There, O leader of the people, your plan will be ruin.*⁴

707 a

So Homer, too, recognised the fact that placing triremes at sea in support of soldiers fighting on land is bad practice. Even lions would get used to fleeing from deer if they cultivated habits of this sort. What is more, when the power of cities derives from their navies, the honours, when they are saved, are not bestowed upon the most deserving members of their fighting force. For their safety derives from the skill of the steersman, the captain and the oarsman, and a whole variety of people who are not of much consequence, and so it is not possible for someone to confer honours on each deserving person in the correct manner. Yet, in the absence of this ability, how could a city still prosper?

707 b

CLINIAS: It is scarcely possible. But, stranger, it was the naval battle of Salamis, fought by Greeks against the barbarians, which, according to us Cretans anyway, saved Greece.

ATHENIAN: Yes indeed, that is what most Greeks say, and most barbarians too. But we, my friend – that is, Megillus here and I – maintain that the land battle that took place at Marathon was what saved the Greeks initially, while the one at Plataea completed the process,⁵ and while these battles made better people of the Greeks, the other battles did not, which is a strange way to speak of battles that saved us at the time, for I am now including the naval battle at Artemisium for you, in addition to the one at Salamis. As a matter of fact, in looking now at the excellence of a political system, and the nature of a territory, we are also considering the arrangement of the law. Unlike most people, we do not regard the mere survival and continued existence of people as the most important issue, but becoming as good as they possibly can, and being so for as long as they live. But I think we actually said this before in our previous discussions.

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CLINIAS: Indeed.

ATHENIAN: Then we should consider this question alone, whether we are adopting the same approach as we did previously, the one that is best for cities in relation to their foundation and law-making.

CLINIAS: Very much so.

ATHENIAN: Then tell me next, what people will you be settling? Will there be people from all over Crete, anyone who wants to come, because the population in the various cities has exceeded what the land can sustain? For you are not, I suppose, inviting any Greek who wishes to join you, even though I can see that some people from Argos, Aegina and elsewhere in Greece have settled in your country. So tell me, in this case, where do you say that the current body of citizens will come from?

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CLINIAS: They are likely to come from all over Crete, and as for the rest of the Greeks, it seems that settlers from the Peloponnese are made most welcome. And, indeed, what you were just saying is true, some are from Argos, and of those who are here at present, the most highly regarded clan, the Gortynian, is a colony from Gortyn on the Peloponnese.

ATHENIAN: Well, a settlement would not be easy for the cities unless it is formed, like a swarm of bees, from a single clan coming from a single territory, a friend coming from friends, under

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³ Minos, who had a powerful navy, attacked Athens because his son, Androgeos, had been killed there. He forced the Athenians to send an annual tribute of seven young men and seven young women as food for the minotaur, a half-bull, half-human creature.

⁴ *Iliad*, xiv.96–102, Lattimore.

⁵ The Battle of Marathon decided the outcome of the first Persian War; the Battle of Plataea decided that of the second. Both were Greek victories.

pressure because of some shortage of land, or driven by some other afflictions of this sort. There are times too when part of a city may be compelled to relocate elsewhere, having been forced to do so by civil strife, and in one case a whole city went into exile, having been totally overpowered by an overwhelming onslaught. Now, to settle all these and legislate for them is easy in one sense, but difficult in another. For the existence of a single people, with the same language and laws, leads to a spirit of friendship because they share the same sacred rituals and everything else of that sort. However, they do not readily accept laws and other civic arrangements that are different from those of their homeland, and sometimes, although the degeneracy of their laws caused civil strife, they still seek, through force of habit, to behave in exactly the same way that led to their downfall previously, and they become disobedient and difficult for the founders and legislators to deal with. In contrast, a people that combines all sorts of differences might perhaps be more inclined to submit to new laws, but for them to live and breathe in unison, like the team of horses in the proverb, would take much more time and be a huge challenge. The fact of the matter is that making laws and founding cities is, for men, the ultimate test of excellence.

CLINIAS: Quite likely, but please explain more clearly what you have in mind when you say all this.

ATHENIAN: My good man, as I return again to considering lawmakers, it is possible that I will, at the same time, say something that is actually derogatory, but as long as I say something relevant, this should not really be a problem. But why am I troubled at all? In almost all human undertakings, the situation is much the same.

CLINIAS: What are you referring to?

ATHENIAN: I was about to say that no human being ever institutes any laws at all, but all sorts of chance occurrences and various coincidences institute all the laws for us. For some, war may perhaps overthrow the political system by force and change the laws, or the challenge of grinding poverty may do so. Diseases, too, force us to make lots of innovations when we are afflicted by plague, or when unseasonal weather lasts for many years as often happens. Anyone, in view of all this, might be justified in saying, as I did just now, that no mortal creature institutes any laws whatsoever, and almost all human affairs are a matter of chance. And although it seems right to say all this about navigation, helmsmanship, medicine and generalship, there is, in fact, something further to be said in these same cases, with similar justification.

CLINIAS: Which is?

ATHENIAN: That God is all, and that chance and opportunity, with the help of God, determine the course of all the affairs of humanity. And yet we should accept that these are accompanied by a third more gentle element – skill. For I myself would suggest that in a storm it would be a huge advantage for the steersman to cooperate with opportunity. Is this so?

CLINIAS: Quite so.

ATHENIAN: And the same argument would apply, in like manner, in the other cases too, and indeed the same point should be conceded in the case of legislation. Once the other conditions that the country requires, if it is ever to be settled in a goodly manner, are in place, then a law-giver who holds to the truth is needed by such a city, to help them.

CLINIAS: Very true.

ATHENIAN: Now, wouldn't a person who possessed the skill involved in any of the areas I mentioned also presumably be able to pray, in the right way, for whatever he needed, through the operation of chance, so that his skill alone would suffice?

CLINIAS: He would, indeed.

ATHENIAN: And all the other skilled people we referred to could tell us what their own prayer would be for, if we asked them. Is this so?

CLINIAS: Indeed.

ATHENIAN: And the lawgiver will, I presume, also do the same thing.

CLINIAS: Presumably.

ATHENIAN: Let us address him as follows: “Come on then, lawgiver, what should we give you, what condition should the city be in, so that you will be able to proceed from there, and be competent, by yourself, to manage the city?” 709 e

CLINIAS: So, what’s the right thing to say in response?

ATHENIAN: We shall give the lawgiver’s response, isn’t this so?

CLINIAS: Yes.

ATHENIAN: “Give me a city under tyrannical rule,” he will say, “and let the tyrant be young, with a good memory, a quick learner, courageous, and possessed of natural greatness. And if these various qualities, present in the tyrannical soul, are to be of any benefit, let them be accompanied now by something else, which, as we said previously, needs to accompany all the parts of excellence.” 710 a

CLINIAS: Megillus, I presume that the stranger is saying that what needs to accompany the others is sound-mindedness. Is this so, stranger?

ATHENIAN: Yes, the commonplace sound-mindedness, Clinias, not what someone might speak of when they get too serious and argue that sound-mindedness must be the same as wisdom. It is an innate quality which shows immediately in children and in animals, that some have no control when it comes to pleasures, while others have control. And we said that in isolation from the various other goods we are discussing, it is of no account. I presume you get my meaning. 710 b

CLINIAS: Yes, certainly.

ATHENIAN: Then our tyrant should possess this, in addition to those other natural qualities, if a city is to attain, in the quickest and best way possible, the political system it needs in order to live its life in happiness. For there is not, nor could there ever be, a quicker or better way of establishing a political system than this.

CLINIAS: How, stranger, and by what argument, could anyone convince themselves that they are speaking correctly if they say this? 710 c

ATHENIAN: Presumably, Clinias, it is easy enough to discern this much at least, that this is the natural state of affairs.

CLINIAS: How do you mean? Are you saying it happens when a tyrant arises who is young, sound-minded, learns easily, has a good memory, is courageous and is possessed of natural greatness?

ATHENIAN: You should add good fortune, in one respect only, that a praiseworthy lawgiver would also arise at the time, and that fortune would bring them both together. For with this arrangement in place, God has done almost all he ever does when he wants a city to do exceptionally well. The second-best arrangement would involve two rulers of this sort, and so on for third best, and, in general, the more there are, the worse the arrangement, and the fewer there are, the better. 710 d

CLINIAS: You maintain that the best city arises, apparently, from a tyranny involving a lawgiver of the highest rate, and a tyrant of good character. You say that it would be easiest and quickest to effect the change to the best city from such an arrangement. From an oligarchy it is second easiest, is that your meaning? And from a democracy you think it is third easiest? 710 e

ATHENIAN: Not at all, no, first and easiest is from a tyranny, second is from a political system based upon kingship, third is from some sort of democracy. Oligarchy comes fourth, and because there are so many powerful factions within it, it would face enormous difficulty in allowing the best city to come into existence. And we say, in fact, that this comes about when a true

711 a lawgiver naturally arises who happens to share some power with the most influential people in the city. And when this element is fewest in number and greatest in power, as in a tyranny, then the change tends to occur quickly and easily.

CLINIAS: How so? We don't really understand you.

ATHENIAN: And yet, this has been said, I believe, not once but many times. But perhaps you and Megillus have never seen a city under tyrannical rule.

CLINIAS: Nor have I any particular desire to see one.

711 b ATHENIAN: And yet you would see the very feature I am now referring to in this.

CLINIAS: Which is?

ATHENIAN: A tyrant who wishes to change the habits of a city does not require great exertions or a lot of time. He first needs to proceed in that direction himself. Whether he wishes to turn the citizens towards activities involving excellence, or in the opposite direction, he himself
711 c should be the standard of all action, conferring praise and honour on some while censuring others, and showing no respect for anyone who remains unpersuaded in any field of endeavour.

CLINIAS: Yes, but why do we believe that the other citizens will so quickly follow the lead of someone who has adopted this combination of persuasion and force?

ATHENIAN: Let no one persuade us, my friends, that a city could ever change its laws more quickly and easily than through the personal leadership of its powerful people. There is no other
711 d way to do this now, nor will there ever be. And, indeed, this is not an impossibility for us, nor would it be difficult. No, the difficulty lies elsewhere, in the occurrence of something that happens only rarely in history, yet whenever it does happen it brings countless advantages of all sorts to the city in which it occurs.

CLINIAS: What are you referring to?

ATHENIAN: This happens whenever a divine passion for sound-minded and just action arises in some people who wield great power, whether ruling monarchically or on the basis of the
711 e exceptional pre-eminence of their wealth or family. Or someone might even hark back to the character of Nestor,⁶ who is said to have excelled everyone else in his power of speech, and to have surpassed them even more in sound-mindedness.

Now, although this happened, so they say, in Trojan times, it has not happened at all in our own. But if such a person has existed, or will exist, or one of us is such a person, he himself lives a blessed life, and blessed are those who hear the sound-minded words that flow from his mouth. And the same argument applies to power in general. Whenever the
712 a greatest power coincides in a person with wisdom and sound-mindedness, the best of political systems, and of laws too, arise naturally. Otherwise this never happens.⁷ So let us take all this as a story, oracular in nature, which demonstrates that although it is difficult for a city with good laws to arise, it would be the quickest and easiest development of all if what we are describing were to happen.

CLINIAS: How so?

712 b ATHENIAN: Why don't we apply this to your city and attempt, like elderly boys, to fashion its laws in discussion.

CLINIAS: Let's proceed without further delay.

ATHENIAN: Let us then invoke God's presence at the establishment of our city, that he may hear our prayer, come to us with gracious goodwill, and join us in ordering the city and its laws.

CLINIAS: Yes, let him come.

712 c ATHENIAN: But what precise political system do we intend to impose upon our city?

CLINIAS: What exactly do you mean? Please explain more clearly. Are you asking if it will be a democracy, or an oligarchy, or an aristocracy, or a kingship, since presumably you could

not mean a tyranny. At least Megillus and I don't think so.

ATHENIAN: Well, come on then, which of you would like to answer first and say, in the case of your own political system, which of these types it is?

MEGILLUS: In that case, since I am the eldest, isn't it only right that I speak first?

CLINIAS: Perhaps so.

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MEGILLUS: In fact, stranger, now that I think about the Spartan political system, I am quite unable to say offhand what it should be called. In fact, it seems to me to resemble a tyranny, since the provision for ephors that it contains is surprisingly tyrannical, yet sometimes it strikes me as the most democratically governed city of them all. Then again, it would be most odd to deny that it is an aristocracy, and indeed it includes life-long kingship, the most ancient of all according to ourselves and all mankind. So when I am suddenly asked the question, just like that, I am actually unable, as I said, to say definitively which of these political systems it is.

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CLINIAS: It looks as if I am in the same predicament as you are, Megillus. For I have considerable difficulty in saying for certain that the political system in Cnossus is any one of these.

ATHENIAN: That, best of men, is because you really do share political systems, whereas what we named just now are not political systems but city managements, dominated and enslaved by parts of themselves, each being named after the dominant element. But if your city really must be named after something like this, it should be called after the god who is truly the master of those who possess reason.

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CLINIAS: What god is that?

ATHENIAN: Well, if we are somehow to give a satisfactory answer to your question, may we make a little more use of storytelling?

CLINIAS: Is that the way we need to do this?

ATHENIAN: It certainly is, for long before the settlement of the cities we have described, they say that in the time of Cronus there had been a government and management, and a very happy one too, and that any of the best managed states nowadays are an imitation of this.

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CLINIAS: It seems then that we really need to hear about it.

ATHENIAN: Well, that is my view too. That is why I introduced this into our discussions.

CLINIAS: And you were quite right to do so, and since the story is so relevant it's only right that you should recount the whole thing.

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ATHENIAN: I must do as you say then. Well, we have received the traditional account of the blessed life enjoyed by those who lived then, and how they had everything in abundance and without effort. The explanation for all this, we are told, was as follows: Cronus recognised, of course, that, as we have explained, human nature is not up to the task of independently managing all human affairs without becoming full of arrogance and injustice. So with this in mind, he then installed kings for our cities, and rulers who were not human but belonged rather to a more divine and exalted race, the race of daimons. This is just what we ourselves do nowadays with our sheep and herds of domestic animals. We do not make oxen rule over oxen or goats over goats, but we ourselves, a kind superior to them, act as their masters. In like manner, the god, out of love for humanity, appointed a kind superior to us, the daimons, to take care of us. This was a very easy task for them and a great kindness to us, providing us with peace and respect, lawfulness and unrestricted justice, and ensuring that the various groups that comprise humanity were free from faction and happy.

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⁶ Nestor, the king of Pylos in the south-western corner of the Peloponnese, was the oldest of the heroes who fought in the Trojan War.

⁷ A restatement of the concept of philosopher kings from the *Republic* v.473d and *Seventh Epistle* 326b.

This account, then, is now saying – and what it is saying is true – that any cities ruled by some mortal and not by the god find no escape from evils and hardships for their citizens. It would have us believe that we should imitate by every possible means the life of the age of Cronus as described, and manage our homes and our cities while obeying the immortal element within us in our personal and public lives, and calling regulation, by reason, ‘law’.

But what if one person, or some oligarchy, or indeed a democracy, were possessed of a soul that hungers for pleasures and passions, and needs to be filled with these, a soul that resists nothing and is assailed by unending, insatiate evil diseases? Well, if something of this sort, having trampled all over the laws, rules a city or some individual, then there is no way to save it. We should consider this account, Clinias, and decide whether we are to be persuaded by this, or what we should do.

CLINIAS: We are to be persuaded, of course, necessarily.

ATHENIAN: Now, are you aware that some people maintain that there are as many forms of laws as there are political systems, and we have already listed the systems of government as popularly described? Please do not presume that the issue involved here is unimportant; it is of the utmost importance, for this question faces us once again: where lies the standard of what is just and what is unjust? For these people maintain that the laws should not look to warfare as their standard, nor indeed to excellence as a whole, but to the established political system, whatever that may be, and to the interest of that system so that it may govern forever and never be dissolved. And the natural definition of justice is best formulated in this way.

CLINIAS: How?

ATHENIAN: That justice is the interest of the more powerful.

CLINIAS: Explain this more clearly, please.

ATHENIAN: In this way: the powerful, they say, always of course enact the city’s laws. Is this so?

CLINIAS: True.

ATHENIAN: Well then, do you think, as they maintain, that the general populace, or some other political system, or indeed a tyrant when triumphant, would willingly enact laws with any other primary aim besides its own interest in maintaining its authority?

CLINIAS: No, of course not.

ATHENIAN: And whoever enacts these refers to the enactments as just, and will punish the person who transgresses them for acting unjustly.

CLINIAS: Yes, quite likely.

ATHENIAN: So such enactments would always, in this way and on this basis, constitute justice.

CLINIAS: According to this argument anyway.

ATHENIAN: Yes, this is one of those rights of government.

CLINIAS: What rights?

ATHENIAN: Those we considered before, concerning who should have authority over whom. And it was evident that parents should have authority over their offspring, the elder over the younger, the noble over the ignoble, and there were, if you recall, many other cases too of various restrictions on mutual authority. And, indeed, one of the rights was this very one; we said that Pindar takes the extreme of violence as natural justice, as he puts it.

CLINIAS: Yes, that’s what was said at the time.

ATHENIAN: Then, consider this. To which of these are we to entrust our city? For this sort of thing has occurred thousands of times before, in various cities.

CLINIAS: What sort of thing?

ATHENIAN: When there has been a fight over positions of authority, the victors take over the affairs

of the city so comprehensively that they concede no authority whatsoever to those who lost out, or even to their descendants. The two sides spend their time watching one another in case someone who remembers the evil events of the past assumes office in an uprising. Of course, we are now denying that these circumstances constitute political systems, or that any laws are correct unless they are enacted for the sake of the entire community of the city. Those who pass laws in the interest of some people and not others are, according to us, not citizens but members of factions, and their insistence that these laws are just is a vain claim. 715 b

We are saying all this for the following reason. We shall not appoint anyone to any position of authority in your city because he is wealthy or because of some other acquisition of that sort, such as strength or stature or family. But we maintain that the person who is entirely obedient to the established laws, and is triumphant in the city in that sense, should be given the most important role, the service of the gods. So, the most important role goes to the first, the second most important to whomever comes second in the contest, and each of the other positions of authority should be given, in due order, to whomever comes next. 715 c

Those who are referred to as rulers I have now called ‘servants of the law’, not for the sake of verbal innovation, but because I believe that the salvation or perdition of the city hinges, most of all, upon this. For when law is subservient and devoid of authority, I see destruction close at hand for such a city. But when law is the master of those in authority, and the rulers are subservient to the law, then I behold salvation, and everything good that the gods ever bestow upon cities. 715 d

CLINIAS: Yes, by Zeus, stranger, you have the keen sight appropriate to your age.

ATHENIAN: Indeed so. When people are young they generally have extremely poor sight when it comes to this sort of thing, but in old age it’s at its sharpest. 715 e

CLINIAS: Very true.

ATHENIAN: Well, what next? May we not presume that our colonists are here and are present, and that the rest of our address to them should be concluded?

CLINIAS: Yes, why not?

ATHENIAN: Well, let us address them as follows: “O men, according to the ancient tradition, God, holding the beginning, end and middle of all of the things that are, proceeds without deviation along nature’s circular course. Justice always accompanies him and is the punisher of those who depart from his divine law. So anyone who intends to be happy holds to justice and follows her in humility and good order, while anyone who gets carried away by pride, or excited over wealth or honours or a pretty body, inflames his soul with arrogance through impetuosity combined with stupidity. He then feels the need neither for a ruler nor for a leader; he believes he is competent to lead others, and he is left alone, forsaken by God, and having been forsaken, he co-opts others who are like himself, behaves erratically and causes all sorts of confusion. To many people he seems to be someone significant, but he very soon pays the deserved penalty to justice, and brings utter ruination upon himself, his household and his city. Now, since these matters have been ordained in this way, what should an intelligent person do, what should his resolution be, and what should he avoid?” 716 a

CLINIAS: Well, this much at least is obvious; every man should resolve to be included among those who follow after God.

ATHENIAN: “So, what conduct is dear to and follows after God? There is one, and there is an ancient account of this which says that like is dear to like,⁸ once there is due measure, while things 716 c

⁸ *Odyssey* xvii.218.

that are unmeasured are dear neither to themselves nor to the measured. Now, for us, God more than anything else would be the measure of all things, much more so than any “man” that some refer to.⁹ And someone who is to be dear to such a being as this needs to become like this himself, to the very best of his ability. And so, by this argument, he among us who is sound-minded is dear to God for he is like God, and he who is not sound-minded is unlike Him and at variance with Him, and so too is the unjust man, and the same argument also applies in general.”

“Now, there is another principle that follows from all these, and in my view it is the most exalted and truest principle of all: that, for the good person, to sacrifice to the gods and to commune with them constantly through prayers, offerings and every possible service of gods is the noblest, the best, and the most effective way to a happy life, and the most appropriate by far. But for the bad person, the very opposite is naturally the case, for he is impure of soul, while the good person is pure, and it is never right for a good man or god to receive gifts from the defiled. So, for the unholy, any great endeavour in relation to the gods is in vain, but for all those who are holy, it is always opportune. So this is the mark at which we should aim, but what are the missiles, so called, that should most correctly be fired, and from what bow should we fire them? Firstly, we maintain that someone intent upon piety would rightly hit the mark if he bestowed honours upon the gods of the earth, after honouring the Olympian gods and those that hold the city, thus bestowing the odd, the second, and the left-handed upon the gods of the earth, and the opposites of these, the superior, upon the other gods we just mentioned.¹⁰ After these gods, the wise would worship the daimons, and after these, the heroes, and close behind these, private shrines to ancestral gods, worshipped according to law. Then come the honours due to living parents, as it is proper that a debtor should repay the first and greatest of debts, the most ancient of all obligations. He should believe that whatever he has and holds, all belongs to those who gave him birth and reared him, and should be used to serve those people to the utmost of his ability, firstly with his wealth, secondly with his body, and thirdly with his soul. Thus, he repays their loans of care and the troublesome travails long past, lent to him in his earliest years, and now being returned to the elders in their old age, when they really need it.”

“What is more, throughout his life he should have and retain the utmost respect in addressing his own parents, because there is a heavy penalty to be paid for frivolous, ill-considered words, for Nemesis has been appointed as the messenger of Justice and overseer of all such matters.¹¹ So, if his parents get angry he should be submissive, and whether they express the anger in words or in deeds he should be forgiving, as it is only to be expected that a father who thinks he is being treated unjustly by his own son would be especially angry. And when his parents die, the most restrained funeral is the very best, neither exceeding the usual level of pomp, nor falling short of what his forefathers gave to their own ancestors. And, in like manner, every year he should render the services that bestow honour upon those who have already died, and he should show his respect for the departed, especially by preserving their perpetual memory unflinching and allocating them the appropriate measure of the fund that fortune provides. If each of us were to act in this way, and live by these precepts, we would reap the deserved rewards from the gods and those who are superior to us, and live most of our lives in hope and optimism.”

“By fulfilling his duties in relation to offspring, kindred, friends, fellow citizens, and any divinely ordained services to strangers, and through his interaction with all of these, a man should bring order to his own life and brighten it in the process. The system of the laws themselves, by persuading some people, and by just and forceful punishment of those

whose characters resist persuasion, renders our city blessed and happy with the counsel of the gods. Now, there are matters that do not lend themselves to being expressed in the form of a law, which a legislator who thinks as I do should and must address. In these cases, I think he should present an example for himself and for the people he is legislating for after he has worked through all the outstanding matters as best he can, and then make a start on enacting laws. In what form then are such matters best laid down? It is not at all easy to encapsulate these in a single formulation, or outline, as it were. But if we are able to attain any certainty about these matters, it would be in some such manner as follows.” 718 c

CLINIAS: What manner?

ATHENIAN: I would like the citizens to be extremely receptive towards excellence, and this of course is what the lawgiver aims for in all his legislation.

CLINIAS: Of course. 718 d

ATHENIAN: Well, I thought that what has already been said might prove somewhat useful in making the hearer listen to the exhortations in a more gentle and kindly spirit, provided the soul that receives them is not entirely savage. So, if this makes the person who hears it even a little kinder and easier to instruct, that is a most welcome outcome. For it is not very easy to come across people who are eager to become excellent to the greatest possible extent in the shortest possible time; they are not that plentiful. The majority of people make it plain that Hesiod was wise when he said that the path of badness is smooth, and no sweat is involved in taking it as it is very short. But of the path of excellence he says: 718 e

*In front of goodness the immortal gods
Have set the sweat of toil, and thereunto
Long is the road and steep, and rough withal
The first ascent; but when the crest is won,
'Tis easy travelling, albeit 'twas hard.*¹²

719 a

CLINIAS: Yes, I think he expressed that beautifully.

ATHENIAN: Very much so. But I would like to introduce something else for your consideration: the effect the preceding argument had on me personally.

CLINIAS: Proceed.

ATHENIAN: Let us have a discussion with the lawgiver and say, “Tell us, O lawgiver, if you really did know what we should do and say, isn’t it obvious that you would tell us?” 719 b

CLINIAS: Necessarily.

ATHENIAN: “Well, didn’t we hear you saying a little earlier that a lawgiver should not allow the poets to compose whatever pleases themselves? For they would never know when they are saying something contrary to the laws and doing harm to the city.”

CLINIAS: True.

ATHENIAN: Suppose then we were to speak on behalf of the poets. Would the following be a fair case to make?

CLINIAS: What case?

ATHENIAN: As follows. “There is an ancient story, O lawgiver, often repeated by ourselves with the agreement of everyone else, that a poet, when seated upon the tripod of the Muses, is out 719 c

⁹ The reference here is to Protagoras, an influential sophist, who was famous for having said that man is the measure of all things. His relativist doctrine is described in the *Theaetetus*. He has an eponymous dialogue.

¹⁰ This refers to the Pythagorean lists of opposites, which include odd/even, good/bad, right/left, male/female, among others.

¹¹ Nemesis was the goddess of retribution. She resented anyone who violated the natural order of things or possessed a given quality in excess.

¹² Hesiod, *Works and Days* 287–292, Lamb.

of his own mind. He is like a fountain, allowing whatever arises to flow forth freely, and since his skill lies in the realm of imitation, he must necessarily, by setting various characters in opposition to one another, often end up speaking in opposition to himself without knowing which of the contradictory positions is true and which is false. But it is not possible for a lawgiver to do this in a law; rather he must always present a single statement on a single matter, and not two statements about one matter. Consider this in the light of what you have just been saying. A funeral may be extravagant, it may be austere, or it may be moderate, but you chose one, the moderate one, and you prescribed this and favoured this one, pure and simple. But in my case, if an exceptionally wealthy woman in one of my plays were to give directions for her own burial, I would favour the extravagant funeral. But in contrast, a poor and miserly man would favour the shabby version, while a man of moderate means and moderate character would favour that very funeral.

“But in your case, you shouldn’t simply use the word ‘moderate’ as you did just now. No, you must say what moderation is, and the extent of it, or else accept that such a statement does not yet constitute law.”

CLINIAS: Very true.

ATHENIAN: So, does the person we appoint to preside over the laws add no preamble of this sort to the beginning of the laws? Does he just tell us, straight away, what we should do and what we shouldn’t, threaten us with a penalty if we disobey, and then move on to another law, without offering a single word of encouragement or persuasion to those who live under his law code? Just as one physician always treats us in one way while another treats us differently, and we remember both methods, so do we make a request of the lawgiver, just as children make requests of a physician, to treat us by means of the mildest method. Would you like us to give an example? Well, there are physicians and there are physicians’ assistants, whom of course we also call physicians.

CLINIAS: Certainly.

ATHENIAN: Well, they may be slaves or they may be free, but the slaves acquire their expertise under the direction of their masters through observation and experience, and not based on nature, which is how the free physicians have learned the skill themselves and instruct their own pupils. Would you accept that there are these two kinds of what we call physicians?

CLINIAS: Of course.

ATHENIAN: Now, are you also aware that the sick people in our cities include slaves and free, and that slaves are, for the most part, treated by slaves who either travel about or remain in their clinics? No physician of this sort ever gives any account of the particular diseases of the various household slaves, nor does he ask them for one. Having prescribed what seems best to him based on his experience, as if he knew exactly what to do, like an assertive tyrant he then jumps up and moves on to another sick slave, and in this way he provides some respite to his master in caring for sick people. The free physician, on the other hand, for the most part treats and looks after the diseases of those who are free, and scrutinises these from their inception according to nature. He interacts with the sick person and his loved ones, and he himself learns something from him, and at the same time, insofar as it is possible to do so, he instructs the sick person himself, and he does not prescribe anything until he has somehow won him over. Only then, while continually ensuring the co-operation of the patient through persuasion, does he attempt to complete the task of restoring him to health. Which of these two ways in which a physician cures people, or a trainer trains people, is better – the one that performs the single function in two ways, or the one that does it in one way only, the worst of the two, and annoys the patient in the process?

CLINIAS: The twofold approach is better by far, stranger.

ATHENIAN: Would you like us then to look at the twofold method and the simple method, operating in legislative activities themselves?

CLINIAS: I would, indeed.

ATHENIAN: Come on then, by the gods, what is the first law that the lawgiver would enact? Wouldn't he, according to nature, use legal regulations to set in order, first, the beginning of the generation of cities? 721 a

CLINIAS: Indeed.

ATHENIAN: Now, isn't conjugal union in marriage the beginning of the generation of all cities?

CLINIAS: Of course.

ATHENIAN: So enacting marriage laws first is likely to be the best way for any city to legislate correctly.

CLINIAS: Entirely so.

ATHENIAN: Well, let us first state the simple version, it would go somewhat as follows. "A man is to marry between the ages of thirty and thirty-five. If he does not, he is to be penalised by a fine or by loss of status. The fine is to be such and such an amount, and he will lose status in such and such a manner." So, in the case of marriage, let something like that be the simple version of the law and let the twofold version be as follows. "A man is to marry between the ages of thirty and thirty-five, recognising that there is a way in which the human race naturally partakes of immortality, a desire naturally inherent in everyone in various forms. Indeed, a desire to be famous and not lie anonymous in our graves when we die is a desire of this sort. Now, the human kind is, by nature, as old as time itself, its constant companion to the very end. It is immortal in the following way: by leaving its children's children behind, and being always one and the same, it partakes of immortality through the process of procreation. To withhold oneself from this intentionally then is always an unholy act, and whoever totally disregards wife and children is purposely withholding himself. Now, whoever obeys the law avoids any penalty, but the person who turns thirty-five without having married should be penalised an annual amount of such and such in case the solitary life might seem to be a source of profit and ease. And he is to have no share either in the rewards which the younger people in the city bestow from time to time upon their elders." 721 b 721 c 721 d

Having heard this longer version, along with the other one, it is possible in each case to form a view as to whether our laws should thus be double in length, at the very least, because they persuade and threaten at the same time, or simple and short because they only threaten. 721 e

MEGILLUS: The Spartan way, stranger, is always to prefer the shorter alternative. Yet if I were asked to act as a judge of these statutes of yours, and decide which of the two I would prefer to incorporate into my city's law code, I would choose the longer version. And, indeed, based on this model, given these two alternatives, I would make the very same choice in relation to any law. But let's not forget that Clinias here should also, I presume, approve of these legal arrangements, since the city that is now thinking of making use of such laws, is his. 722 a

CLINIAS: Well said, Megillus.

ATHENIAN: Now, it is extremely foolish to argue over whether the statutes are to be long or short, since we should value what's best rather than what is shortest or longest. In the laws just mentioned, one kind is not superior to the other in practical excellence alone. No, as we have just said, the example of the two physicians sets this out in the correct manner. And in this respect, no lawgiver ever seems to have realised that when it comes to legislation, they can make use of two approaches, persuasion and force, depending on the level of education 722 b

722 c of the broad mass of people. They make use of only one of these, since force is never combined with persuasion when they are enacting laws, they only use unalloyed force. But, good men, I can also see yet a third requirement in relation to laws, and it is never present nowadays.

CLINIAS: What requirement?

ATHENIAN: Something that has emerged by some divine guidance from the issues we have now been discussing. Indeed, since we began to speak about the laws, dawn has turned to high noon, we now find ourselves in this glorious resting place, and all the while we have been
722 d discussing nothing else but laws. And yet it seems to me that we are only now beginning to speak of laws, while all our previous discussions were but preambles to laws.

Why do I say this? I wish to point out that all speeches and other uses of the human voice have their preambles and what you might call ‘preliminaries’, providing an artistic introduction which helps with whatever is going to come next. And so, for instance, we
722 e place wonderfully intricate preludes before the so-called ‘nomos’ of a harp song or other musical compositions, but when it comes to actual ‘nomos’, those we refer to as civic laws,¹³ no one has so much as mentioned a preamble, or fashioned one and presented it for all to see, as if this is unnatural. But our exposition indicates that this is natural, I believe, and the laws I mentioned, that seemed to me to be twofold, are not really twofold in that simple sense. There are in fact two distinct things – the law and the preamble to the law. The tyrannical direction which we said was comparable to the directions of the physicians, who, we said, are not free, is law that is not mixed with anything else. But what’s said prior to this, the persuasive part as Megillus termed it, although it is indeed persuasive, serves the same function as a preamble does in relation to speeches. So it seems quite obvious to me that the entire persuasive discourse is delivered so that the person to whom the lawgiver presents the law will receive it in a spirit of goodwill, and, because of that, will easily understand his direction, which is the law. Therefore, according to my account of the matter, this should be referred to as a preamble to the law, and not as a statement of the law.
723 a
723 b

Now, having said all this, what would I like to say next? It is as follows. The lawgiver is always to see that the laws as a whole, and each of them individually, are not made without preambles. This will make as big a difference to the laws themselves as it did in the example of the two physicians.

CLINIAS: Well, I too would have us direct the lawgiver, who is knowledgeable about all this, to legislate in no other way.

723 c ATHENIAN: Yes, Clinias, I think you are putting that very well. There are preambles to all laws, and in setting about the legislative process, it is necessary to prefix to each law the preamble that naturally belongs to the subject matter as a whole since the pronouncement that follows this preamble is not trivial, and it makes a big difference whether it is remembered clearly or not. However, it would be wrong of us to insist that preambles must be provided for laws which are said to be important, and for minor laws too in like manner. Indeed, it is not necessary to do this for every song or speech, and even though there is a natural prelude for each, it need not be used in all cases; such a decision is left to the rhetorician, the musician, or the lawgiver himself, in each case.
723 d

CLINIAS: I think that’s very true, but, stranger, let’s not delay any longer. Let’s return to the argument, beginning, if that’s acceptable to you, from those assertions which you made then, though not as a preamble. So yet again, let’s repeat this once more from the beginning, this time as a preamble, rather than conducting a random argument as we did just now. “Better second time around”, as they say when playing games.
723 e

Enough has already been said about the honour and service due to gods and ances-

tors. So we should attempt to recount whatever comes next in order, until, in your opinion, the entire preamble has been stated adequately. Only then should you proceed to describe the laws themselves.

ATHENIAN: In that case, we are now saying that, in relation to gods, those alongside them and parents who are living or deceased, we provided an adequate preamble at the time. And, as I see it, you are now asking me, in a sense, to shed some light upon whatever has been left out of such considerations. 724 a

CLINIAS: Entirely so.

ATHENIAN: Well then, after such matters as these, isn't it both fitting and of great mutual benefit for the speaker and the listener to attain the best possible education by pondering just how serious or casual they should be about their own souls, their bodies, and their wealth? These are the issues we really need to speak of and hear of next. 724 b

CLINIAS: Correct.

¹³ There is a play on the Greek word *nomos* here, which can refer either to a musical melody, tune or strain, or to a law or custom.



Laws

— BOOK V —

726 a ATHENIAN: Give ear, then, all you who have heard just now about gods and the beloved ancestors. The most divine thing that anyone possesses, after gods, is soul, his closest kindred. All things that ever belong to anyone are of two kinds: the superior and better acting as masters, and the inferior and worse acting as servants, and those that act as master should always be held in higher esteem than those that serve. Accordingly, I say that a person's own soul should be accorded a

727 a place of honour second only to the gods and those who follow in their train, and I am right to encourage this. Yet none of us really bestows honour in the correct way, although we think we do. For honour is presumably a divine good, and nothing bad is worthy of honour, and anyone who believes he is exalting his soul with some words or gifts or indulgences, while making it no better than it was before, thinks he is bestowing honour when he is doing no such thing.

727 b Every child, for instance, no sooner comes to manhood than he believes he is capable of understanding everything, so he imagines he is honouring his own soul once he is praising it, and he eagerly grants it licence to do as it pleases. But we are now saying that by acting in this way he is harming his soul rather than honouring it, when, according to us, soul should be second in honour only to the gods. Again, whenever a person presumes that other people, and not himself, are consistently responsible for his own transgressions and his many significant vices, while he always

727 c holds himself blameless thinking he is honouring his own soul, he is really doing no such thing. He is, in fact, harming his soul. Similarly, when he indulges in pleasures contrary to the direction and encouragement of the lawgiver, he is not honouring his soul at all but dishonouring it by filling it with woes and regret. And again, in the opposite case, when someone won't make an effort to endure the approved hardships and fears, travails and sufferings, but gives in, his capitulation does not honour his soul. Indeed, all behaviour of this sort brings dishonour.

727 d Nor indeed does he honour his soul when he imagines that being alive is good under any circumstances. Rather, he dishonours it, for his soul then forms the view that everything that happens in the other world is evil. And he goes along with this notion instead of resisting it by instruction and refutation because the soul does not really know if, on the contrary, the greatest goods of all for us are to be found in the realm of the gods of that place. And, indeed, whenever someone honours some earthly beauty above excellence, this is the same as dishonouring the soul completely

727 e and utterly, as it is tantamount to declaring falsely that the body is more honourable than the soul. Indeed, nothing earth-born is more honourable than the heavenly, and whoever forms any other opinion about the soul has no idea how wondrous a possession he is despising.

728 a Again, when someone loves acquiring wealth by base means, or has no qualms about doing so, he is not honouring his soul with such gifts. Far from it; he sells his soul's treasure and nobility for a little bit of gold. But all the gold on earth, or beneath the earth, is not as valuable as excellence. So, to sum it all up, once the lawgiver has set out in detail what is disgraceful and evil on the one hand, and what is good and noble on the other, whoever is not prepared to refrain from

the one by every means at his disposal, and practise the other to the utmost of his ability, does not realise that in doing all this he is heaping vile dishonour and deformity on his most divine possession, his soul. 728 b

For no one really takes account of the greatest judgement, so called, passed upon evil-doing: to become like unto men who are already evil, and having become like this, to flee from and avoid good men and good words, and pursue the other sort of people, cleave to them and keep their company. But in consorting with such people, he inevitably does what they naturally do, and experiences what such people naturally experience and say among themselves. Now this state of affairs does not constitute justice, since justice and what's just are noble. It is, rather, a punishment, a consequence of wrong-doing, and the person who meets with it and the person who does not, are both wretched; in one case because he is not cured, in the other because he is undone so that many others may be saved. But for us, honour consists, generally speaking, in following the better and doing our utmost to improve the worse when it can be improved. 728 c

Now, when it comes to fleeing from evil and following the trail of the utmost excellence, choosing that and then living the rest of one's life in communion with that, a human being has no possession more naturally suited to the purpose than soul. That is why we assigned it second place in terms of honour, while third place, as anyone would recognise, goes to the honour that naturally belongs to the body. Furthermore, it is necessary to consider the various honours, which of them are true and which are spurious. This is the role of the lawgiver. 728 d

Now, as I see it, he will declare these honours to be as follows and of the following kinds. The body that is worthy of honour is not the one that is beautiful or strong, nor the one possessed of speed or stature, nor indeed the one that is healthy, even though this is what most people think. Nor are bodies of the opposite sort to be honoured either, but those that occupy a middle position are the most sound-minded and safest by far, while the other two make people's souls conceited and arrogant in one case, and submissive and slavish in the other. The same holds for the acquisition of wealth and possessions, and the same ranking in terms of honour applies too. For excess of each of these brings about enmity and faction, in public and in private, while their deficiency, for the most part, leads to slavery. Let no one then covet wealth for his children's sake so that he may leave them as wealthy as he possibly can, since this is good neither for them nor for the city. Indeed, unflattering wealth that still provides for our needs is what's best of all, and most musical, for the young. For it is harmonious and it suits us and ensures a life that is free from pain in every respect. 728 e

We should bequeath to our children a great sense of reverence, rather than gold. We imagine that we shall bequeath this legacy to the young if we chastise them when they are disrespectful, but the exhortation used nowadays, which declares that the young must be respectful to everyone, won't bring this about. The thoughtful lawgiver would, rather, exhort the older generation to show respect for the young, and to be careful above all else lest any of the young folk ever see an elder, or even hear tell of him, doing or saying anything shameful, because where the old have no shame, the young in that place are also inevitably devoid of reverence. Indeed, the best education of the young, and of ourselves, consists not in admonishment, but in being seen to exemplify in practice throughout one's life, the very directions we use when admonishing others. 729 a

Someone who honours and respects all his kindred who share the family gods and naturally have the same blood, would, within reason, retain the favour of the birth gods in the procreation of his own children. And, indeed, we would secure the goodwill of friends and companions in daily affairs by regarding their services to us as more significant and important than they themselves regard them, and, conversely, by reckoning our own kindnesses to friends as less significant than our friends and companions themselves regard them. Again, in the case of the city and its citizens, the best person by far is the one who, in preference to a triumph at the Olympic games, or 729 b

729 e in any other military or more peaceful contests, would prefer to be famous for service to the laws of his own land as someone who, throughout his entire life, rendered them more outstanding service than any other man.

Furthermore, when dealing with foreign people, he should bear in mind the special sanctity of contracts. For almost all offences against strangers, in contrast to those against fellow citizens, rely more upon a god's vengeance, since the stranger, bereft of companions and kindred, is more at the mercy of gods and humans. So, whoever is able to exact vengeance comes to his aid much 730 a more eagerly, and the one who is especially able to do so is the daimon or god of strangers, the attendants of Zeus Xenios. Anyone, then, with even a little foresight will go through life to the very end, taking the utmost care to avoid committing any offence against strangers. What's more, the greatest offence against foreigners or fellow countrymen is, in each case, the one that affects supplicants of a god. For the god whom the supplicant called as witness when he entered the agreement becomes the special guardian of this victim, so he would never suffer an offence without vengeance being exacted for the wrongs done to him.

730 b We have now reviewed, quite comprehensively, all dealings with one's parents, with oneself, the city, friends and kindred, strangers and fellow countrymen. After this, we need to describe what kind of person one should be to live the most noble of lives. So, we should proceed to speak not of what the law brings about, but of what education achieves through praise and blame in making each person more receptive and well disposed towards the laws we intend to enact. These are 730 c our next topics. Now, of all goods, among gods and among humans, truth is the leader, and if anyone is to become blessed and happy, let him share in this from the very beginning so that he may spend as much of his lifetime as possible living as a man of truth. For such a man is faithful, but he who loves intentional falsehood is untrustworthy, and he who loves unintentional falsehood is a fool, and neither of these are enviable. For every untrustworthy or ignorant person is friendless, and as time passes and he is recognised for what he is, in the challenges of old age he isolates himself completely as life's end draws nigh. And so, it makes no difference whether his companions 730 d or children are still alive or not, for he lives almost as if he has none.

Someone who does no injustice is worthy of honour, but someone who does not allow the unjust to act unjustly deserves twice as much honour, nay more. For the former is worth as much as one person, while the latter, who discloses the injustice of others to the rulers, is worth as much as many others. But he who also does his best to assist the rulers in chastising the unjust is a great and perfect man in the city, who should be awarded the prize for excellence by popular acclaim. 730 e And the very same praise also applies to sound-mindedness and wisdom, and indeed to any other goods which, once acquired, can be held by the person himself and passed on to others too. Whoever passes them on should be honoured to the utmost, while second place should go to someone who wishes to do so but lacks the ability. But anyone who holds back and does not willingly 731 a share any of the goods with anyone else in a spirit of friendship is someone who should himself be censured, while showing no less honour for the good he acquired, just because this fellow acquired it.

Every one of us should be ambitious for excellence without a hint of jealousy, since a person like this makes a city great by exerting himself personally, while at the same time not impeding others by slandering them. But the jealous type, thinking that he has to get the better of others by slandering them, exerts himself less in pursuit of true excellence, and creates despondency 731 b among his rivals by criticising them unjustly. By doing so he makes a weakling of the whole city when it comes to competing for excellence, and, for his part, diminishes its good reputation. Indeed, every man should be spirited, and gentle too, as far as in him lies. For there is no escaping the dangerous, intractable and, indeed, entirely irremediable injustices of others in any other way than by being triumphant in doing battle and defending oneself against them, and by relentless

chastisement. And this is an impossible task for any soul devoid of noble wrath.

731 c

As for the injustices of those who act unjustly but whose injustices can be remedied, we need to recognise, firstly, that no one who is unjust is deliberately unjust. For no one anywhere would ever deliberately end up possessed of the greatest evils, least of all in his own most honoured possession. And soul, as we have said, is, in truth, everyone's most honoured possession, so no one should ever deliberately take the greatest evil into this most honoured place and live his life possessed of that. Now, the unjust person who is possessed of evils deserves unreserved pity, and in the case of someone possessed of remediable evils, there is scope for pity, gentleness and restraining one's anger, rather than raging bitterly like a shrew. But in the case of an evil and corrupt person who does not respond to any entreaties at all, it is necessary to let the anger loose. And that's why we say that it is appropriate and necessary for the good person to be both spirited and gentle, as the occasion demands.

731 d

The greatest of all evils, innate in the souls of most human beings, is one that everyone makes an excuse for, in his own case, and makes no effort to avoid. It consists in the assertion that every person is by nature a friend to himself, and that this is the way things should be. But the truth of the matter is that the source of all faults in each person, in every case, lies in this intense self-love. For the lover is blind to the faults of the beloved, so he is a poor judge of what's just and good because he believes he should always honour his own above the truth. But a man who is to be a great man must cherish, not himself or what belongs to himself, but what's just, either in his own actions, or indeed in the actions of others. From this same fault is born the universal conviction that our own ignorance is wisdom, and so we, who in a sense know nothing, imagine that we know everything. And since we don't rely on others to do whatever we ourselves don't know, we inevitably make mistakes in doing this ourselves. That's why everyone must flee from this intense self-love, and always keep with someone better than himself, without feeling any shame in doing so.

731 e

732 a

732 b

But there are lesser precepts than these that are just as useful. They are frequently quoted and should be recited as a reminder to oneself. For there must always be some influx corresponding to any outflow, and memory is an influx of wisdom that had previously left the soul. That is why excessive laughter and tears must be avoided, and everyone should encourage everyone else in this. One should try to show composure by completely concealing all excessive joy and sorrow, whether our own daimon is set fair, or it turns out that we face an uphill struggle in certain situations and the daimons face opposition. So we must have constant hope that the goods bestowed by God will lessen the pains that befall us, and change our present predicament for the better. And in relation to the goods themselves, we must hope that these, and good fortune too, will always be ours, rather than all these pains. Everyone needs to live with these hopes and constant reminders of all such precepts unstintingly, clearly reminding both himself and his fellows, in work and in play.

732 c

732 d

At this stage, as far as divine considerations are concerned, we have dealt quite well with the activities that should be engaged in, and the sort of person each individual should be. We have not dealt with the human considerations so far, but we should do so since we are discussing human beings rather than gods. Pleasures, pains and desires are most natural to humanity, and every mortal creature really is, in a sense, inevitably dependent and reliant upon such powerful influences. So we should praise the very best life, not only because of its superior outward reputation, but also because, if anyone is prepared to taste it and not take flight from it in his younger years, it also proves itself superior in providing what everyone is seeking, more delight and less pain, all the days of our life. It is easy to show without doubt that this will be the obvious outcome, provided such a life is tasted in the correct manner. But in what does the correctness consist? This is what we must now consider, guided by our argument.

732 e

733 a

We need to decide, by comparing the more pleasant life with the more painful, whether the

life conforms to our nature in one case, and goes against our nature in another. We should proceed
 733 b as follows. We want pleasure, and we do not choose pain, nor do we want it, nor do we want neither
 in preference to pleasure, but we do want this neutral state, instead of pain. We want less pain
 along with more pleasure, and we do not want more pain along with less pleasure, and when both
 are present in equal measure we find it hard to make a decision. And when it comes to desire, all
 733 c these factors, and their quantity, magnitude, intensity and equality, and all the opposites of these,
 make a difference, or do not make a difference, to our choice in each case. Now, with all these
 arranged as they must inevitably be arranged, the life in which there are lots of pleasures and pains,
 great and intense, and in which the pleasures predominate, is the one that we want, not the one in
 which the pains predominate. Then again, when there is not much of either, and they are mild and
 minor but the pains predominate, we do not want that life, but when pleasures predominate, we
 do. Furthermore, we should think of the life in which pleasures and pains are in balance, just as
 733 d we did earlier. We want it insofar as it involves a predominance of what we like, and we do not
 want it insofar as it involves a predominance of the opposite. We should, then, think of all our
 lives as bound by nature within these confines, and should think about the kinds of lives we natu-
 rally want. And if we assert that we want anything that lies outside of these confines, we are saying
 so out of ignorance and inexperience of the realities of our lives.

So how many lives are there and what are they like? From among these, a man must make
 733 e his choice between the desirable and undesirable, by reviewing them and turning his decision into
 a law for himself. And by selecting what he likes, and what is pleasant, what is noblest, what is
 best at the same time, he should live the most blessed life available to humanity. Now, we should
 say that the sound-minded life is one, the wise life is another, as is the courageous life and the
 healthy one. And, as opposites of these four, there are the lives of folly, cowardice, licence and
 734 a disease. Whoever understands the sound-minded life will count it as gentle in every respect, mild
 in its pains and pleasures, calm rather than frenzied in its desires and passions. The life of licence,
 however, he will count as harsh in every respect, intense in its pains and pleasures, impetuous and
 frantic in its desires, with passions that are mad in the extreme. And he will recognise that in the
 sound-minded life, the pleasures exceed the pains, whereas in the life of licence, the pains exceed
 the pleasures in their magnitude, quantity and frequency. And so it follows, naturally and of neces-
 734 b sity, that one life proves to be more pleasant, the other more painful, and anyone who wishes to
 live pleasantly no longer has the option of living a licentious life. Rather, as is obvious by now, if
 what we are saying is right, any licentious person is necessarily licentious unintentionally. Indeed,
 it is either through ignorance or lack of self-control, or both, that the broad mass of humanity live
 lives devoid of sound-mindedness.

And we should think of healthy and diseased lives in the same way; they both involve pleas-
 734 c ures and pains, but in health the pleasures exceed the pains, and in disease the pains exceed the
 pleasures. Now, our intention in choosing between lives is not that pain should be prevalent, the
 life we have adjudged most pleasant is the one where the very opposite is the case. So we would
 maintain that both the desires and the pleasures are fewer, smaller and less frequent in the sound-
 minded life than in the licentious life, in the wise life than the foolish one, in the courageous one
 than the cowardly. But in each case the former exceed the latter in pleasure, while the opposite
 734 d applies to pain. So the courageous life wins out over the cowardly, and the wise over the ignorant,
 and comparing the lives with one another, the sound-minded, the courageous, the wise, and the
 healthy are more pleasant than the cowardly, the ignorant, the licentious and the diseased. To sum
 up then, the life of excellence in body or soul is more pleasant than the life of degeneracy, and it
 is superior, in general, in its extraordinary beauty, rectitude, excellence and reputation, and it makes
 734 e anyone who possesses this happier in life than his opposite in every respect.

Thus far, having presented the prelude to our laws, let us end that discussion here. After the

prelude, the ‘melody’¹ should, I presume, inevitably follow, or, in truth, a sketch of the legal and civic arrangements. Now, to use an analogy, in the case of a web or any woven fabric, the woof and the warp cannot be made from the same thread since the kind of thread used for the warp needs to be superior in terms of excellence. For the warp is tougher and has a certain firmness of character, while the woof is softer and, to an appropriate extent, yielding. On this basis, then, we should make a reasonable distinction along similar lines, between those who hold positions of authority in our cities and those whose education has been less testing. For there are, you see, two components of a political system – the appointment of individuals to positions of authority, and providing those in authority with laws. 735 a

But there is something we need to think about before any of these matters. A shepherd, a cowherd, a horse-breeder or the like, taking charge of any herd, will never set about caring for them until he has performed the appropriate purification on each community of animals. Having separated those that are healthy from those that are not, and the noble from the ignoble, he will send the second group off to various other herds and care for the remainder. This is because he realises that such care would be a futile and never-ending exercise in the case of bodies and souls that have been corrupted by nature or poor nurture. He would recognise that the corrupt types will also corrupt those who are healthy and unblemished in body and in behaviour in every herd unless the existing stock is properly purified. Now, in the case of the other animals, this is less important and only merits mention in our argument for the purposes of illustration. But in the case of human beings, it is of the utmost importance for the lawgiver to seek out and proclaim, in each case, what’s appropriate in relation to purification and all of his other dealings with them. For instance, in the case of purifications of a city, many means of purification are available, some milder, some more severe, and the lawgiver who is also a tyrant would be able to use the severe purifications, which are also the best. But a lawgiver without tyrannical power, when establishing a new political system or laws, would be content if he could effect even the mildest of purifications. Yet, the best method, like the best medicines, is painful, and it effects punishment by justice combined with vengeance, which is taken to the ultimate point of exile or death, and usually rids the city of the most serious transgressors who are incurable and do her the greatest harm. The more gentle of the purifications might be described as follows. There are people who, from want of basic sustenance, show themselves ready and willing to follow their leaders in an assault by those who have not on those who have. These are regarded by the lawgiver as a disease sprung up in the city, and he banishes them in as kindly a spirit as possible to a colony in what he euphemistically calls “a removal”. Now, every lawgiver must, somehow or other, do this at the very outset, but for us the present circumstances are even more straightforward, since at the moment we do not have to devise a colony or make a selection for the purposes of purification. In our case, it’s as if waters from various springs and winter torrents are flowing together into a single pool, and we need to concentrate on ensuring that the converging water will be as pure as it can possibly be by drawing it off in some cases, or channelling and diverting it in others. 735 b
735 c
735 d
735 e
736 a
736 b

There is, it seems, hard work and risk involved in any civic arrangement, but since our present endeavours are theoretical rather than practical, let’s assume that the selection has been completed and that the purity has been satisfactorily secured. For once we have tested the bad people who are attempting to enter the city and live there as citizens by means of extensive persuasion and sufficient delay, we may then refuse them admission. But we should welcome the good people in the best possible spirit of goodwill and graciousness. 736 c

Let us not overlook the fact that we ourselves have met with the same good fortune we

¹ There is an untranslatable play here upon the word *nomos*, which refers both to a musical melody, tune or strain, and to a law.

referred to earlier in the case of the Heraclid colony² – escape from terrible and dangerous strife over land, the cancellation of debts and the distribution of property. When a city, established of old, is compelled to legislate for such strife, it can neither leave things as they are, nor is it able to effect any change, so the only thing left is something like ‘aspiration’ and gradual cautious change over many years, advancing little by little, as follows. Among the agents of change, there should always be people who have acquired a lot of land, who have many debtors and are willing to be reasonable and share wealth with those debtors who are in distress. So they forgive debts and redistribute land, adhering somehow or other to measure, convinced that poverty consists, not in reduced wealth, but in increased greed. For this conviction is the greatest source of security for a city, and on such a firm foundation it is possible to build whatever political order may be constructed thereafter, appropriate to such an arrangement as this. But when this transition falters, any subsequent political progress, in any city, will be fraught with difficulty.

Now, although we say we have escaped this strife, it is only right to explain how we might have extricated ourselves if we had not escaped it. So let us now declare that combining justice with freedom from avarice is the only means of deliverance. There is no other way out, broad or narrow, besides this, and we should let this principle be like a mainstay of our city. Indeed, we should somehow or other ensure that property does not provide grounds for dispute among various parties, otherwise anyone with even a little intelligence will refuse to proceed, unless he has to, with a civic arrangement for citizens among whom there are disputes of ancient date. But God has given us a new city to found, one in which there are, as yet, no mutual enmities. So it would be the height of depravity and human folly if founders in such a situation were, themselves, to cause enmities through their distribution of land and houses.

Well then, what would be the correct way to make the distribution? First we must determine what the total size of the population should be. After this, we should come to an agreement on the distribution of the citizens, and the number and size of the subdivisions into which they are to be divided. Land and houses should then be distributed as equally as possible to these subdivisions. An adequate population size could not be correctly decided without referring to the land and to the neighbouring cities. There should be enough land to sustain a particular number of sound-minded people; no more is needed. Their number should be sufficient to be able to defend themselves when they are being wronged by neighbouring peoples, and capable of giving some assistance at least to their own neighbours when they too are being wronged. When we have surveyed their land and its neighbours, we shall define all this in practical terms with supporting arguments, but for now our argument should proceed to complete our legislation as a sketch and an outline.

Let us assume, as an appropriate number, that there are 5,040 landholders and defenders of the territory, and let the land with its houses be divided, likewise, into the same number of parts so that the citizen and his allotment are counted together. Let the first division of the entire number be into two parts, then into three. In fact, it is naturally divisible also by four, five, and all successive numbers up to and including ten. This much then must be understood by every man involved in law-making – what number and what kind of number would be most beneficial to all cities. Let’s choose the number that possesses the greatest amount of immediately consecutive subdivisions. Now, although number as a whole contains all possible divisions for all purposes, 5,040 can be divided, for military or for peaceful purposes related to any contracts and joint endeavours involving taxation and grants, into fifty-nine divisions and no more, the first ten being consecutive.³

Now, all of these numerical relations should be thoroughly understood at leisure by those whom the law directs to do so. They are, indeed, as I have said they are and not otherwise, and a founder of a city should be told these for the following reasons: when constructing a new city from scratch, or reforming an old and thoroughly corrupted one, in relation to its gods and those sacred

places which should be founded in the city, and when deciding which of the gods or divinities each should be named after, no one in his right mind shall attempt to alter anything that is based upon guidance from Delphi or Dodona or Ammon,⁴ or certain ancient accounts that convinced some people of apparitions that had taken place, or divine revelations that had been reported. Having been convinced, people established sacrificial practices combined with rites, either from that very locality or imported from Etruria or Cyprus, or somewhere else, and on the basis of such reports they consecrated oracles, statues, altars and shrines, marking off sacred precincts for each of these, none of which should be changed in the slightest by the lawgiver. To each of the places a god or daimon, or even a hero, should be assigned, and in the division of the land, special precincts and everything appropriate should be assigned to them first. As a result, gatherings of the various parts, taking place at regular intervals, would provide an opportunity for people to satisfy all kinds of needs and develop a friendly spirit towards one another, thanks to the sacrifices, and become familiar and get to know one another, and there is no greater good for a city than people knowing one another. For where people are in the dark about one another's characters, and they have no light, no one will ever get the honour he rightly deserves, or the positions of authority, or the justice he is entitled to. So every citizen in every city should strive above all else to ensure that he himself never proves false to any man, is always simple and true, and never falls foul of deception by anyone else.

Now, our next move in the settling of the laws is an unfamiliar one, somewhat akin to a draughts player departing from the sacred line, and it will probably cause surprise at first hearing. Nevertheless, through reflection and experience, it will be evident that a city is likely to be founded in the second best way. Yet someone might, perhaps, refuse to accept this because he is not familiar with a lawgiver who does not have tyrannical power. But the most correct course of action is to describe the best political system, then the second best, and then the third best, and having done so, leave the choice to the person in charge of the settlement. So let's follow this procedure now, and describe the political system that is first in excellence, then second, then third. The choice, for now, should be given to Clinias, and if anyone else ever, at any stage, when faced with a selection between such alternatives, wishes to adopt what he likes from his own native land, he too should be allowed to do so in his own way.

The foremost city with the most excellent political system and laws is one where the ancient maxim prevails as widely as possible throughout the entire city, that friends really do have all things in common. So this principle, whether it applies somewhere now or will ever apply in the future, means that women are in common, children are in common, and all possessions are in common too, and what we call 'private' is entirely eradicated by all possible means from every aspect of life. And it has been contrived, as far as possible, that even what is naturally private such as eyes, ears, and hands, seem to see, hear, and act in common. And what's more, everyone expresses their praise and criticism as one, insofar as this is possible, being delighted or pained by the same things. Those laws which unify the city as much as possible set the standard, and no one will ever suggest an improvement on these by proposing any other standard better or more conducive to excellence. And whether a number of gods, or the sons of gods, manage such a city, they dwell there in this way, living lives of good cheer. Hence, we should not look anywhere else for an ideal political system but should hold to this and do our best to seek out the one that is most like this one. The political system we have just attempted would, if it were ever to come into existence, be

² The Heraclids were the Dorians who controlled Argos, Messene and Sparta.

³ 5,040 is divisible by all numbers from one to ten, but not by eleven. It is divisible by a total of fifty-nine numbers.

⁴ These three sites all housed influential oracles. Delphi was dedicated to Apollo, Dodona to Zeus, both situated on mainland Greece; the third was dedicated to the Egyptian god Ammon, and located at the oasis of Siwa in the Libyan desert.

closest to immortality, and second in terms of unity. After these two, we shall, God willing, consider the third best. At the moment, the question for us is what is this second best and how would it come to be like this?

740 a First then, let them portion out the land and houses, and not work the land in common, since an undertaking of this sort is beyond their present birth, upbringing and education. But let the division be made based on the principle that the person who is allotted a portion should regard this as the common property of the entire city, and since the region is his fatherland, he should care for it more than a mother for her children, as the earth, being a goddess, is the mistress of all mortal creatures. And he should hold the same idea too in relation to the gods and daimons of the
740 b locality. And so that this state of affairs may persist for all time, the following precepts should be added. The number of hearths, as we apportioned them at the outset, should always remain at this number and neither increase nor decrease at all. The way to ensure that such an arrangement is fixed, in the case of any city, is as follows: whoever has been allocated the portion is always to leave after him, from among his own children whichever one he most prefers, a single inheritor
740 c of this holding, his successor too in attending to the gods of the family and city, be they alive or already deceased by then. As for the other children, when someone has more than one child, the female children should be given in marriage under a law, yet to be instituted, while the males are to be allocated, as sons, to fellow citizens who have no offspring, preferably on terms of friendship.

740 d But there may be cases where friendly arrangements are not available or there are too many children, male or female, or where, on the contrary, there are too few due to infertility. In all these cases, the most important and revered official we have appointed, having considered what should be done about the excesses and deficiencies, shall contrive as best he can some means whereby the 5,040 holdings will always be constant. There are many means of doing so, for there are various ways of curtailing procreation in cases where it is excessive, and on the other hand there are deliberate encouragements to having lots of children through the respect or disrespect
740 e shown to young people, and through admonitions and words of warning from their elders. All of these means are capable of producing the outcome we refer to. And, indeed, if in the end we fail completely to maintain the number of holdings at 5,040, because the affectionate disposition of couples towards one another results in excessive growth in the city's population, and we are completely at a loss, an age-old device is at our disposal, one we have often mentioned – sending out colonies, suitably constituted, in a spirit of friendship on both sides. But if, on the contrary, some
741 a wave of disease ever deluges us, or we are struck by the ravages of war and fall below our appointed number because of the loss of life, we should never, unless forced to do so, take in citizens who have been poorly educated. And yet, as the saying goes, even God cannot stand against necessity.

Let us imagine, then, that our present argument is advising us in the following terms. O most excellent of all men, never relent in your respect, according to nature, for likeness, equality,
741 b sameness, and agreement, based upon number and any power belonging to things noble and good. In particular, now guard first and foremost, the number, as declared, throughout your entire life. Then respect the level and extent of your wealth as allocated to you initially in due measure, and don't dishonour it by its purchase and sale among yourselves, or else you won't have the lot, which is a god, as your ally, nor the lawgiver either. For firstly, in the case of someone who is disobedient,
741 c the law now gives a direction by saying, initially, that whoever wants to is to take the lot on the following conditions or not take it all. First, that the land is sacred to all the gods; secondly, that the priests and priestesses shall offer prayers at the first, second and third sacrificial offerings. Whoever buys or sells allotted buildings and land is to suffer the appropriate penalties, which the officials shall inscribe on cypress wood memorials and place in the sacred places as a record for

the future. What's more, they will give oversight of these matters to ensure their observance to whichever authority seems most keen-sighted so that any departures from these directions that occur from time to time may not escape their notice, and they may punish whoever disobeys the law and God. Just how good the present injunction actually is for all the cities that obey it, provided the appropriate arrangement has been adopted, "no one bad will ever know", as the proverb says, but only someone who has become experienced and reasonable in his behaviour. In fact, under such an arrangement as this, money-making is largely absent, and consequently no one is either required or allowed to make money from any vulgar commercial activities insofar as any so-called base and reprehensible occupation subverts free character, nor would anyone sink so low as to amass a fortune from such occupations as these. 741 d 741 e

Furthermore, an additional law follows from these directions, stating that no private citizen is allowed to hold any gold or silver, but only coinage for the purposes of the day-to-day exchange, which is more or less unavoidable in the case of craftsmen and anyone at all who needs to pay wages of this sort to wage earners, be they slaves or foreigners. For these purposes, we maintain, they need to have a currency that is valuable among themselves, but which has no value to other peoples. And there is to be a common Greek currency for use on foreign campaigns and expeditions, such as embassies, or any other necessary missions on behalf of the city where there is a need to send someone abroad. For these purposes, it is necessary that the city always holds a common Greek currency. And if it ever proves necessary for someone to go abroad for private reasons, he should travel, having secured the permission of the officials, and if he comes back home with surplus foreign money from that place, let him deposit this in the city coffers and receive the equivalent in local currency in return. And if someone is found to be keeping the funds for himself, they should be confiscated by the state, and anyone who is aware of this and says nothing is to be cursed and reproached, along with the person who brought in the money, and, in addition, incur a fine not less than the amount of foreign currency involved. When marrying or giving in marriage, let no dowry whatsoever be given or received, let there be no depositing of money with someone who is not trusted, and no lending at interest either, as this permits the borrower to repay neither interest nor principal to the lender. 742 a 742 b 742 c

Whoever considers these practices in the right way, by referring to their principle and intention, would come to the conclusion that these are the best practices for the city to adopt. We maintain that the intention of the reasonable statesman is not what most people say it is. They would claim that the intention of the good lawgiver should be that the city he legislates for so benevolently, be as great as it can possibly be, and as wealthy as possible too, possessing silver mines and gold mines, and ruling over as many peoples as possible by land and by sea. And they would add that someone who legislates in the correct manner should intend that the city be as excellent and as happy as possible. Now, some of these objectives are possible, while others are not possible, and whoever is organising things will intend what's possible and will not entertain vain intentions, nor attempt what is impossible. Now, it is well-nigh inevitable that happiness and goodness go together, so he would want this combination. But the combination of extreme wealth with goodness is impossible, based, at any rate, on the popular definition of wealth. And most people say that the wealthy are the rare few who acquire possessions that are worth a lot of money, which are just what a bad person would acquire. 742 d 742 e

But if this is the situation, I would never agree with them that the wealthy person is, in truth, happy unless he is also good, but being exceptionally good and being exceptionally wealthy too is impossible. "Why so?" someone might perhaps ask. Because, we would reply, what's acquired from a combination of just and unjust actions is more than double what's acquired from just actions alone, while the expenditure of someone who is unwilling to spend, either in a good way or in an ignoble way, is less by half than that of good people who are willing to spend on what's good. 743 a 743 b

Therefore, those who acquire twice as much and spend half as much would always be wealthier than those who do the exact opposite. And although the second of these fellows is good, the other is not evil as long as he is frugal, but on occasion he is utterly evil, although as I have just said, he is never good. For whoever acquires in a just way and in an unjust way, and spends neither in a just way nor in an unjust way, is wealthy as long as he is also frugal, but the utterly evil person, 743 c being for the most part beyond redemption, is extremely poor. But someone who spends on what is good, and acquires only from just actions, would never easily become exceptionally wealthy or extremely poor either. And so our argument is correct to say that the very rich are not good, and since they are not good, they are not happy either.

Now, the intention of our laws is that the citizens be as happy as possible, and as friendly to one another as possible. But the citizens could never be friends where they take lots of legal 743 d actions against one another and injustices proliferate, but only where these are minor and very infrequent. We maintain, then, that there should be neither gold nor silver in the city, nor should there be a lot of money-making from base activities, nor from interest, nor from fattening deformed livestock, but only as much as land cultivation yields or provides, and only so much that people do not get absorbed in money-making and neglect the natural objects of the wealth which are soul and body, and these are of no account, ever, in the absence of physical training and education in 743 e general. That is why we have said, not just once, that the pursuit of wealth should occupy last place in the scale of honour. For although every human being has three general concerns, concern with wealth pursued in the right way is third and last in the scale, concern with the body is second, but first in the scale is concern for the soul. And, indeed, if the political system we are now describing were to assign honours according to this scale, it would have enacted its laws in the right way. But if any of the laws enacted afterwards turns out to be granting more honour to health than to 744 a sound-mindedness, or more honour to wealth than to health and sound-mindedness, the enactment is patently flawed. So the lawgiver should ask himself on a regular basis, “What is my intention, and am I achieving this or missing the mark?” And in this way, he would perhaps complete the task of legislation himself and relieve others of that responsibility. There is no other way whatsoever to do so.

Let the person who has been assigned a lot hold it then, as we say, under the conditions we have outlined, and it would be good if each person who arrived in our colony also had all their other possessions equal. But since this is impossible, and one person will arrive with more wealth, another with less, it is necessary for various reasons and for the sake of equality of opportunity in our city, that there be unequal property valuations. And so, positions of authority, taxes and grants would reflect the honour that each person deserves not merely on account of his own excellence 744 c or that of his ancestors, or his physical prowess and good looks, but also because of how much wealth a person does or does not have. And they obtain honours and positions of authority on as equal a basis as possible by measured inequality, and there would be no quarrelling. For these reasons, we must create four property qualifications on the basis of size, called the first, second, third and fourth, or by some other names, to be used when people remain in the same valuation, or 744 d change from being poor to being wealthy, or from being wealthy to being poor, and end up in the valuation appropriate to themselves.

The kind of law I would enact as a consequence of these considerations would be this. We say that it is necessary in a city that is to avoid the virulent disease which might more correctly be called division rather than faction, that there be neither grievous poverty nor extreme wealth, both of which give rise to both outcomes. So the lawgiver now needs to declare some limit for each of 744 e them. Let the limit of poverty then be the value of the lot. This must remain, and no one in authority or any other citizen who aspires to excellence should ever ignore any reduction of this, in any case, nor should any other citizen who aspires to excellence. Having put this measure in place, the

lawgiver will allow some to acquire twice, three times, or even as much as four times this measure. But if anyone acquires more than this by discovery, as a gift or from commerce, or has come into possession of wealth in excess of the measure by some other good fortune of this sort, he shall keep his good reputation and his innocence if he hands the surplus over to the city and the gods of the city. But if someone disobeys this law, anyone who wishes may disclose the fact in return for half the surplus, while the offender shall pay out of his own resources a fine equal to the surplus, and half shall go to the gods. Everyone's resources, in their entirety apart from the lot, shall be recorded in writing in a register, guarded by officials appointed by law, so that legal disputes relating to any property issues may be straightforward and transparent. 745 a 745 b

After this, the lawgiver must first situate the city, insofar as this is possible, in the middle of the territory, choosing a location possessing all the other advantages that are relevant to the city, which are not difficult to recognise or describe. Next, he should make a division into twelve parts, having first assigned a sacred precinct to Hestia, Zeus and Athena, called the Acropolis, enclosed in a circle, from which he will make the twelve divisions of the city itself and the entire territory. The twelve parts are to be equal, in the sense that the parts consisting of good land are to be small, while those consisting of poor land are to be large. He is to mark off 5,040 lots, each of which is to be divided in two, forming a single lot with two sections, a near one and a far one, the part near the city being paired with one nearest the boundaries, the second closest to the city with the second closest to the boundaries, and so on. And in the twofold divisions, we should arrange the proportion of poor and good soil that we just referred to by balancing the relative sizes of the distributions. The lawgiver should divide the people too into twelve subdivisions, arranging the distributions so that the rest of the wealth of the twelve parts is as equal as possible, and ensuring that everything is duly recorded. And, indeed, he will then assign twelve divisions to the twelve gods, naming and consecrating each allotted part to the particular god, and calling it a tribe. What's more, the twelve divisions of the city are to be divided in the same way that the rest of the territory was divided, and each citizen is to be allocated two dwellings, one near the centre and one close to the borders. And so the settlement will be completed. 745 c 745 d 745 e

But there is something we need to recognise fully. All the arrangements we have outlined are unlikely ever to encounter such favourable conditions that everything falls into place just as described. This would require people who are not resistant to a community of this sort, who will put up with lifelong regulation and control of wealth, the restrictions we have described on producing children, and being deprived of gold and anything else which the lawgiver, on the basis of what has just been said, is obviously going to prohibit. And it would require a central position for the city, with dwellings distributed all over the surrounding countryside, as we said, speaking as though in a dream, shaping some city and its citizens as if they were made of wax. Such reservations are, in a way, not wide of the mark, so the lawgiver should take up the argument again as follows. He will say, "My friends, in these discussions do not presume that I am unaware that there is some truth expressed in what is now being said. Actually, in dealing with any future course of action, I think it best that the person pointing out the ideal approach, the one to be adopted, should never forsake perfect beauty and truth. Anyone who finds it impossible to fulfil some aspect of these ideals should avoid that and abstain from that, and arrange instead to proceed with whatever aspect is closest and most akin by nature, to that one, and is the most appropriate one to undertake. He should allow the lawgiver to finish outlining the ideal, and when this is done, only then are they to consider together which of his proposals are beneficial and what aspect of his legislation involves difficulties. For even someone who makes a most commonplace object must ensure that it is somehow entirely consistent with itself if he is to deserve any credit." 746 a 746 b 746 c 746 d

Now that we have decided upon the twelve-part distribution, we should focus intently upon one particular issue – the obvious way to arrange the twelve parts, each with numerous internal

divisions, and those that depend upon them and arise from them, right down to the 5,040 holdings.⁵
 746 e From this come the tribes, demes,⁶ villages, and also the battle arrays and marching columns, and even the units of currency, dry measures, wet measures and weights. So the law needs to arrange that all these are duly measured and consistent with one another. There is an additional fear that should also be dismissed. He is not to be afraid of a reputation for petty-mindedness if the law ordains that all the utensils that the citizens possess are to have a standard measure. The lawgiver is to regard it as a general principle that the numerical divisions and variations are useful in all
 747 a cases, whether they vary among themselves or there are numerical variations in lengths and depths, or indeed, in sounds and movements, whether they are up and down in a straight line or revolutions in a circle. Indeed, the lawgiver, in the light of all this, must direct all the citizens, as best he can,
 747 b never to depart from this systematic arrangement. For in the realm of economics, or in affairs of state, or in practical matters, no single subject in our education has such great power as the study of numbers. But its greatest benefit is that it awakens the person who is sleepy and stupid by nature, and makes him easy to teach, retentive and intelligent, and because of this divine science, he makes progress far beyond his natural endowments.

All these branches of education then would turn out to be worthwhile and appropriate provided you use further laws and activities to banish slavishness and greed from the souls of those
 747 c who study them comprehensively and profitably. Otherwise you would unwittingly produce an out-and-out villain rather than a sage. Examples of this are to be seen nowadays in the Egyptians and the Phoenicians and numerous other peoples, due to the enslaving effect of their general activities and their wealth, whether some corrupt lawgiver of theirs may have brought about this state
 747 d of affairs or some bad luck, or, indeed, some other natural factor like that came their way.

In fact, Megillus and Clinias, there is something about location that we should not overlook. When it comes to producing people who are better and people who are worse, some places are superior to others, and we should not enact laws that go against these facts. Some locations bode well or ill due to variations in winds or sunshine, others because of their waters, others because
 747 e the nutriment that springs from the soil not only provides better or worse food for their bodies, but also has a similar effect on their souls. But most advantageous of all will be the localities where a heavenly breeze blows and there are haunts of daimons who receive anyone who ever settles there in a gracious or ungracious spirit. A lawgiver, possessed of reason, would consider locations like these insofar as this is possible for a human, and would attempt to enact laws applicable to these places. So that's what you should do too, Clinias, since you intend to settle a region. You must first turn your mind to issues of this sort.

CLINIAS: Yes, Athenian stranger, what you are saying is excellent in every way. I must do as you say.

⁵ The division of the 5,040 citizens into twelve yields tribes of 420 people. These smaller tribes can then be further subdivided.

⁶ A deme was a collection of villages and their inhabitants.



Laws

— BOOK VI —

ATHENIAN: Well then, after all that has just been said, your next task would presumably be the appointment of the various office holders in the city. 751 a

CLINIAS: It would, indeed.

ATHENIAN: There are two elements involved in the ordering of our political systems. First is the appointment of office holders and their areas of responsibility, and deciding how many there should be and the manner of their appointment. Second, once this has been done, comes the assignment of laws to particular officials, and deciding which laws, how many, and what sort are appropriate to each. But before dealing with the selection, let us pause for a moment and make a pertinent observation about this. 751 b

CLINIAS: What is it?

ATHENIAN: As follows. It is presumably obvious to everyone that although legislation is a major undertaking, if we put unfit officials in charge of good laws in a well-equipped city, not only would no good come of them, and not only would the city turn out to be a total laughing stock, but a good deal of harm and damage might be done to the city by these very laws. 751 c

CLINIAS: Of course.

ATHENIAN: So we should bear this danger in mind, my friend, when dealing with your constitution and your city. You see, then, in the first place that those who are rightly advanced to positions of power should be subjected to an adequate test, themselves and their family too in each case, from their earliest years until the moment of their selection; and secondly, that the selectors for their part should have been reared in lawful habits and well enough educated to be able to decide in the right way who deserves to be accepted as satisfactory, and who merits rejection as unsatisfactory. But in our particular case, where people have come together for the first time and don't know one another, how would they ever be able to choose their rulers without making mistakes? 751 d

CLINIAS: It would be well-nigh impossible.

ATHENIAN: And, yet, once the contest is underway, as the saying goes, no excuses are accepted. And that's the predicament in which you and I now find ourselves since, as you say, you and your nine colleagues have eagerly promised the Cretan people to found this city, and I for my part have promised to join in with this story we are telling. And so, as I am telling a story, I would be most reluctant to leave it without a head, since it would look decidedly ugly wandering about like that. 751 e

CLINIAS: Excellent, stranger. Well said.

ATHENIAN: Well, yes. But I shall also do my best to deliver on my promise.

CLINIAS: Absolutely. Let's do as we say too.

ATHENIAN: That is what will happen, God willing, if old age does not get the better of us at this stage.

CLINIAS: God is likely to be willing.

ATHENIAN: Likely indeed. So let us follow God's lead and take note of something.

CLINIAS: Of what?

ATHENIAN: The audacious and adventurous spirit in which this city of ours will now be founded.

CLINIAS: What are you referring to, and why exactly are you saying this?

ATHENIAN: See how glibly and confidently we are legislating for men devoid of experience in the hope that they will eventually accept the laws we have now proposed. But this much at least, Clinias, is obvious to almost everyone, even to those without much wisdom: none of these men is going to accept the laws readily in the beginning. But what if we were somehow to bide our time, until those who had tasted the laws in childhood, who had been reared under them and become sufficiently familiar with them, were to join in the process of selecting officials for the entire city? Well, if we could actually arrange this, and if indeed there were some correct manner or means of doing so, I believe that after such a period of transition, a city that had been through such an education might be well assured of survival.

CLINIAS: Yes, that sounds reasonable.

ATHENIAN: Well, let us see then if we can provide ourselves with an adequate course towards this objective, as follows. For I maintain, Clinias, that more than any other people in Crete, the Cnossians should not merely show due reverence for the region you are now going to settle, but they should also be particularly careful to appoint the first office holders in the best and safest way possible. Now, although this would not be a major undertaking in other cases, in the case of the guardians of the law it is absolutely essential that we pay the utmost attention to their selection first.

CLINIAS: What course and what plan shall we devise for this purpose?

ATHENIAN: As follows. I declare, children of Crete, that because of your seniority over the other cities, the Cnossians need to join the new arrivals to this colony in selecting a total of thirty-seven individuals, nineteen from among these people, and the remainder from among the Cnossians themselves. The Cnossians should present these eighteen to this city of yours, including yourself as a citizen of the colony and one of the eighteen persuaded to join or compelled to do so with a measure of force.

CLINIAS: But tell me, stranger, why do yourself and Megillus have no involvement in our constitution?

ATHENIAN: Athens is a city with grand notions, Clinias, and so too is Sparta, and both cities are a long way off. But this is an appropriate role for you in every respect, and the same applies to your fellow founders. Let us take it for now that what is most appropriate under our present circumstances has been dealt with. But as time passes and the civic arrangement has stabilised, the selection of officials is to proceed somewhat as follows. All who bear arms as foot soldiers or cavalrymen, and all who were involved in the military when they were of age and capable of doing so, are to join in the process of selecting the officials. The selection is to be made in a sanctuary that the city holds in the greatest reverence, and each voter should bring to the altar of the god a small tablet on which he has written the name of his nominee, his father, his tribe, and the deme he inhabits, and he should add his own name too, including the same details. Anyone who wishes is allowed to remove any tablet whose details he objects to and place it on public display for at least thirty days. Those in charge of the process shall present the three hundred top-ranked tablets for scrutiny by the entire city, and each citizen, in like manner, is to vote once again for whomever he wishes. The top one hundred of them, from this second vote, are to be displayed again for all to see. On the third occasion, anyone who wishes is to vote for any one of the hundred he favours, proceeding through sacrificial victims as he does so. The thirty-seven who receive the most votes should then be subjected to scrutiny and appointed to positions of authority.

But in this city of ours, Clinias and Megillus, who will make all these arrangements relating to office holders and their scrutiny? We recognise that some such people are needed in cities that are in the initial stages of their formation, but who would they be when no relevant office holders are available? And yet, somehow or other they are needed, and these should be no ordinary fellows, but the very pinnacle of men. For as the saying goes, “The beginning is half of any task”, and indeed everyone always praises a good beginning. But in my opinion the beginning is more than half the task, and no one has yet lavished sufficient praise on a good beginning. 753 e 754 a

CLINIAS: Quite right.

ATHENIAN: Well, now that we have recognised this fact, let us not move on without discussing it to clarify for ourselves how this beginning is to be made. However, I, for my part, do not have much to contribute apart from one comment, which is both essential and expedient to the current issue.

CLINIAS: Which is?

ATHENIAN: I maintain that this city we are about to settle has, as it were, no father or mother apart from the actual city that is founding it, although I am not unaware of the fact that lots of colonies have often been, and will be, at variance with their founding cities. Yet, at the moment, our city is still like a helpless child who, even if he is going to fall out with his parents some day, loves them and is loved by them, and is always running back to his relatives, and necessarily finds allies in these alone. This arrangement, I maintain, is already in place between the Cnossians and the new city, thanks to their care, and between the new city and Cnossus. So I repeat what I said just now, for there is no harm in saying something worthwhile twice. The Cnossians must play a role in looking after all these matters by picking at least one hundred of the new arrivals, the eldest and the best they can find, and let there be another hundred from the Cnossians themselves. These people, I say, are to go to the new city and join in the process of ensuring that the various officials are appointed according to law and are subjected to scrutiny once appointed. And when this has been done, the Cnossians should dwell thereafter in Cnossus while this new city tries to sustain itself and thrive. As for those who belong to the thirty-seven, these should have been appointed, now and for all time hereafter, with the following responsibilities. Firstly, they are to be guardians of the law; secondly, of the records wherein each citizen writes down the extent of their own wealth for the city officials, except for four minae in the case of someone with the greatest property valuation, three minae for the second greatest, two minae for the third, and one for the fourth. And if anyone is found to possess anything over and above what was declared in writing, the entire sum is to become public property. What’s more, anyone who wishes is allowed to prosecute him on a charge that involves neither credit nor honour, but only disgrace if he is convicted because he despises the laws for the sake of gain. So, anyone who wishes may charge him with base profiteering and prosecute him before the guardians of the law themselves. And if the defendant is found guilty, he may not share in the common wealth, and whenever some distribution of wealth is made by the city, he is to get no share apart from his original lot. His conviction is to be recorded where, for the rest of his life, anyone at all may read the details. 754 b 754 c 754 d 754 e 755 a

A guardian of the law is to hold office for no more than twenty years, and he should be at least fifty years old when he takes on the role. If he assumes office at the age of sixty, he is to hold office only for ten years. And based upon this principle, once a man is over seventy, he should no longer expect to hold office alongside these officials and occupy such an important position. Let us take it then that these are three responsibilities applicable to the guardians of the law. As the process of legislation proceeds, each new law shall impose 755 b

further duties upon these people, for which they should be responsible in addition to those we have mentioned.

But we should now deal with the selection of the other office holders in due order. In fact, we should select generals next and their various assistants in warfare – those in charge of cavalry or tribes, and commanders of companies of foot soldiers from the tribes to whom the title ‘company commanders’ is particularly appropriate, which is indeed what most people call them. Of these, the guardians of the law are to nominate generals from the citizens of this very city, and everyone who is currently involved in the armed forces, or has been involved when of age, is to make the selection from the nominees. And if anyone thinks someone who has not been nominated is better than one of the nominees, he shall name his candidate and the nominee who is to be replaced, swear an oath to this effect, and nominate the other person instead, whichever of the two is decided upon by a show of hands to be included in the selection. The three who receive the most votes are to be generals, with responsibility for military affairs, once they have passed the same scrutiny as the guardians of the law. The chosen generals shall nominate twelve company commanders for themselves, one for each tribe, and the counter nomination procedure, the election, and the scrutiny, shall be the same for the company commanders as for the generals. This gathering, prior to the selection of a council and its presiding committee, shall be convened in the interim by the guardians of the law, situated in the most sacred and most spacious location available, with one place for the hoplites, another for the cavalry, and a third for any remaining members of the armed forces. The generals and cavalry commanders are to be elected by everyone present, the company commanders by those who carry a shield, and their tribal commanders are to be chosen by the entire cavalry, while the generals are to appoint, for themselves, the leaders of the light-armed troops, of the archers, and of any other branches of the armed forces. So the outstanding issue is the appointment of cavalry commanders. These are to be nominated by the same people who nominated the generals, and the selection and counter nomination process is to be the same as it was for the generals. The cavalry are to vote for them, in full view of the foot soldiers, and the two who receive most votes are to be leaders of the entire cavalry. The voting may be challenged twice, at most. If anyone issues a third challenge, those responsible for counting the votes in each case should decide the matter by a vote among themselves.

The Council is to consist of thirty dozen members, three hundred and sixty being a suitable number for the purposes of various subdivisions. These may be divided into four groups of ninety, ninety council members being elected from each of the four property valuations. First, everyone must vote for members from the highest property valuation, and anyone who does not co-operate is to be fined a specified amount. When these have been voted upon, they are to be duly ratified. The next day, they should vote for members from the second property valuation, following the same procedure as on the previous day. On the third day, anyone who wishes may vote for members from the third property valuation, but voting is to be compulsory for those who belong to the three highest valuations, but anyone from the fourth and lowest valuation who does not wish to vote shall be exempt from any fine. On the fourth day, everyone is to vote for members from the fourth valuation, the lowest one, but those from the two lowest valuations who do not wish to vote shall be exempt from any fine, while anyone from the first valuation who does not vote is to incur four times the original fine, and anyone from the second valuation three times that fine. On the fifth day, those in charge shall present the ratified names for all the citizens to see, and everyone is to vote once more for these or be fined the original amount, thus selecting one hundred and eighty from each of the property valuations. Half of these shall then be chosen

by lot and scrutinised, and these are to be the council members for that year.

The selection, conducted in this way, would maintain a mean between a monarchic and democratic constitution, and a constitution should always hold to this mean. For slaves and their masters can never become friends, nor can base folk and excellent folk, even if they are said to be equally deserving of respect. For to the unequals, the various equalities would become inequalities unless they hit upon the measure. Indeed, because of these two inequalities our civic arrangements are filled with faction. For the old saying is true, and it puts it most correctly and elegantly: “Equality gives rise to friendship”. But the saying really confuses us, because it is not very clear which precise equality is capable of bringing this about, for there are two equalities that have the same name but are, in practice, almost opposites in many respects. The other equality – of measure, weight and number – can be applied through regulation by lot, by any city or legislator when awarding honours, in conducting the various distributions. But the truest and most excellent equality is not at all easy for anyone to see, for it is the judgement of Zeus. And although it imparts very little to humanity, everything it imparts to cities or to individuals produces nothing but good. For it allocates more to the greater and less to the smaller, giving due measure to each according to their own nature. And, indeed, it also dispenses what’s appropriate, in proportion, to each, always bestowing greater honours upon those whose excellence is greater, and less upon those in the opposite situation in terms of excellence and education. For this very justice, indeed, always constitutes for us the statesmanship for which we hunger, Clinias, and with this equality in view we should found the city that is now emerging. And if anyone ever founds another city, he should enact the laws aiming at this same objective and not the interests of a few tyrants, or just one, or, indeed, some democratic power group, but what’s just always, and this is what has now been described – the natural equality that is consistently given to unequals.

Nevertheless, it is inevitable that every city will have to apply these principles in a modified sense if it is going to avoid being embroiled in internal factions somewhere. Fairness and forgiveness, you know, are always a departure from perfection and precision, and a deviation from strict justice. Therefore, because of discontent prevalent among the general population, it is necessary to make further use of the equality of the lot, and then call, in prayer, upon God and good fortune to guide the fall of the lot for them in the direction of the perfectly just outcome. And although it is indeed necessary to make use of both equalities in this way, we should use the other one, the one that relies upon good fortune, as seldom as possible.

This is what a city needs to do, my friends, for all these reasons, if it is going to be saved. Since a ship sailing the seas needs to keep constant watch, day and night, so too a city, in like manner, battered by the waves of other cities, and living in peril of being overtaken by conspiracies of all sorts needs a day-long and night-long succession, connecting one official to another as guardians hand over to guardians continuously without interruption. Now, it is never possible for a large number of officials to carry out any of these duties efficiently. Rather, the city needs to allow most of the council members to remain at home most of the time and attend to their own domestic affairs. They should appoint a twelfth part of them to act as guardians for one month, distributing twelve parts over the twelve months of the year. These are to meet readily with anyone who comes from some other place, or even from the city itself, wishing either to make a statement relevant to the city’s dealings with other cities, or, on the other hand, to obtain some information. When the city puts questions to other cities, they are to receive the replies. And most importantly, on account of the great variety of innovations that tend to occur in a city on a regular basis,

758 d they are to act as guardians so that ideally these never occur, and if they do occur, whatever has happened is remedied and the city is made aware of it as quickly as possible. For all these purposes, this twelfth part must always be the part of the city that presides and is responsible for convening and dissolving any meetings, be they routine or the extraordinary ones that crop up occasionally in the city. So, a twelfth part of the council would be the body that arranges all these matters, being off-duty for the remaining eleven months of the year. But this part of the council must exercise its constant guardianship over the city, in conjunction with the other officials.

758 e Now, although this would be a reasonable way of arranging affairs within the city, what oversight and arrangements would apply to all the rest of the territory? Since the entire city and, indeed, the territory as a whole has been divided into twelve parts, shouldn't we appoint superintendents of the city's own roads, houses, public buildings, and harbours, of its market and springs, and, indeed, of its sacred precincts and temples, and everything of that sort?

CLINIAS: Of course.

759 a ATHENIAN: Let us say then that there should be servants, priests and priestesses for the temples. For the roads and public buildings and their good order, for ensuring humans and other animals do not act improperly both within the city boundary itself and in the suburbs, and so that proper conditions may prevail in the city, three types of officials must be selected: those concerned with the matters we just mentioned, being called city-police; those concerned with the good order of the market, market-police; priests or priestesses of temples, who belong to hereditary priesthoods, are to be left as they are. But if, as is likely with such matters in the case of the initial settlers, there are priests for none or for very few of the temples, then priests and priestesses should be appointed to act as servants of the gods for temples without an established priesthood. Of all these appointments, some should be by election, others by lot, thus mixing the democratic element with its opposite in every territory and city with their mutual friendship as the objective, so that they may be like-minded as much as possible.

759 b When it comes to the priesthoods, we should allow God to bring about what is pleasing to Himself by entrusting the matter to the divine chance of the lot. But he to whom the lot falls is to be scrutinised, first for integrity and legitimacy, and then for descent from houses that are, as much as possible, pure and untainted by slaughter and all such transgressions of divine precepts, in his own life and the lives of his father and mother. The laws concerning all divine matters are to be brought from Delphi, and they should make use of them once they have appointed interpreters of these oracles. Each priesthood is to be for one year and no longer. And whoever is to perform holy rituals adequately, in accord with our sacred laws about divine matters, should be at least sixty years old. And the same regulations should apply to the priestesses.

759 d In the case of interpreters there are to be three: the tribes, in three sets of four, are to elect four people each from among themselves, and after testing the three who receive the most votes at each election, they are to send the nine names to Delphi for the oracle to designate one from each group of three. The scrutiny of these three and their age limit is to be the same as for the priests. They are to be interpreters for life, and in the case of a vacancy it is to be filled by the group of four tribes from which the person is missing.

760 a There should be treasurers in charge of the sacred funds for each of the temples and the precincts, and their products and rents. Three people are to be chosen from the greatest property valuation for the greatest temples, two for the smaller, and one for the most modest. Let the selection and scrutiny of these be conducted as it was for the generals. So, let these be the regulations relating to sacred affairs.

As far as possible, let nothing be left unguarded. The guardianship of the city is to be exercised as follows. It is to be looked after by generals, commanders, cavalry commanders, tribe leaders and presidents, and also by city- and market-police once we have selected and duly appointed them. The rest of the country, as a whole, is to be guarded as follows. Since the entire territory has been divided as best we could into twelve equal parts, one tribe should be assigned by lot to each part on an annual basis, and the tribe should provide five men to act as rural police and guard leaders. Each one of the five is to be responsible for picking twelve young people from their own tribe who are over twenty-five years of age and under thirty. The twelve parts of the territory should be assigned by lot to these young men, one part to one group, each for one month, so that all may become experienced and knowledgeable of the entire territory. Both the guards and their leaders shall carry out these functions for two years. Under the supervision of the guard leaders, beginning with the part of the territory allocated by lot, they should always take the next portion of land in exchange each month, proceeding in a circle to the right, from west to east. After the first year, so that the guards for the most part do not have experience of the territory only during a single season of the year, but as much as possible, besides the territory, they get to know what happens in each region during each season, the leaders at the time are to lead them once more in the opposite direction, from east to west, constantly changing location until they have completed their second year. In the third year there is to be a fresh selection of rural police and guard leaders, five leaders, each in charge of twelve guards. Whilst on duty in each region, they are to look after it as follows. Firstly, they are to ensure that the territory is as well defended as possible against enemies, by building embankments and digging trenches as needed, using fortifications to defend, as best they can, against anyone who might attempt to despoil the territory or property. For these purposes they may employ the beasts of burden and household servants of each locality, using the animals as instruments and taking charge of the servants, while doing their best not to intrude upon their domestic duties. In short, they are to make everywhere inaccessible to enemies and as accessible as possible to friends, be they humans, beasts of burden or cattle. They are to attend to the roads to ensure that they are as comfortable as possible, and to the rains sent by Zeus to ensure that they benefit the land rather than doing damage. So, as the waters flow from the high places into the mountain glens and hollows, they should channel the deluge with dams and canals so that the valleys either retain or absorb the rains from Zeus, forming streams and springs for the farms and the localities below, thus providing even the driest regions with an abundance of fresh water. By enhancing and beautifying the clear waters of a spring or a river with various plantations and structures, and by connecting streams through underground channels, they shall ensure abundance and plenty. And if there is a consecrated grove or enclosure in the vicinity, they may beautify it all year round by directing the flow through channels into the very temples of the gods. In all such places, the young are to provide gymnasia for themselves and for their elders, equipped with warm baths and plenty of dry seasoned wood for fuel, for the benefit also of those who are ailing, bodies that are worn out by disease and the toils of farm labour, glad to receive far better treatment than they would from an incompetent physician.

These activities, and anything of this sort, would enhance and benefit the various regions, as well as affording a pleasant recreation. The serious aspect of their business would be as follows. Each group of sixty is to guard its own region, not only against enemies but also against those who claim to be friends. And if anyone, slave or free, foreign or fellow citizen, acts unjustly towards someone else, they are to act as judges for whoever claims to have been wronged. In minor cases, the leaders themselves, and in major cases, up to three

minae in value, the leaders plus twelve of the guards must judge whatever one person alleges against the other. No judge or ruler should exercise judgement or authority without being subject to review, except for those who, like kings, pass the final judgement. And, indeed, if these rural police mistreat the people they are looking after in any way, by imposing unfair levies, or attempting to seize or commandeer the property of those who work the land, without consent, or if they accept anything given to them as an inducement or make distributions in an unjust manner, let them bear the censure of the entire city for yielding to such corrupting influences. For any other injustices they may perpetrate against the local people, up to a value of one mina, let them submit voluntarily to trial before the villagers or foreigners. And if they are unwilling to submit on any occasion, convinced that they will escape trial by continually changing their location every month, whether the offence is major or minor, the wronged party is to pursue his case in the public courts, and if he wins he obtains twice the amount from the fugitive defendant who was so unwilling to submit to justice.

The leaders and the rural police, during their two years in office, are to have a lifestyle of the following sort. Firstly, in each district there is to be a common mess in which a communal way of living is to be maintained by everyone. If someone is absent from common arrangements, even for a single day, or sleeps elsewhere at night without express orders from the leaders, or a situation where it is absolutely necessary, and the five decide to put him on report and display his name in the marketplace as a deserter from his post, let him incur disgrace for personally betraying the constitution, and let him be punished with blows, fearlessly, by anyone who comes across him and wishes to do so. And if one of the leaders themselves does something like this himself, all of the sixty should attend to the matter, and anyone who is aware of this, or finds out about it and takes no action, is to be held guilty under the very same laws and be punished even more severely than the younger ones by being stripped of all authority over the young. Let the guardians of the law pay vigilant attention to all these matters to ensure either that lapses do not occur at all, or that they are penalised appropriately when they do.

Indeed, everyone should keep in mind that no man alive who has not served could ever deserve to become a master worthy of the name, and we should pride ourselves more on serving well than on ruling well, firstly as a servant of the law, since this is service to the gods, secondly as young folk, constantly serving their elders who have lived honourable lives. As well as this, anyone who has joined the ranks of the rural police must have partaken of the meagre and sparse daily diet for those two years. In fact, once the various twelves have been selected, they should resolve at a meeting with the five leaders, that being just like servants, they will not have other servants or slaves of their own, nor shall they make use of servants from the farmers and villagers of the area for their own personal purposes, but only for public purposes. And, in general, they should decide to live self-sufficiently, serving and being served by themselves, as well as conducting a thorough exploration of the entire territory, winter and summer long, always fully armed for security purposes, and to ensure constant familiarity with each district. For it is surely a study as important as any that everyone should know their own country in detail, and the young should be involved in hunting with hounds, and by other means, for this purpose, as well as for the general pleasure and benefit that everyone derives from this sort of thing. These are the people then, and this is the activity, and whether someone prefers to call them secret operatives or rural police, or anything else, any man who intends to preserve his own city competently should turn his hand to this eagerly, as best he can.

The next step for us, in selecting the various officials, would concern the city-police and the market-police. There should be three city-police corresponding to the sixty rural

police, dividing the twelve parts of the city into three, imitating their rural counterparts by looking after the roads within the city and the avenues extending into the city from the country, and the public buildings too, to ensure that they are always constructed according to the relevant laws, and, indeed, the water supply that the rural police channel and pass on to them in such good condition. They must ensure that there is enough clean water flowing in the fountains to beautify the city, and to meet its needs. But these people must also have the ability and the leisure to look after public affairs. Therefore every citizen is to nominate anyone he wishes, drawn from the highest property valuation, for the ranks of the city-police. When these have been voted upon, and they have arrived at the six names who received most votes, the responsible officials should select three of these by lot, and once they have been duly scrutinised they are to assume office, subject to the laws prescribed for them. 763 d 763 e

Next, there shall be a selection of five market-police, drawn from the second and first property valuations, the selection process in general being just as it was for the city-police. From the ten who receive most votes, they are to select five by lot, and once these have been scrutinised, they are to declare them duly appointed. Everyone is to vote in every case, and whoever refuses to do so is to be fined fifty drachma if he is reported to the officials, as well as acquiring a bad reputation. Anyone who wishes may attend the assembly or a general meeting, but attendance is to be compulsory for members of the first and second property valuations on penalty of a ten drachma fine for anyone found to have missed such meetings. Attendance is not to be compulsory for members of the third and fourth valuations, and they shall incur no penalty for non-attendance unless the officials specifically order everyone to meet for some urgent reason. Now, the market-police are to guard the good order of the market place, as directed by the laws, and they are to look after the temples and fountains of the market place too so that no one commits any injustice. They are to punish anyone who acts unjustly, with blows and bonds in the case of a slave or foreigner, and if a local person is disorderly in these respects, they may fine the offender up to one hundred drachma on their own authority, or twice that sum when they pass judgement along with the city-police. Let the same powers to fine and punish also be available to the city-police in their own jurisdiction, fining people up to one mina themselves, and twice that sum when they act in consort with the market-police. 764 a 764 b 764 c

After this, it would be appropriate to appoint officials in charge of music and of gymnastics, two kinds in each case, those responsible for education and those responsible for competitions. By education officials, the law means overseers of gymnasia and schools, responsible for their good order and standards of education as well as the attendance and the accommodation of the boys and girls. By competition officials, it means judges of contestants in both athletic and musical contests, and again there are two kinds, those concerned with music, and those concerned with athletic competition. It would be appropriate to have the same judges for competitions involving humans and for those involving horses, but it is appropriate that the judges for those who perform on their own, such as rhapsodes and those who play lyres or flutes or the like, be different from those who judge choral performances. It is first necessary, then, I presume, to select the officials responsible for the playful performance of choruses of men, boys and girls that takes place in dancing, and in our entire system of music. One official, who should be more than forty years of age, is enough for them. One official, who is more than thirty years of age, is also sufficient for the solo performances, to introduce the contestants and pass adequate judgement upon them. The official responsible for managing the choruses should be selected in the following manner. Those who have a keen interest in such matters are to attend a general meeting or be 764 d 764 e 765 a

765 b fined if they do not go. This should be decided by the guardians of the law, but if any others don't wish to attend, there should be no compulsion. The elector must make his nomination from those who have the relevant experience, and in scrutinising the candidate the one sole criterion for acceptance or rejection should be experience or inexperience. And whoever is selected from the ten who received most votes should, once he has been duly scrutinised, take charge of the choruses for a year in accordance with law. In exactly the same way, whoever is chosen from those who have been judged is to preside, for that year, over those who perform music on their own or in groups, once he has submitted to the decision of the judges. After these, judges must be selected for athletic competitions involving horses, and for those involving humans too, from the third and also the second property valuations. Attendance at the election is to be compulsory for the three top valuations, but the lowest valuation should be exempt from any fine. Let three people favoured by the vote of the scrutineers be chosen from the twenty who had previously been selected. If anyone does not pass the scrutiny during any process of selection and appointment for any office whatsoever, others are to be selected instead on the same basis, and they are to be subjected to scrutiny in exactly the same way.

765 e In relation to the matters we have spoken of previously, we still have to appoint an official as overseer of the education of boys and girls in its entirety. Let one person be responsible for them, in accordance with the laws, being at least fifty years of age and the father of legitimate children, ideally of sons and daughters, or, failing that, of one or the other. And let the chosen person himself, and whoever chooses him, regard this office as by far the most important of the very highest positions of authority in the city. Indeed, in the case of anything that grows – plants, tame animals, wild animals or humans – the first shoots of growth, well begun, are the most significant factor in achieving their own natural and appropriate excellence. A human being is, we say, a tame animal. Nevertheless a human who encounters the right education and has a benign nature, tends to become the most divine and gentlest creature of all. But if he is not given an adequate and noble upbringing, he tends to become the wildest creature that walks the earth. That is why the lawgiver must not allow the upbringing of children to become a secondary or incidental matter. And since it is imperative to begin by first selecting, in the right way, the person who is going to be responsible for the children, the lawgiver must do the very best he can to appoint someone who excels in every respect over his fellow citizens, and put him in charge of the children. Accordingly all the officials, except for the council and its committee, are to go to the temple of Apollo, and each must cast his vote in secret for whichever one of the guardians of the law would, in his view, best take charge of educational matters. Whoever gets most votes and has been duly scrutinised by the other officials who elected him, apart from the guardians of the law, is to rule for five years, and in the sixth year there is to be a fresh election to this office by the same procedure.

766 c If someone holding public office dies more than thirty days before the end of his term of office, someone else should be appointed by those who are responsible for this, following the same procedure. And if a trustee of orphans dies, the relatives living in the vicinity, on the father's and mother's side, down to the children of cousins, must appoint another within ten days or be fined one drachma per day each until they appoint a trustee.

766 d Of course, any city in which law courts are not properly established would hardly constitute a city at all. And a judge who does not speak to us, and has nothing to add to what the litigants said in the preliminary hearing, as happens in mere arbitrations, would never be good enough as a judge of legal cases. For these reasons, it is not easy for a large number of people to judge a case well, or for a few ordinary folk to do so either. The matter

in dispute always needs to be made clear from both sides, and time taken through slow and repeated questioning has the advantage of shedding light upon the dispute. For these reasons, those who are accusing one another should first have recourse to neighbours and friends and those who are most familiar with the events in dispute; and if any party does not obtain an adequate judgement before these people, let him go to another court; and if these two courts are unable to resolve the dispute, a third court shall give a final judgement in the case. 766 e 767 a

Now, in a way, the establishment of the courts is also an election of officials since any official also must be a judge of something or other. And although a judge is not a ruling official, he actually becomes, in a way, a ruling official of some significance on the day on which he decides a case by giving his judgement. Granting, then, that judges are also ruling officials, let's say who the right people for the role would be, what matters they should be judges of, and how many there should be for each particular case. Let the most authoritative court be the one that the parties each proclaim for themselves, making their selections together. Let there be two tribunals for the other cases, one when a private citizen accuses another citizen of doing him an injustice and brings him to court because he wants the issue to be decided; a second whenever someone believes that the community is being wronged by one of its citizens, and he wishes to come to the aid of his own people. We need to say who the judges are, and what they should be like. Firstly, however, we should have a common court for all private citizens who are in dispute with one another for the third time, set up more or less as follows. When a new year is about to commence in the month after the summer solstice, on the day previous to this, all the officials, whether they hold office for one year or for longer, should come together in a single temple. Having sworn an oath to the god, they are to dedicate, so to speak, one judge from each and every kind of office who has the best reputation in each role, and is likely to decide the various cases of his fellow citizens, best and most piously, for the coming year. Once these have been selected, they must undergo scrutiny by the selectors themselves, and if anyone doesn't pass scrutiny, another is to be selected in the same way to replace him. Those who pass scrutiny are to act as judges for those who are seeking refuge from other courts, and their votes are to be cast openly. It shall be compulsory for council members, and the other officials who elected them, to listen to the legal proceedings and watch what happens, and others may attend too if they wish. If anyone accuses a judge of deliberately deciding a case in an unjust manner, he should go to the guardians of the law and present his charge. A judge who is found guilty of such a crime is to pay double damages to the victim, and if a greater penalty is deemed appropriate, those who are judging the case may impose a further punishment that he must suffer in addition, or some fine payable to the state or to the person who brought the case to court. 767 b 767 c 767 d 767 e

When it comes to crimes against the state, it is necessary, in the first place, to involve the public in deciding the case since everyone is wronged when the city is wronged, so the people would be justified in feeling aggrieved if they had no involvement in deciding such cases. But while the initial and final proceedings of such cases should be entrusted to the people, the trial itself should go before the three highest officials jointly accepted by the defendant and the prosecutor. And if the two parties are unable to agree on this together for themselves, the council should decide between the two alternatives. In fact everyone should, as far as possible, be involved in deciding private cases too, for anyone who is excluded from involvement in joint decision making feels that he has no involvement at all in his own city. That's why there must indeed be courts based upon tribes, and judges appointed by lot there and then, who are incorruptible in the face of personal pleadings when they 768 a 768 b

pass judgement. But the final judgement is delivered by that court which according to us has been constituted completely free from corruption, insofar as this is humanly possible, for the benefit of those who are unable to obtain a resolution, either before the neighbours, or the tribal courts.

Now courts of law we maintain cannot easily be described as ruling officials, yet they cannot be denied such a title either, without some qualification. And although we have given a sort of outline sketch that describes some of the details, it largely omits others. For the best place by far for any detailed regulation and classification of legal cases would be at the end of the legislative process. So, although these details should be asked to wait until the end of our process, the appointments to the other offices have, more or less, been legislated for in full. But it is not possible to arrive confidently at a comprehensive, detailed account of every single aspect of the administration of the city, and civic affairs in general, before concluding a detailed description from beginning to end, encompassing everything in between. So this stage, where we have completed our description up to the point where the officials are elected, would be a suitable place to conclude the preceding matters and start proposing laws. We need no further hesitation or delays.

CLINIAS: What you have said so far, stranger, is entirely acceptable to me. And now that you have connected the start of what you are going to say with the conclusion of what has been said already, I am even more pleased than I was before.

ATHENIAN: Well, it seems that our thoughtful old men's amusement has been well played so far.

CLINIAS: You seem to be pointing out how well executed the work of these men is.

ATHENIAN: Quite likely. But let us see if you agree with me on the following point.

CLINIAS: What point? What are the issues?

ATHENIAN: You know how the work of painters on any of the figures they paint never seems to come to an end. It seems to go on forever, adding finishing touches that involve 'colouring' or 'decolouring', or whatever the professionals call such processes, and never reaches a point where the painting cannot be made more beautiful or realistic.

CLINIAS: I understand what you are saying fairly well from hearsay, although I have no direct experience of this sort of skill.

ATHENIAN: Well, that is no harm. But we may still use the example involving this skill, the one that has just occurred to us, as follows. If anyone ever decided to paint the most beautiful picture imaginable, one that furthermore would never deteriorate but would always improve with the passage of time, you realise, don't you, that since the painter is not immortal, his huge labour will have very short-lived results unless he leaves a successor behind him who can repair anything that happens to the picture because of its age, and is also able in future to improve upon any deficiencies in the work due to the painter's own artistic weaknesses?

CLINIAS: True.

ATHENIAN: Well then, don't you think that the lawgiver will want some such arrangement? Firstly, he'll want to frame the laws as best he can, with the utmost precision. Secondly, as time passes and his plans are tested in practice, don't you think any legislator who is not a fool will realise that there must necessarily be countless deficiencies in his laws, which some successor will have to put right, so that the civic arrangement and good order of the city he is founding will constantly improve and never deteriorate at all?

CLINIAS: Of course. Every lawgiver will, presumably, want some such arrangement.

ATHENIAN: Now, what if someone had some means of teaching another person, somehow, by his deeds and his words, to come to some sort of understanding of how laws should be protected and corrected? Wouldn't he persist in explaining this until he succeeded in his objective?

CLINIAS: Of course.

ATHENIAN: So, isn't that what must be done now by me and by the two of you?

CLINIAS: What do you mean?

ATHENIAN: Although we are about to make laws, we have selected guardians of those laws who are young in comparison with ourselves, we who are in the evening of life. So, as we say, we should pass laws ourselves, and at the same time attempt as best we can to turn these young people into lawgivers and guardians of the law.

CLINIAS: Indeed, if we are actually up to the task.

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ATHENIAN: Well, we should try with all our hearts.

CLINIAS: How could we do otherwise?

ATHENIAN: Let us address them as follows, then. Dear friends and preservers of the law, we shall omit a great deal that is relevant to the various topics on which we pass laws, necessarily so. Nevertheless, we shall do our best to include whatever is significant and present the whole system in broad outline. You will have to fill in the details, and you now need to hear what your objective should be in doing so. Megillus, Clinias and myself have stated this objective to one another many times, and we agree that our formulation is sound.

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But we want you to be of the same mind as ourselves, and to become our pupils too, looking to those very objectives which, according to us three, should be the objectives of the guardians of the law, and the lawgivers too. Our consensus concerned one significant issue, how exactly someone may become a good person, possessed of the excellence of soul that is appropriate to a human being. In the case of any of our fellow citizens, male or female, young or old, this excellence comes from some activity or some habit or acquisition or desire or opinion, or instruction in certain subjects. To attain the excellence we spoke of, everyone is to exert himself to the utmost throughout his entire life, and none should be found favouring anything else that keeps him from these activities. He should even be prepared to break with his own city or abandon it by going into exile, if revolution proves inevitable, rather than submitting to lesser folk under the yoke of slavery. Everything of this sort must be endured rather than changing to a constitution that, by its very nature, makes people worse. This was our earlier consensus, and you must now look to these two objectives and pronounce your praise and censure of these laws of ours, censuring those that are unable to achieve these objectives, while you embrace and accept those that can do so, live by them in a spirit of friendship, and bid farewell to other activities that lead to other so-called goods.

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Let us make a start on the laws that follow these, beginning with sacred matters. In fact, we must first take up the number 5,040 again, and how many convenient divisions we found contained both in the number as a whole and the number based on tribes, which we decided was one twelfth of the entire, and naturally exactly twenty times twenty-one. So our entire number has twelve subdivisions, and the tribal number also has twelve, and each portion should be regarded as sacred, a gift of God, corresponding to the months of the year and the revolutions of the universe. That, indeed, is why the innate nature of every city leads it to sanctify these divisions, although some have done their dividing more correctly than others, or have consecrated the division more propitiously. So we may now declare that we are perfectly right in choosing the number 5,040, which contains all divisions from one to twelve with the exception of eleven. And there is a simple solution even to this, for one way to solve the problem is to set two of the households aside, and it would not take a long story to prove the truth of this, if time allowed. For now, let us place our trust in the principle we have just stated, make this distribution, name each portion after a god or a child of the gods, and assign altars and whatever is appropriate to them, where we should have two gatherings per month for sacrifices, twelve per annum for the tribal division, and

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twelve for the urban division itself. The first purpose of these shall be to ensure the favour of the gods and of all that belongs to them, and the second, according to us, is to ensure our mutual familiarity and acquaintance with one another, and community spirit in general.

In fact, when it comes to marital contracts and connections, it is imperative that any ignorance of the woman's family, the woman herself, and the family she is entering, be eliminated, making every effort as best we can to make no mistakes at all in such matters. So even our games should be arranged to achieve this serious purpose, with dancing for boys and girls, which also allows them to be seen, and see one another, unclothed within reason, on occasions that afford an acceptable pretext, subject to modesty and prudence on the part of each. Those in charge of the choruses should be the supervisors and organisers of all this, and lawgivers too, along with the guardians of the law, in relation to any directions we omitted. And it is inevitable, as we said, in all such matters involving lots of minor details, that the lawgiver will make omissions. So those who have ongoing experience of the laws, year in, year out, should learn by practice to make corrections and changes annually until it seems that a point has been reached where regulations and practices of this sort have been defined adequately.

A ten-year cycle of sacrifices and choral performances would be a reasonable and sufficient time period to assign for experience of each and every aspect. While the relevant lawgiver is still alive, they should work in consultation with him, but once he has died, the officials themselves, each reporting to the guardians of the law, should correct any deficiency in their own area of responsibility until it seems that every detail has been resolved, well and truly. They should then declare the laws unalterable, and thereafter administer these along with the other laws that the original lawgiver prescribed for them at the outset. Nothing relating to these laws should ever be changed deliberately, but if it ever seems necessary to do so, they are to consult all the officials, the general population and the divine oracles for advice, and make the change if all are in agreement. Otherwise, they are not to change them at all and, by law, any dissenting group shall always prevail.

Now, when any man, having turned twenty-five years of age, upon due consideration by himself and by others, believes he has found a bride that suits him personally, and is also suitable for companionship and for begetting children, he should marry. Indeed, everyone should do so before they turn thirty-five. But first, he should be told how to find a suitable and fitting bride, for, as Clinias says, every law should be preceded by an introductory preamble of its own.

CLINIAS: Well remembered, stranger, and you have, in my view, introduced the topic at just the right moment.

ATHENIAN: It is nice of you to say so. Now, to a young man from a good family we should say the following. You should enter into the sort of marriage that meets the approval of sensible folk. These people would advise you neither to shun marriage to a poor family nor chase eagerly after wealthy connections, and, all other considerations being equal, always prefer to enter a union with someone who has fewer resources. For this approach would be beneficial both to the city itself and to the families involved, since balance and proportion are much more conducive to excellence than unbridled excess. And someone who realises that he himself is too impulsive and hasty in all his actions should look for connections to a well-behaved family, whereas someone with the opposite natural tendencies should pursue connections of the opposite sort. And there should be one rule for all marriages: each person is to seek a marriage that is beneficial to the city, not the one that pleases himself. Everyone is always drawn somehow, by nature, to a person who is most like himself, and so the city as a whole develops an imbalance of wealth and character traits. That's how the conse-

quences we wish to avoid in our own city certainly befall most other cities. Now, to prescribe explicitly by law that the wealthy are not to marry the wealthy, the powerful are not to marry the powerful, that the slower characters have to look for marital unions with the quick-witted, and the quicker with the slower, as well as being ridiculous would anger a lot of people. For it is not easy to appreciate that a city should be blended after the manner of a wine bowl in which the wine, when first poured, seethes madly, but when it is restrained by the good company of another more sober god, it forms a good, duly measured drink. Now, it is virtually impossible for anyone to discern that this is happening in the case of the blending of children, and that is why we should omit such matters from our laws. We should try instead to charm each person into placing more value upon the equipoise of their own children than the marital property equality, which is insatiable, using words of reproach to deter anyone who is intent upon marrying for money, rather than forcing them via a written law. 773 d 773 e

Let these, then, be our exhortations about marriage, and also, indeed, what was said previously, that there is a need to preserve the everlasting nature by constantly leaving children and children's children behind us to serve God in our place. All this, and even more, could be said as an appropriate prelude concerning marriage and the need to marry. But if someone does not comply willingly, but keeps himself aloof and isolated in the city, and is still unmarried at the age of thirty-five, he is to incur an annual fine of a hundred drachmas if he belongs to the highest property valuation, seventy if he belongs to the second, sixty for the third, and thirty for the fourth. The fine shall be dedicated to Hera. Anyone who does not pay annually is to owe ten times the amount. This should be enforced by the treasurer of the goddess, who is to owe the money himself if he fails to exact it, and everyone is to give an account of this matter at the audits. Let these be the financial penalties upon anyone who is not prepared to marry, and he should also be shown no respect by the young folk, and none of them should heed him at all unless they have to. And if he attempts to punish someone, all are to come to the aid of the victim and defend him, and anyone present who does not assist should be declared by law to be a coward and a bad citizen. We have already dealt with dowries, but let us declare once again that it is not likely that our poorer folk will reach old age without ever receiving a bride or bestowing one because of their poverty, since everyone in this city has everything they need, and so there would be less arrogance on the part of the wives, and less low and slavish servitude among the husbands, because of wealth. Whoever obeys this precept would have one meritorious deed to his credit, while anyone who disregards this by giving or accepting more than fifty drachmas towards the cost of the bride's dress, or one mina, one-and-a-half minae, or even two minae, depending upon their property valuation, is to owe this amount to the state, while the amount given or received is to be dedicated to Hera and Zeus. This should be enforced by the treasurers of these two gods, and as was said in the case of people who don't marry, the treasurers of Hera are to exact the sum in each instance or else pay the fine themselves. 774 a 774 b 774 c 774 d 774 e

The right of valid betrothal belongs first to the bride's father, then to her grandfather and thirdly to her brothers by the same father. If none of these is available, authority belongs next to her mother's family in like manner. And in exceptional situations her closest relatives, acting along with the trustees, shall always have authority.

When it comes to the preliminary rites of marriage, or any other ritual that it is appropriate to enact before, during or after the event, the interpreters should be consulted, and everyone should be of the view that all is well if he heeds their advice. As for the festivities, no more than five friends, male and female, should be invited from each side, and the same rule should also apply to relatives and friends from either side. The expenditure should be proportionate to a person's wealth: one mina for the wealthiest, and so on, as their property 775 a 775 b

valuation reduces. Everyone should praise the person who obeys the law, and the guardians of the law are to punish anyone who is disobedient, as a boor devoid of education in the strains of the marital Muse. Drinking to the point of drunkenness is not appropriate anywhere except at the festivals of the god who gave us the gift of wine, nor is it safe, especially for those who take marriage seriously, wherein it is most important for the bride and bridegroom to be sensible as they undergo such a significant change in their lives. This also ensures as much as possible that the offspring are always conceived from sensible parents, since the day or night when conception takes place under God is quite unknown. What is more, the begetting should not take place while the bodies are dissolved in drunkenness. Rather, the new life should be fashioned in quietude, well-formed, stable and peaceful. But when drunk with wine, a person reels about, borne hither and thither, his body and mind out of control. The drunkard is a deranged and inept sower of seed who, in all likelihood, would produce irregular and faithless offspring, crooked in character and in body. That is why a person, all year round, throughout his entire life, should be careful and refrain from any intentional exposure to disease or actions that involve violence or injustice, especially at the time when children are begotten, for he must necessarily transfer and imprint these onto the souls and bodies of the offspring, and produce utterly inferior children. Most importantly, he should refrain from such activities on that particular day and night, since a beginning, once established, is a goddess among humans and the saviour of all, provided she is accorded the appropriate honour by those concerned.

The bridegroom should regard one of the two homes in the allotment as a sort of nest and nursery for his chicks, leave his father and mother, and make there his marriage, a dwelling place, and a source of sustenance for himself and his children. For when some element of longing is present in relationships, it binds the various characters together and unites them, while unmoderated and uninterrupted companionship causes the longing to ebb away with the passage of time because of the over-familiarity. That is why the married couple should leave their own homes to the mother, father and the bride's relatives, and live like newly arrived colonists, visiting and being visited, begetting and rearing their children, passing on the torch of life from one generation to another, always serving the gods in accordance with the laws.

Next comes the question of possessions. What sort of possessions would constitute well-proportioned wealth for the person who acquires them? Most of these are easy to rationalise and easy to acquire, but the case of household slaves presents all sorts of difficulties. The reason is that what we say about them is somehow incorrect, but in a sense correct. For the various pronouncements we make about slaves contradict experience, and then again accord with experience.

MEGILLUS: What do you mean by this? We don't yet understand the point you are making, stranger.

ATHENIAN: That is only to be expected, Megillus. For the helot system of Sparta¹ is well-nigh the most puzzling and contentious issue in the Greek world, with some maintaining that it is good, others that it is not. This is more controversial than the system of slavery by which the people of Heraclea totally enslaved the Mariandyni,² or the situation of the serfs in Thessaly. So, in the light of these examples and others like them, what should we do about ownership of slaves? Now, I made a point during the course of the argument, and you quite reasonably asked me what I meant. The point is as follows. We know, I presume, that everyone would accept the need to acquire slaves who are as friendly and as good as possible. In fact, for some people, slaves have already proven superior to brothers or sons in terms of overall excellence, and have saved their own masters, his possessions and his household. We are aware, aren't we, that people say this sort of thing about slaves?

MEGILLUS: Of course.

ATHENIAN: Haven't we heard the opposite claim too, that the soul of the slave has no health in it, and that no man of sense should ever trust them at all? And the wisest of our poets explicitly proclaimed, speaking of Zeus, "For Zeus of the wide brows takes away one half of the virtue from a man, once the day of slavery closes upon him."³ Everyone makes his own decision on this issue. Some, as though they were dealing with wild animals, do not trust the serving class at all, and with goads and whips they make the servants' souls slavish, three times, nay many times over, while others do the exact opposite. 777 a

MEGILLUS: Indeed.

CLINIAS: Well, stranger, in the face of such disagreement, what's to be done about this new territory of ours in relation to the ownership and punishment of slaves? 777 b

ATHENIAN: What, indeed, Clinias? It is evident that, since the human being is a difficult creature, and when it comes to the inevitable distinction whereby we differentiate in practice between slave, free man and master, humans seem to have no interest in co-operating in the process. So this form of property presents a difficulty. The extent of its evils is often demonstrated in practice by the frequent and familiar revolts of the enslaved Messenians, and by cities that own lots of slaves who speak the same language, and again by the various criminal exploits of the so-called pirates that occur in Italy. Anyone looking at all this is bound to be at a loss as to what to do about such matters in general. Only two devices are available to us. If the slaves are to be submissive they should not be fellow countrymen, or speak the same language, insofar as this is practicable, and they should be properly cared for, not only for their sake but more so for our own. The proper way to care for such people is to use no violence towards our servants, and as best we can to do less wrong to them than we do to our equals. For someone who naturally and genuinely reveres justice, and really hates injustice, displays his true stature when dealing with people whom he can easily mistreat. The person who remains untainted by unholiness and injustice in his conduct and behaviour towards slaves, would be well able to sow the seed for a harvest of excellence. And the same may rightly be said of a master, a tyrant, or anyone in a position of power, when dealing with someone weaker than himself. Still, slaves should be punished when they deserve it, rather than spoiling them by using a mere reprimand as if they were free men. Any address to a servant should be more like a direct instruction, and there should be no light-heartedness whatsoever with servants, male or female, whereby so many masters are tempted most unwisely to spoil their slaves, making life difficult for the slaves as subjects, and for themselves as rulers. 777 c
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CLINIAS: That's right.

ATHENIAN: Well, now that we have done our best to furnish the citizen with enough servants, suited to the various tasks he needs help with, we should as a next step draw up a plan for our houses.

CLINIAS: Yes, certainly.

ATHENIAN: Since our city is new and has no pre-existing buildings, it seems it will somehow have to attend to every aspect of its architecture in detail in each case, including its temples and city walls. These considerations, strictly speaking, precede the matter of marriages, Clinias, but for now, since our city exists in words only, it is quite legitimate to proceed in this way 778 b

¹ The Helots were a large class of subjugated people in ancient Sparta. They substantially outnumbered the Spartans, who were constantly concerned with how to prevent Helot uprisings.

² The Mariandyni were a people who lived in the region of Bithynia in the north-west of Asia Minor who were enslaved for a time by the inhabitants of Heraclea Pontica, the chief city of the region.

³ *Odyssey* xvii.322 ff, Lattimore.

at the moment. Later, when our city is actually in existence, we shall at that stage, God willing, make the architectural arrangements precede the marital arrangements, which shall be the final step in the overall process. For the moment though, let's just give a brief outline.

CLINIAS: Yes, very well.

ATHENIAN: So, the temples should be built all around the market place, and all over the city, in a circle on the highest places for the sake of security and cleanliness. Alongside these there should be buildings for various officials, and law courts in which judgements shall be delivered and received as though on holy ground, partly because the issues are sacred, and partly because the temples are consecrated to such revered gods. And among these would be law courts in which trials for murder and for crimes that carry the death penalty may properly be held. As far as the walls are concerned, Megillus, I would agree with the Spartan position on this, and allow the walls to lie dormant in the ground and not be erected, for the following reasons. An oft-quoted verse from a poem puts this nicely, when it says that our walls should be made of brass and iron rather than stone.⁴ More to the point, we ourselves would rightly deserve to be laughed at heartily for sending our young folk out into the countryside every year to dig trenches and ditches and even to construct some buildings to impede the enemy, all to prevent them from invading our country's borders when our city is surrounded by a wall. A wall, in the first place, is not good for the health of our cities and tends to make the inhabitants somewhat soft of soul, encouraging them to take refuge inside their wall rather than repulsing the enemy. Nor do they ensure their own safety by having some citizens on continuous guard duty, day and night. They imagine that they may sleep soundly, fenced in by security systems based upon walls and gates, as though they were born to a life of idleness, ignoring the fact that a life of ease is a reward for hard work, whereas, as I see it, base indolence and laziness tend to produce more troubles. But if it does prove necessary for people to have a wall for some reason, then the construction of the private dwellings should be organised with this in mind from the outset so that the entire city constitutes a single wall, every building being rendered secure by the uniformity and regularity of its orientation toward the streets. And it will be a pleasant sight, indeed, to see the city arranged like a single house, easy to guard and vastly superior to any other arrangement in terms of security. The maintenance of the original buildings would primarily be the responsibility of the inhabitants, but the city wardens would supervise them, and even use compulsion, by fining anyone who was negligent. And they would also look after all aspects of city sanitation and ensure that no private citizen encroaches upon public property with buildings or excavations. They must also look after rainwater drainage, and any other matters, within the city or without, that would be appropriate for them to manage. On all these matters, the guardians of the law should legislate as soon as they see the need, and on anything else that was omitted from the law code because it was unforeseen. And now that these – and the buildings of the marketplace, the gymnasia and all the schools – are ready for use, and the theatres are ready for the spectators, let us move on to the issues that come next after marriage, as we follow the proper sequence of legislation.

CLINIAS: By all means.

ATHENIAN: Well, Clinias, let us assume that the wedding ceremony is over. There follows a period of at least a year before any children are born. The lifestyle of a bride and bridegroom, in a city that is to excel over most others, is not the easiest of topics to deal with, but it follows naturally from our earlier discussions. We have faced a few challenges of this sort previously, but this proposal will be harder for most people to accept than any of those others. Nevertheless, Clinias, whatever we believe to be right and true must be spoken, without reservation.

CLINIAS: Yes, indeed.

ATHENIAN: Suppose someone proposes to promulgate laws for our cities, dealing with the public, communal lives of the citizens, while believing that compulsion in private matters is unnecessary, that everyone should be allowed to spend their day just as they please, and that there is no need to regulate everything by law. Well, he is much mistaken in this belief that although he leaves private matters unregulated, the citizens will still be prepared to live their public and communal lives in accordance with his laws. Why am I saying all this? We shall maintain that our bridegrooms should frequent the communal meals just as much as they did before they were married. This custom was met with surprise when it was first introduced in your countries, probably dictated by a war or pressure from some other circumstances among a small population facing extreme difficulties. But once you had been forced to avail yourselves of communal meals and had experienced their benefits, you formed the view that this custom was highly advantageous for the security of the city. And that is more or less how the practice of communal meals was established among yourselves.

CLINIAS: Quite likely.

ATHENIAN: So, I am saying that although this was once seen as a surprising custom, and somewhat daunting to impose on people, no such difficulty would face any lawgiver who wished to legislate for this nowadays. But there is a logical sequel to this, a measure that would also turn out well if it were implemented. But it is not implemented anywhere these days, and this failure effectively makes the lawgiver, as the saying goes, ‘card his wool into the fire’, and perform countless other never-ending tasks of that sort. This measure is not easy to mention, or to implement once it has been mentioned.

CLINIAS: What is it, stranger, that you are trying to explain, and seem so reluctant to mention?

ATHENIAN: Listen then, so that we do not spend a lot of time on this issue in vain. In a city, whatever occurs in an orderly and lawful manner produces nothing but good, while anything unregulated or ill-regulated, for the most part undoes the work of something else that is well regulated. The issue we are discussing is a case in point. Among yourselves, Clinias and Megillus, communal meals for men have been well established, to some surprise as I said, born of some divine necessity. But there are no corresponding regulations in place for women, and this is simply not right. The practice of common meals for women has never seen the light of day, and so the female sex, who are in general more susceptible to secrecy and guile, have been abandoned to their own faults by improper indulgence on the part of the lawgiver. Because you neglected women, you lost control of many things that would have gone much better than they do today if only they had come under your laws. For neglecting the good order of women’s lives is not just half of the problem, as it might seem. To whatever extent the female nature is inferior in terms of excellence to the male nature, to that extent the effect of its negative influence would be more than double. So it would be better for the overall happiness of the city to revise this custom, and put things right by arranging all the activities of men and women jointly. But nowadays the human race is so far removed from this fortunate situation that it is impossible for a man of sense even to mention this in other regions or cities where the very existence of communal dining as a civic institution is totally unfamiliar. How, then, will anyone, without becoming a laughing stock, set about forcing women to consume their food and drink in full public view? The female sex would be more reluctant to put up with this than with anything else, accustomed as they are to living in seclusion and obscurity. They will offer all sorts of resistance to

⁴ The source of this quote is unknown.

other cities, as I was saying, women would not tolerate even the mention of the correct principle without a massive outcry, but in our city they might be tolerant. So, if you want this account dealing with civic affairs in general to achieve its objective, in theory at least, then I am prepared to argue that this proposal is good and appropriate, if you both agree to listen. Otherwise, let's drop the subject.

CLINIAS: No, stranger, we are both extremely enthusiastic about hearing you speak.

781 e ATHENIAN: Listen to this then. But don't be surprised if I seem to be starting from a long way back, for we are enjoying our time together, and we are under no pressure to stop our comprehensive examination of every aspect of the laws.

CLINIAS: Quite right.

ATHENIAN: Well, let's revert once more to our initial statements. Everyone would do well to bear in mind this much at least: either the human race never had any beginning whatsoever and will never have any end at all, but always was and always will be, or else an absolutely vast period of time must have elapsed since the race first began.

782 a CLINIAS: Indeed.

ATHENIAN: Well now, can't we also assume that all over the world cities have been founded and have perished, that there have been regimes of all sorts – some orderly, some disorderly – and a huge variety of tastes and fashions in eating and drinking, and all sorts of revolutions of climate too, during which the living organisms probably underwent innumerable transformations?

782 b CLINIAS: Of course.

ATHENIAN: Yes. And we also believe, I presume, that vines made their appearance at some stage although they didn't exist before then, and the same goes for olives and the various gifts of Demeter and Kore,⁵ and that some Triptolemus was the agent of all this. And we must presume, mustn't we, that at the time when these fruits of the earth didn't exist, the living organisms took to feeding on one another, just as they do nowadays?

CLINIAS: Indeed.

782 c ATHENIAN: And even today, in many regions, we see that human sacrifice still persists. And we are also told that in other regions, by contrast, people dared not taste the flesh of oxen, and there were no animal sacrifices but 'pure' sacrifices of cakes and meal soaked in honey and the like. They refrained from the flesh of animals as it was an unholy act to eat it or to pollute the altars of the gods with blood. In those days, a so-called Orphic lifestyle was prevalent among us,⁶ which held to a strictly vegetarian diet, and they refrained completely from eating living creatures.

782 d CLINIAS: Yes. This is referred to a lot and the reports are quite credible.

ATHENIAN: Now, someone might ask us why we are now saying all this.

CLINIAS: You're right about that, stranger.

ATHENIAN: So, as best I can, Clinias, I will try to set out the considerations that follow from these.

CLINIAS: Please proceed.

ATHENIAN: I observe that for human beings everything depends upon three necessary desires, which result in excellence if people are led aright, and its opposite if they are led badly. As soon as they are born, there are the desires for food and drink. Every creature has an innate passion for all this, and it is full of frenzied defiance at the suggestion that anyone should do anything else except gratify their pleasures and desires for everything of this sort, and be quit of all pain. Our third and greatest need, and our most extreme passion – which emerges later and completely inflames us humans to madness – is the burning, wanton passion for procreation of offspring. These three disorders then must be diverted towards what is best rather than what is said to be most pleasant. We must try to restrain them by the three mighty

forces of fear, law and true reason, assisted by the Muses and the gods of competitions to stem their growth and influence. 783 b

So, after the subject of marriage, let us place the procreation of children, followed by their nurture and education. And perhaps if our discussions proceed in this way, each of our laws will reach a conclusion. And when we come to the communal meals, and view the issues at close quarters, perhaps we may see more clearly whether this sort of communal activity should include women, or be confined only to men. And having arranged the preliminaries to the communal meals, which are still unregulated at present, we shall place these in front of them, and as I said just now we shall look at the communal meals with greater precision and be better able to prescribe suitable and appropriate laws for them. 783 c

CLINIAS: Absolutely correct.

ATHENIAN: Well, let us preserve the memory of what has been said just now, since all of this may prove useful at some stage.

CLINIAS: What are you telling us to remember?

ATHENIAN: The three factors we defined. I think we spoke first of eating, secondly of drinking, and thirdly of an intense sort of sexual excitement. 783 d

CLINIAS: Yes, stranger, we shall certainly remember what you are telling us to remember.

ATHENIAN: Good. Let's turn our attention to the married couple then, and teach them how, and in what way, they should procreate children, employing legal threats if we fail to persuade them.

CLINIAS: In what way?

ATHENIAN: The bride and bridegroom should have the intention, as best they can, of presenting the city with the very finest and the very best progeny. Now, whenever any human beings who are partners in any activity apply their intelligence to themselves and to the activity, the outcome is entirely noble and good, but the outcome is the direct opposite if they do not pay attention or are devoid of intelligence. So the bridegroom should apply his intelligence to the bride and to procreation, and the bride should do the same. They should have overseers, women whom we have appointed, their number,⁷ more or less, and the timing of their appointment being determined by the officials as they see fit. They are to gather every day at the temple of Eileithyia⁸ for at least one third of an hour. At the gathering, they should inform one another of any man or woman of reproductive age whom they see preoccupied with anything else besides the injunctions imposed upon them as a consequence of the sacrifices and solemnities of their marriage. Let this period of producing children, and oversight of the young couples, last no more than ten years in cases where offspring are plentiful. But if some couples are still childless after this period of time, they should separate, having taken advice jointly as to what is advantageous for both of them from family members and the female officials. And if some dispute arises over what is appropriate and advantageous for each party, they should choose ten guardians of the law, accept their remit as arbiters, and abide by the instructions they issue. The female supervisors are to put a stop to any errors and folly of the couples by going into their homes and using admonitions or threats. If they are unsuccessful, they should go to the guardians of the law and report the problem, and the guardians should deal with it. If even the guardians are somehow unsuccessful, they should bring the matter to public attention by publishing a notice, having sworn on oath 783 e
784 a
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784 c

⁵ The gifts referred to here are grains.

⁶ The Orphics, whose practices were based on the writings attributed to the legendary poet Orpheus, refrained from killing and eating meat on the basis of their belief in the reincarnation of souls, both of humans and of animals.

⁷ This is the first mention of these women.

⁸ Eileithyia was the goddess of childbirth and midwifery.

784 d that they are unable to reform such and such a person. Unless the person who is the subject
of the notice turns the tables on his accusers in a court of law, he is to be deprived of his
rights as follows. He may not attend weddings or thanksgivings for the birth of children,
and, if he shows up, anyone who wishes may, with impunity, punish him with blows. The
784 e same regulations shall also apply to a woman. If she has been reported publicly in like man-
ner for disorderly behaviour, and loses her case, she shall be excluded from the processions
of women, or from any honours, and from attending weddings or celebrations of the births
of children.

Once they have produced their children, as ordained by the laws, a man who consorts
with another woman or a woman who consorts with another man, while the other party is
still of reproductive age, shall incur the same penalties as outlined for those who are still
producing children. Once this time has passed, a man or a woman who shows restraint in
such matters should be well regarded in every way, while those who do the opposite should
be honoured in the opposite way, or rather shown no respect at all. When most people are
785 a moderate in their behaviour in such matters, the regulations can be left to lie in silence,
but if disorder sets in among the general population, then regulations should be imple-
mented based upon the laws we have just prescribed.

For each person, their first year is the start of their entire life, and this should be
recorded in their ancestral shrines as the ‘beginning of life’ for each boy and girl. A further
record should be kept on a whitened wall in each tribe, giving the number associated with
particular archons after whom the years are numbered. Nearby, the names of those members
785 b of the tribe who are still alive should be written, while the names of the deceased should be
erased. For marriage, the age limits shall be sixteen to twenty for a girl, the longest deter-
minate time, and thirty to thirty-five for a boy. For public office the age limit shall be forty
for a woman, thirty for a man. For military service the age limits shall be twenty to sixty
for a man. A woman, once she has borne her children, may be directed to do what she is
able to do and what’s appropriate in each case until she turns fifty, doing whatever military
duties are deemed useful.



Laws

— BOOK VII —

ATHENIAN: Now that our children, male and female, have been born, it's only right that their nurture and education should be spoken of next. It is impossible to avoid mentioning this topic at all, yet when dealing with education, it would apparently be better to make use of instruction and exhortation rather than legislation. For privately, in domestic situations, a lot happens that is trivial and this goes unnoticed by most people. Because of their individual pains, pleasures and desires, which run counter to the intentions of the lawgiver, a huge variety of inconsistent habits arises all too easily among the citizens. This is bad for the cities because, on the one hand, the triviality and frequency of these transgressions make it inappropriate and unseemly to impose legal penalties, yet, on the other hand, the transgressions subvert the laws that have already been passed by accustoming the people to acting contrary to the laws in lots of trivial situations. Consequently, although we are at a loss as to how to legislate about these matters, we can't remain silent either. I shall try to clarify what I mean by presenting some examples, since at the moment what I am saying sounds somewhat obscure. 788 a 788 b 788 c

CLINIAS: Very true.

ATHENIAN: Now I presume it was right to say that a correct upbringing must demonstrate an ability to produce bodies and souls that are as beautiful and excellent as possible in every respect.

CLINIAS: Indeed.

ATHENIAN: And in the case of children, having very beautiful bodies means, I presume, in the simplest terms, that they should grow as straight as they possibly can from their earliest years. 788 d

CLINIAS: Of course.

ATHENIAN: What about this? Aren't we aware that in every living organism the first shoots of growth are the greatest and most extensive. Consequently, many people contend that the height increase in human beings is greater during the first five years than in the following twenty years.

CLINIAS: True.

ATHENIAN: Now we know, don't we, that without plenty of appropriate exercise, rapid growth causes lots of physical problems? 789 a

CLINIAS: Of course.

ATHENIAN: Therefore, most exercise is required at the time when most nutriment is being provided to our bodies.

CLINIAS: What's this, stranger? Shall we prescribe most exercise for new-born babes and infants?

ATHENIAN: Not just then, but even before then, when they are still being nurtured within their own mothers.

CLINIAS: What do you mean, my friend? Are you referring to babies in the womb?

ATHENIAN: Yes. It is not surprising that you are unaware of the physical training that is appropriate at that stage of life, but since this is so unusual, I would like to explain it to you. 789 b

CLINIAS: By all means, do so.

ATHENIAN: Well, there is more awareness of this sort of training among my own countrymen because some people there are more involved in sport and games than they should be. In fact, among ourselves, not just children, but even some older men rear wild birds to fight with one another. Now, they are far indeed from believing that the exercises in which they train such creatures by pitting them against one another constitute adequate training. Indeed, besides these exercises, each owner keeps his bird concealed about his person, smaller ones in their hands, and larger ones under their arm. They go about, walking mile after mile, to ensure not just that their own bodies, but the bodies of these creatures too are in good condition. This much should make it obvious to anyone who is observant enough, that all bodies are benefited and invigorated when they are moved by any sort of shaking or motion, whether they are moved of their own volition, or by a swaying vehicle, by a ship at sea, from horse-riding, or by any other means of bodily transport. Because of all these, our bodies assimilate the nourishment of food and drink and can become a source of health, beauty and general robustness for us.

Now, in the light of these arguments, how would we say we should proceed? Would you like us to risk ridicule by explicitly implementing laws whereby pregnant women are to take walks, mould the newborn child like wax while it is still supple, and wrap it in swaddling clothes for the first two years of its life? And should we also use legal penalties to compel the nurses always to carry the children, somehow or other, to the fields, the temples, or to their relatives until they are well able to stand upright themselves? And then, should they persist in carrying the new arrivals until they turn three as a precaution in case their legs get deformed when they are young from bearing their full weight? And shall we prescribe that there should be more than one nurse per child and that they should be as strong as possible? And should we specify a penalty for every case of failure to follow these directions? Or is this too extreme? Indeed, it would result in far too much of the outcome I just mentioned.

CLINIAS: Which was?

ATHENIAN: The enormous ridicule we would attract. And what's more, we would be unlikely to make much impression upon the feminine and servile characters of the nurses.

CLINIAS: Why, then, did we think it necessary to mention all this?

ATHENIAN: Here's why. The characters of the masters and free men in our cities may perhaps be more receptive to hearing this, and come to the conclusion, rightly, that any notion of a stable body of laws for communal affairs is a vain dream in the absence of correct regulation of private life in our cities. A citizen who recognises this may well adopt the suggestions we have just made as laws, resort to them to manage the city nicely, and his own household too, and live in happiness.

CLINIAS: A very likely outcome.

ATHENIAN: So, let us not move on from this sort of legislation until we have also given a detailed account of the various activities concerned with the souls of the young children, just as we went through corresponding accounts related to their bodies when we began.

CLINIAS: That is the right way to proceed, very much so.

ATHENIAN: Well, let us adopt this as a common principle applicable to both body and soul – that the nursing and motion of the bodies and souls of the very young, particularly of the youngest infants, when maintained as best we can day and night, is beneficial in all cases. Indeed, if it were possible, it would be good for them to spend their lives as if they were constantly sailing the seas. But as matters stand, in the case of our new born infants, we should get as close to this ideal as possible. The following examples provide additional evi-

dence. Nurses of small children adopt this procedure and recognise its usefulness, and so do the women who treat corybantic conditions.¹ Indeed, that is why mothers who want to lull sleepless children to sleep do not resort to stillness but, on the contrary, to movement, rocking them continually in their arms, using some sort of melody rather than silence, as they literally charm the children. The nurses use the combined motion of dance and music, just like the priestess who charms those who are out of their minds using cures from the Bacchic rites. 790 e

CLINIAS: What, stranger, is the cause of all this?

ATHENIAN: That is not particularly difficult to appreciate.

CLINIAS: What is it then?

ATHENIAN: Both these responses presumably involve being frightened, and fright originates in some degenerate state of the soul. However, when someone brings external rocking to bear upon such responses as these, the externally applied motion overcomes the internal motion, which is fear and frenzy, and once the external motion prevails, it produces a manifest tranquillity in the soul and a relief from the distressing agitation of the heart that had been present in each case. This results in complete satisfaction, bringing sleep to the sleepless, and sanity in place of their frenzied state of mind to the others who are wide awake, as they are drawn into dancing and music-making, aided by the gods to whom they offer propitious sacrifices. And this account, although brief, is a plausible explanation of these matters. 791 a 791 b

CLINIAS: Very much so.

ATHENIAN: Given that these measures have this sort of power, we need to recognise, in the case of these people, that every soul experiencing such frights from its earliest years is more likely to develop the habit of being fearful. And we would all agree, I presume, that this constitutes the practice of cowardice rather than courage.

CLINIAS: Of course.

ATHENIAN: And we would accept that the opposite course, the pursuit of courage from our very earliest years, consists in being victorious over any frights and fears that assail us. 791 c

CLINIAS: Correct.

ATHENIAN: According to us then, this one factor, the training of very young children through various movements, contributes enormously to developing one part of the soul's excellence.

CLINIAS: Very much so.

ATHENIAN: And, indeed, absence of discontent would play a significant role in developing a good soul, while discontent would produce a bad soul.

CLINIAS: Inevitably.

ATHENIAN: Now, in what way may we implant either of these two qualities from the very outset, at will, in the new-born babes? We need to make an effort to state how and to what extent these two qualities are within our control. 791 d

CLINIAS: Of course.

ATHENIAN: The view held among ourselves is that a soft life produces in the young people habits of discontent, bad temper, and a strong tendency to get agitated over trifles. Yet, on the other hand, the opposite sort of regime, based on excessive harsh subjugation, renders them unsuited to life in society by turning them into cringing, servile creatures who hate their fellow man.

CLINIAS: But how should the city as a whole set about the task of rearing children who don't yet 791 e

¹ The Corybantes, offspring of the god Apollo, were legendary armed and crested dancers who worshipped the goddess Cybele (Rhea) through their ritual dancing and drumming. Corybantic conditions were pathological compulsions to dance, thought to have been caused by divine possession.

understand speech and cannot yet partake of education generally?

ATHENIAN: As follows. It is usual for every creature, human beings included, somehow to utter a loud scream as soon as they are born, and, indeed, human children, in addition to the scream, are more prone to crying than other creatures.

CLINIAS: Yes, indeed.

792 a ATHENIAN: Now, when the nurses are trying to discover what a child wants, they are guided as to what to give it by these various sounds. When an offering is greeted with silence, she concludes that all is well, but when the child cries out and screams, she knows there is a problem. So you see that the infants indicate what they love and hate by these cries and screams, a most unfortunate set of signals, and this phase lasts for at least three years, and that is no small part of one's life to spend well or ill.

CLINIAS: You are right about that.

792 b ATHENIAN: Now, don't you both think that a discontented person, who is not at all gracious, will be morose, and for the most part, more given to moaning than a good person should be?

CLINIAS: Well, I think so, anyway.

ATHENIAN: Well then, if during those three years we were to try our best, by all possible means, to ensure that our charges experience distress, fear, and any form of pain to the least possible extent, don't you think that the soul of the child we are rearing would then be rendered more cheerful and gracious?

792 c CLINIAS: Of course, stranger, especially if we provide him with lots of pleasures too.

ATHENIAN: Now, on this point I can no longer go along with Clinias, wonderful and all as he is. In fact, such a practice is, for us, enormously destructive in every respect, since it is introduced, in every case, at the very start of the child's upbringing. Let us see if I have a point here.

CLINIAS: Explain what you mean, please.

792 d ATHENIAN: I am saying that the issue before us now is far from trivial. You should consider this too, Megillus, and help us arrive at a decision. Now, the position I hold maintains that the right way to live is neither to chase after pleasures, nor again to entirely avoid all pain, but to embrace the mean, which I described just now as gracious, a condition which belongs to God, as we all rightly declare on the basis of a prophetic utterance. So, I maintain that any of us who are to be like God should pursue this state of the soul, neither giving ourselves over entirely to pleasure because we realise that we cannot avoid pain, nor are we allowed to tolerate the same behaviour in someone else, old or young, male or female, and least of all, if we can help it, in the newly born, for that's the time when character, on the whole, is chiefly determined through habit. But I would still like to insist, at the risk of sounding frivolous, that all women who are with child should be shown special care for the duration of their pregnancy to ensure that the expectant mother does not indulge in frequent, excessive pleasures, or pains either, and cultivates a gracious, kindly and gentle spirit throughout.

793 a CLINIAS: Stranger, there is no need for you to ask Megillus here which of us has spoken more correctly, since I myself agree with you that everyone should avoid the life of unadulterated pleasure or pain, and always adopt some mean. What you have said is to the point, and so is my response.

ATHENIAN: And correct too, Clinias, very much so. So the three of us should apply our minds to the following issue.

CLINIAS: Which is?

793 b ATHENIAN: That all the precepts we are now recounting are what most people call 'unwritten regulations', and everything of this sort, taken together, is exactly the same as what they refer to as the 'ancestral laws'. And what is more, the argument that occurred to us just now, that these precepts should neither be designated as law nor left unspoken, was quite right. For

in all political systems these act as bonds between all their enactments, those that have already been written down and are in place, and those that will be enacted in future. They really do constitute a body of ancestral regulations, truly ancient, which, rightly enacted and practised, shelter the existing laws in total safety. But if they stray outside of the bonds of what's right into disorder, and the ancient supports collapse, it's as if the supports installed by carpenters in a building were to give way, causing everything to tumble into everything else, one thing lying on top of another, both the supports and the rightly constructed later superstructure. With these principles in mind, then, Clinias, we should bind this city of yours together, totally, while it is still new, doing our best to omit nothing large or small, be they laws, customs, practices or whatever they are called. For a city is bound together by everything of this sort, and neither of these is stable without the other. Accordingly, we should not be surprised if the inclusion of lots of seemingly trivial regulations and customs makes our laws quite lengthy. 793 c

CLINIAS: Well, you are right to point this out, and we shall bear this in mind.

ATHENIAN: So, if we could implement these measures precisely until a boy or girl reaches the age of three, and not treat what has been said casually, these would be of no small advantage to our young charges. But the souls of three-year-olds, and four-, five- and even six-year-olds, would need games, and the gentleness should then give way to punishments which are not demeaning or violent, neither provoking anger in the chastised child, nor spoiling him through lack of correction. In other words, we should apply the same principles to the free born as we prescribed earlier for slaves. 793 e 794 a

Now, there are certain games that come naturally to children at that age, and they readily work these out for themselves when they get together. So at that stage, the three- to six-year-olds should gather at the village temples so that all the children of each village come together in the same place. What's more, the nurses are to be responsible for the orderly conduct or misbehaviour of the children, and one woman in each case, one of the twelve who have already been mentioned, is to be put in charge of the nurses themselves, and of each group as a whole, for one year. These are to be appointed by the guardians of the law, while the women who are responsible for overseeing marriages should select the twelve, one from each tribe, the same age as themselves. Once appointed, she should pay an official visit to the temple each day, assisted by some of the city servants, punishing any wrongdoer, slave or foreigner, whether male or female. In the case of a citizen, where there is a dispute over the punishment, she should refer the matter to the city wardens, but where there is no dispute, she herself should punish even a citizen. 794 b 794 c

After the age of six, the sexes should then be separated, boys being made to associate with boys, girls with girls. Each needs to turn their attention to various courses of instruction, the boys going to teachers of horsemanship, archery and the use of javelins and slings. The girls too may take instruction in these, if they wish, especially in the use of weapons. For the prevailing view on such matters is, for the most part, misguided. 794 d

CLINIAS: What view?

ATHENIAN: The view that when it comes to using our hands for various activities, the right and the left are different by nature, whereas in tasks involving our feet and lower limbs, no such difference is apparent. But due to ignorance on the part of nurses and mothers, each of us has turned out more or less disadvantaged when it comes to manual activities. For although the limbs are more or less equally balanced on each side, we ourselves have made them different through habitual incorrect use. Now, in activities of no great importance this doesn't really matter. For instance, it matters little if someone holds the lyre in his left hand and the plectrum in his right, but it borders upon stupidity to use these examples as our 794 e 795 a

models in other situations where there is no need to adopt such a practice. The Scythian practice of using the right hand and the left hand interchangeably to draw the bow and to string the arrow, rather than using just one hand for each, illustrates the point. And there are lots of similar examples, from chariot-driving and so on, which are enough to show us that those who train the left side to be weaker than the right are training them contrary to nature. Now, as we said, this makes little difference with plectrums made of bone, and other such implements, but it matters a great deal when iron weapons such as bows and arrows, javelins and the like are to be used in war, and it matters enormously in the clash of weapons with weapons where there is a huge difference between someone who has learned the skill and someone who has not, someone who has been trained and someone who has not. For instance, a perfectly trained pancratiast or boxer or wrestler is well able to fight to his left, and he is not handicapped, dragging himself about in disarray whenever an opponent puts him under pressure by switching sides. So too, in my view, in the case of weapons or anything else, it is only right to accept that someone possessed of two sets of limbs with which to defend himself or attack others should do his best to avoid leaving either side to lie idle and untaught. Indeed, someone endowed with the physique of a Geryon or a Briareus² ought to be able to throw one hundred darts with all of those one hundred hands of his. All this should be looked after by those who are in charge, male and female, the women acting as supervisors of the games and general upbringing, the men of the courses of instruction, to ensure that all boys and girls turn out sure-footed and good with their hands, with none of their natural endowments marred by acquired habits, insofar as this is possible.

The courses of instruction would fall, more or less, under two headings – physical training relating to the body, and music for the sake of a good soul. Physical training, in turn, has two aspects – dancing and wrestling. In one form of dancing the eloquence of the Muse is imitated, preserving both dignity and freedom. Another form aims at fitness, lightness and beauty, ensuring the appropriate flexibility and reach of the limbs and other parts of the body itself, and at bestowing upon each of them a beautiful rhythmic motion of their own, which pervades and consistently accompanies all kinds of dancing. As far as wrestling is concerned, the techniques invented by Antaeus and Cercyon for the sake of useless ambition, or those developed by Epeius or Amycus for boxing, being of no use in the conduct of warfare, don't deserve to be dignified with a mention.³ But the techniques of stand-up wrestling, to free one's neck, arms or ribs, practised with ardour and a good physique, for the sake of health and strength, these are useful for all purposes and should not be neglected. So when we come to the appropriate point in our laws, we should direct the teachers to impart all knowledge of this sort generously, and the pupils to receive it graciously. Nor, again, should we neglect in the choral performances any imitative actions that are appropriate to the particular place, the armed games of the curetes on this island⁴ and of the Dioscuri in Sparta. And, indeed, among my own people, our Virgin Queen,⁵ delighting in the entertainment of the dance, thought it wrong to play the game with empty hands, and right to perform the dance adorned in full battle array. So it would be most fitting then for our boys, and girls too, to copy these out of respect for the grace of the goddess, for their military benefit and for the sake of the festivals. So, from the outset, until they are of age for military service, the children should, I suggest, when in processions to any gods and when involved in parades, always be equipped with horses and armour as they pay their respects to the gods and their offspring with marches or dances, quick or slow. And their sole purposes in competitions, or preparing for competitions, should be these and these alone. For competitions in peace or war are beneficial to a state and to private households, while other exertions, sports or business related to the body are not worthy of a free people.

Now Megillus and Clinias, I have more or less described in detail the gymnastics that I said in our initial discussions needed to be described. There it is in its entirety. If you have anything better to offer, please share it with us.

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CLINIAS: Stranger, if we reject this account it won't be easy to come up with anything better to say about gymnastics or competition either.

ATHENIAN: We thought earlier that we had dealt comprehensively with the related matter of the gifts of the Muses and of Apollo, and that the only topic remaining was gymnastics. But what still needs to be said to everyone, and that it should be said at the very outset, is now obvious. So let's state this, systematically.

CLINIAS: Certainly. That's what we should do.

ATHENIAN: Listen to me, then. You have done so already, but the speaker, and the listeners too, need to be extremely careful when the proposition is highly unusual and unfamiliar, as is the case now. I shall advance my argument with some trepidation; nevertheless, I shall summon up my courage and not be put off.

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CLINIAS: What is your argument, stranger?

ATHENIAN: I maintain that in all cities there is total ignorance about games in general, and how extremely influential they are in relation to the enactment of laws, and in determining whether or not laws endure once they have been enacted. For when there is regulation ensuring that the same children always play the same games, under the same conditions, in the same way, and enjoy the same playthings, this provision also allows the existing regulations on more serious matters to be free from disturbance. However, when there are variations and innovations in games, and changes are constantly being introduced, and the children's tastes are never the same for long, when they never settle upon a standard of what's seemly or unseemly in the deportment of their own bodies, or in anything they make use of, they then develop undue respect for anyone who constantly innovates by introducing something new and different from what they are accustomed to, in terms of shape, colour and everything of that sort, and I think we may safely say that no greater harm could befall a city than such a person as this. For he is surreptitiously changing the habits of the young, making them despise what is old, and honour whatever is new. So, I say again that nothing does more damage to any city than the expression of such a doctrine as this. Listen, and I will tell you just how bad it is.

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CLINIAS: Are you referring to criticism of the ancient traditions of our cities?

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ATHENIAN: Very much so.

CLINIAS: You won't find this particular argument falling on deaf ears with us. We'll do our best to give you a good hearing.

ATHENIAN: So I expect.

CLINIAS: Please proceed.

ATHENIAN: Come on then, let us surpass ourselves both as listeners and as speakers. The fact is that all change, except when it deals with evils, will be found to be extremely precarious, whether it affects the seasons, the winds, our bodily regimen, or the tendencies of our souls. And this is not, as we might say, sometimes so and sometimes not so, but always so, except, as I said just now, in the case of evils. Look at our bodies, for instance. We see that they become accustomed to all sorts of food, drink and exercises, even though they were dis-

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² Geryon and Briareus were, according to myth, two fearsome many-limbed giants.

³ The techniques referred to here are dropping to the floor in the case of wrestling, and the use of gloves in the case of boxing.

⁴ The cures were the Corybantic dancers on Crete who worshipped Rhea and protected infant Zeus

⁵ The 'Virgin Queen' of Athens was Athena.

798 a turbed by these at first. Then, over time, from these very materials they grow flesh that is
 akin to these, and having developed a fondness, familiarity and understanding of this entire
 regimen in terms of pleasure and health, they live an excellent life. But if someone is ever
 compelled to change once more to some other worthy regimen, the person is disturbed in
 the beginning by various diseases, and only gradually recovers as he gets accustomed again
 to the diet. Now, we should presume that the same thing also applies to people's minds, and
 at the same time to the natures of their souls too. For when the laws they have been reared
 798 b under are, through some divine good fortune, stable over a long period of time, so that no
 one remembers or has even heard of them being different from the way they are at the
 moment, all the soul reveres them and is afraid to alter anything that has been in place for
 so long. So the lawgiver should discover, somehow or other, the means whereby his city
 will secure this advantage. My suggestion is as follows. All lawgivers are of the view that
 798 c changes in children's games, as we said before, are in themselves a mere game, and that no
 great or serious harm comes from them. Consequently, instead of trying to avert them, they
 go along with them compliantly, and it never occurs to them that children who engage in
 innovation in their games necessarily become very different people than the previous gen-
 798 d eration of children. Once they become different they seek a different life, and in their search
 they develop a desire for different pursuits and laws, and none of them fears the arrival of
 what we have just called the greatest evil afflicting our cities. Other changes, affecting mere
 externals, would be less productive of evils, but frequent changes in what is praised or cen-
 sured in the characters of people, are, I believe, the most influential of all, and should be
 treated with the utmost caution.

CLINIAS: Of course.

ATHENIAN: Well now, do we still believe the previous arguments in which we asserted that rhythms,
 and music in general, are imitations of the manners of better people or worse people? Or
 798 e where do we stand?

CLINIAS: Our opinion on the matter would remain unchanged.

ATHENIAN: Should we maintain then that every possible means must be devised to ensure that our
 children neither develop the desire to come up with alternative imitations, in dance or in
 song, nor that anyone lures them in that direction with pleasures of all sorts?

CLINIAS: Correct.

799 a ATHENIAN: For such purposes, can any of us suggest any device better than what the Egyptians use?

CLINIAS: What are you referring to?

ATHENIAN: Making all dance and all song sacred, having first regulated the festivals by drawing
 up an annual list prescribing which festivals are to be celebrated, at what times, dedicated
 to what particular gods, children of gods or daimons. After this, certain people must first
 ordain which hymn is to be sung at the various sacrifices to the gods, and with which dances
 799 b the sacrifice is to be graced on that occasion. Once these have been ordained, all the citizens,
 communally, having performed sacrifices to the Fates and to all the other gods, should con-
 secrate the relevant hymns to the particular gods and divinities. But if anyone introduces
 other hymns or dances besides these to any god, the priests and priestesses, assisted by the
 guardians of the law, shall be performing a sacred and lawful act in excluding the offender
 from the festival. And if he is unwilling to accept his exclusion, he shall, for the rest of his
 life, be subject to a charge of impiety by anyone who wishes to pursue the matter.

CLINIAS: And rightly so.

799 c ATHENIAN: Well, having embarked upon this argument, we should behave in a manner that
 becomes us.

CLINIAS: What are you referring to?

ATHENIAN: No young person, presumably, not to mention the elderly, on seeing or hearing anything strange and not at all familiar, would ever, I imagine, rush to some hasty resolution of the difficulties on the spot. He would pause, like someone who had arrived at a crossroads as he travelled alone or with others and did not really know the right road to take. He would question himself and others in the light of the difficulty and would not proceed further until he had settled the question of where precisely the road would lead him. And that is exactly what we should do now. For having just come across a strange argument in relation to laws, we need to investigate it thoroughly, I presume, and not, at our age, make pronouncements so glibly on such important matters, insisting there and then that we have something illuminating to impart. 799 d

CLINIAS: Very true.

ATHENIAN: Now, although we should allow time for this and only settle the issue after a comprehensive investigation, we do not wish to be prevented needlessly from completing the subsequent arrangement of the laws that are now before us, so we should go on to the end of them. For perhaps, God willing, once this exposition as a whole reaches a conclusion, it may also proffer an adequate solution to our present difficulty. 799 e

CLINIAS: That's an excellent suggestion, stranger, let's do as you say.

ATHENIAN: So let's accept this unusual doctrine. We say that our hymns have become 'measures',⁶ and that is just what the men of old seem to have called their harp-tunes too, so perhaps these people would not distance themselves entirely from what we are now saying, and one of them, I suspect, had an inspired vision of this whilst asleep, or in a waking dream. So let the following pronouncement be made on this matter. No one, in action or utterance, is to depart from the publicly prescribed tunes, rituals or choral performances of the young, any more than he would depart from any of the other legal measures. Whoever conforms shall suffer no penalty, but whoever disobeys, as we said just now, shall be punished by the guardians of the law, the priestesses and the priests. May we now take it that these issues have been settled by our argument? 800 a

CLINIAS: We may.

ATHENIAN: In what way, then, could someone legislate on these matters without becoming a total laughing stock? Let us look at this further issue concerning them. The safest approach is to contrive some aspects theoretically first. So I suggest the following. Suppose a sacrifice has been conducted and the offerings have been burned in accordance with the law, and some individual, a son or a brother, standing close to the altar and the offerings, were to utter all sorts of outright blasphemies; wouldn't we expect this outburst to fill his father and other relations with despair, foreboding, and ominous apprehensions? 800 c

CLINIAS: Indeed.

ATHENIAN: Well, in our part of the world this is more or less what happens in almost all the cities. Whenever some official conducts a sacrifice in public, along comes not a single chorus, but a host of them, who stand not at a distance from the altars but sometimes right beside them, pouring out utter blasphemy over the sacred offerings, afflicting the souls of the gathering with their words, rhythms and mournful harmonies, and whoever provokes most tears from the sacrificing city carries off the victory prize there and then. Now, we shall cast our vote against such a practice, shan't we? And if our citizens ever actually need to give ear to such doleful strains on certain days that are not holy or noteworthy, wouldn't it be better that the choruses be hired in from outside for the occasion, just like the paid performers 800 d

⁶ A play on the word *nomes*, which can mean either 'laws' or 'melodies' or 'chants'. Here the word is translated as 'measures' in an attempt to reflect this ambiguity.

with their doleful Carian music who escort the dead at funerals? Some such arrangement would presumably be suitable for songs of this sort, and the costumes appropriate for performing these funereal dirges would not consist of garlands and gold embroidery, but to get the topic over with as quickly as I can, the direct opposite. I would just like us to ask ourselves this particular question once again. Are we satisfied that the first aspect of hymns, for us, would be this one?

CLINIAS: Which?

801 a ATHENIAN: Reverent delivery. And, indeed, our hymns in general must be entirely reverent in every respect or is there no need to repeat the question? May I simply impose this regulation.

CLINIAS: Yes, impose it by all means. Indeed, this measure would win the vote unanimously.

ATHENIAN: Well, after reverent delivery, what would the second law belonging to music be? Is it that there should always be prayers to the gods to whom the sacrifice is being offered?

CLINIAS: Of course.

ATHENIAN: Our third law, I believe, is that the poets, recognising that prayers are requests made of
801 b the gods, are to be extremely careful in case they ever unwittingly ask for bad as though it were good. In fact, making a prayer of this sort would in my view be an absurd state of affairs.

CLINIAS: Indeed.

ATHENIAN: Now, weren't we persuaded by our argument a moment ago that wealth in the form of silver or gold should neither settle nor find a home in our city?

CLINIAS: We certainly were.

ATHENIAN: So can we say what precise aspect has been highlighted by this argument? Is it that
801 c poets in general are not really up to the task of recognising, unequivocally, what is good and what is not? Of course, when a poet falls into this error of praying in the wrong way, either in his words or in the melody, he will make our citizens utter prayers in matters of the utmost importance, contrary to our directions. And, indeed, as we said, it would be hard to find an error more serious than this. So shall we institute this as one of our legal models relating to music?

CLINIAS: What are you instituting? Explain this more clearly please.

ATHENIAN: The poet is to compose nothing contrary to what the city holds to be lawful and just,
801 d noble and good. He is not allowed to display his compositions before any private citizens until they have first been shown to and approved by the judges appointed to consider these matters, and by the guardians of the law. And these people have effectively been appointed by us already when we selected lawgivers concerned with music, and our supervisor of education. Well then, to repeat my question, shall we lay this down as a third model or aspect of our law? What do you think?

CLINIAS: Do so, indeed.

801 e ATHENIAN: After these issues are settled, the right thing to do would be to sing hymns and praises to the gods, combined with prayers, and then, in like manner, prayers and praises to the daemons and the heroes, as appropriate to each.

CLINIAS: Of course.

ATHENIAN: And after this there could be no objections to an immediate law whereby praises may be properly sung for any citizens approaching life's end, who have noble achievements to show for their hard work, physical or mental, and who have been obedient to the laws.

CLINIAS: How could anyone object?

802 a ATHENIAN: As for those who are still alive, it is not safe to honour them with praises and hymns until their entire life has run its course and has attained a noble end. Then all these honours may be allowed to men and to women, without distinction, who have been conspicuous for their goodness. As for the songs and the dances, these should be organised as follows.

Among the works of the ancients there are many beautiful traditional musical compositions, and the same may be said of dances too for our bodies. And we are free to select from these whatever is appropriate and suitable for the constitution we are establishing. To make the selection, scrutinisers of these poems and dances are to be chosen who are more than fifty years of age. Whatever works of the ancients are deemed satisfactory should be accepted, while those deemed deficient or totally unsuitable are to be either rejected out of hand, or revised and corrected, as the case may be. For this we shall employ the services of the musical and poetical folk, making use of their ability as composers without surrendering to their tastes and preferences, with rare exceptions. Rather, by interpreting the wishes of the law-giver, we shall institute dancing, singing and choral performance in general, as much in accord with those overall intentions as possible. 802 b

Any disordered musical activity is improved a thousandfold once it is regulated, even without the addition of the honey-sweet Muse. Pleasure is a common feature of all kinds of music. For someone who has lived his life from his earliest childhood until the age of maturity and good sense in the presence of a sober and measured style of music hates the opposite style when he hears it, and declares it to be unworthy of a free people. But someone who is brought up on popular sweet music regards the opposite style as cold and joyless. And so, as I said just now, neither the pleasure nor the joylessness has prevailed in either case, but the styles differ insofar as one makes those who are brought up on it better, while the other makes them worse. 802 c

CLINIAS: You have expressed that very well.

ATHENIAN: It would be necessary, in addition, to make a rough division, distinguishing between songs suited to females and those suited to males, and it would be important to set them to appropriate harmonies and rhythms. Indeed, it would be terrible for the overall harmony, and the rhythms too, to be discordant, because the songs are not assigned what is suitable and appropriate in each case. So it will be necessary to legislate on these matters, at least in general terms. Now, although it is possible to assign the required harmony and rhythm to both kinds of songs, what songs are assigned to the female should be determined by the actual distinction between the natures of the sexes. Whatever is exalted and inclines towards courage should be pronounced manly, while anything that tends more towards order and sound-mindedness should, by our tradition of language and of law, be regarded as more feminine. This then is the arrangement. After this, we shall speak of teaching and passing on these subjects, the manner in which this is to be done in each case, to whom, and when. I seem to be behaving much like a shipbuilder who begins his design by laying down the keel and sketching the vessel in general outline. I am trying to set various lives before you in various terms, based upon the manner of people's souls, actually laying down their keels, to give proper consideration to this important question: how may we best navigate this journey of life? By what manner or means of living is this to be done? Now, human affairs are not worthy of extreme seriousness, but be serious we must, more's the pity. Yet, since we are here in this world, if we were somehow or other to be serious in an appropriate way, that would probably be the right measure for us. But what precisely do I mean? Someone would probably challenge me with that question, and rightly so. 802 d

CLINIAS: Indeed so. 803 a

ATHENIAN: I maintain that we should take what's serious seriously, and not be serious about what's trivial. God is naturally worthy of the utmost beneficent seriousness, while humans, as I said before, have been constructed as a plaything of God, and that really is what's best about us. Every man and woman then should live their lives accordingly, adopting this way of living by playing the game as beautifully as they can, in total contrast to their present attitude. 803 b

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803 d CLINIAS: How so?

ATHENIAN: Nowadays they are of the view, it seems, that anything serious should be undertaken with play as the objective. And so, they believe that warfare, being a serious business, should properly be undertaken for the sake of peace. But the fact is that in warfare there never has been any play, nor indeed any education worth mentioning, nor is there now, nor will there ever be, and this I maintain is the most serious issue for us. So each of us should spend our

803 e lives, for the most part, in peace and excellence. What, then, is the right way to do this? Our lives are to be lived playing certain games which involve performing sacrifices, singing hymns, and dancing, so as to be able to secure the favour of the gods, and, indeed, repel our enemies and defeat them in battle. By what sorts of singing and dancing may both these objectives be attained? This has already been answered in broad outline, and the path has, in a sense, been opened up for us to tread, confident that the poet was right to say:

804 a *Telemachos, some of it you yourself will see in your own heart,
and some the divinity will put in your mind. I do not
think you could have been born and reared without the gods' will.*⁷

804 b So, our charges too should be of the same mind as the poet; they must accept that what has been said is sufficient, and that in the case of sacrifices and dances, the daimon and god will make suggestions as to the particular gods to whom they are to offer their games in propitiation. And so, they will live out their lives in accord with the sort of nature they possess, being for the most part puppets, occasionally getting a glimpse of the truth.

MEGILLUS: You are belittling the human race mightily, stranger.

ATHENIAN: Do not be surprised, Megillus, just forgive me. I was intent upon God just now, and I said what I said in the light of that experience. So, if you prefer, let us allow that this human

804 c race of ours is not lowly, but deserves to be taken seriously.

To continue with the original subject, we spoke of buildings for public gymnasia and schools, three of them in the centre of the city, and, indeed, three training grounds and open spaces for horses outside the city on the periphery, fitted out for instructing and training the young in archery and long-range warfare in general. And if it turns out that these were not described in sufficient detail earlier, let us incorporate them now into our argument and laws. In all these places there are to be teachers in residence for each subject, foreigners attracted by the pay to teach any subjects that are concerned with warfare, or, indeed, with music, to those who attend. And it is not that the children are to attend if their father so wishes, and be exempt from the education if he does not. No, if possible, every “man and boy”, as they say, being children of the city more so than of their parents, has to be educated.

804 d And, indeed, in the case of females, my law would mandate the very same provision as for males; the training of males and females should be identical. And in stating this argument, I have no reservations about horsemanship and gymnastics being appropriate for men but not for women. In fact, I have been convinced of this by hearing time-old stories, and nowadays I know that there are, so to speak, thousands and thousands of women living around the Black Sea – Sarmatian women, they are called – who have been directed to get involved to the same extent as the men, not only in horsemanship but in archery and the use of weapons generally, and they train to the very same extent. Besides, I have a particular view-point on these issues, as follows. If it really is possible to arrange matters in this way, then the current practice in our parts of the world is the height of folly. It is sheer folly that all men and women don’t conspire, with all their might, to engage in the same pursuits. As matters stand, almost every city turns out, more or less, to be only half what it might be,

804 e based upon the same expenditure and effort. And that, surely, constitutes an astonishing error on the part of the lawgiver.

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CLINIAS: So it seems, stranger. Nevertheless, much of what is now being suggested runs counter to our customary civic practices. You said that the argument should be allowed to run its course and we should draw conclusions only when it is over. That suggestion was most reasonable, and I must rebuke myself for saying what I have just said. So, proceed with the argument as you think best. 805 c

ATHENIAN: Well, Clinias, what seems best to me is what I said previously; if current practices did not provide sufficient evidence that these proposals can actually be implemented, perhaps it might have been possible to contradict the argument. But now someone who won't accept this law of ours must pursue a different course, and our injunction will not be nullified by these arguments. The female sex must share, as much as possible, with the male sex both in education and in everything else. And, indeed, this somehow is the way in which we need to think about these issues. Suppose that women do not participate in common with men in every aspect of their lives, won't we need to make some different arrangements for them? 805 d

CLINIAS: Yes, we would need to do that.

ATHENIAN: If we had to pick some arrangement that is currently established somewhere in preference to this common participation that we are now imposing on them, which arrangement would we choose? Would it be the system used by the Thracians and many other peoples whereby their womenfolk tend the land, mind the oxen and sheep, perform menial tasks, and are not much different from slaves? Or should we do as all of us do in our region? Among ourselves nowadays, our practice on these issues is as follows. We accumulate all of our wealth under one roof, so called, and to the women we hand over the management of provisions and responsibility for weaving and wool-working in general. Or should we propose the middle ground, Megillus, the Spartan approach? Are the young girls to be involved in gymnastics and music too, while the women, although excused from wool-working, weave for themselves a busy life that is not at all commonplace or paltry, reaching a middle ground consisting of service, management of provisions and child-rearing, without having any involvement in warfare? So, if some necessity ever arises to do battle on behalf of the city and its children, are they to be unable to use a bow skilfully like the Amazons can, or use any other kind of projectile either? Could they even imitate the goddess⁷ by picking up a shield and spear, taking a noble stand against the devastation of their native land, and be able, at very least, to strike fear into their enemies by being seen in battle formation? Based upon their manner of living, they could never attempt to imitate the Sarmatian Amazons at all; alongside your women, those women would look like men. So, if anyone wishes to sing the praises of your lawgivers, let him do so. For my part, I can only say what I have just said: the lawgiver is to be fully committed and not half do the job by allowing the female sex a luxurious, profligate and disorderly lifestyle, while paying close attention to the male sex, thus endowing the city with just half of a completely happy life, rather than the whole thing. 806 a

MEGILLUS: What are we to do, Clinias? Shall we allow the stranger to denigrate Sparta in our presence in this way? 806 b

CLINIAS: Yes. Having granted him freedom of speech we must allow him free rein until such time as we have gone through the laws in sufficient detail. 806 c

MEGILLUS: You're right.

ATHENIAN: What comes next? Shall I now try to tell you?

CLINIAS: Of course.

⁷ *Odyssey* iii.26–28, Lattimore.

⁸ A reference to Athena.

ATHENIAN: What sort of life, then, would people have if all their needs were met in due measure, all skilled labour had been handed over to others, and their farms had been entrusted to slaves, yielding a return sufficient for people who live orderly lives? What if communal meals were arranged, with men eating apart, while members of their household dined close by, including female children and their mothers? Suppose supervisors, male and female, were appointed to break up the gatherings on each occasion, having kept the conduct of the meals under observation, ensuring that everyone went on their way, in due course and order, after the supervisor and the others had poured a libation to the gods to whom that day and night happened to be sacred. For people living under such arrangements, what necessary work is there? What work is really appropriate? Is each of them to spend their life like a fatted beast? No, that, I maintain, is neither just nor noble, nor could someone living in this way fail to get what is due to him, and what is due to an idle creature, fattening itself in indolence, is generally to fall prey to some other creature, one that has been worn thin by vigorous hard work.

Now, if we sought to implement these measures, as now described properly in detail, they would probably never see the light of day as long as there are private wives, children and dwellings, and everything of this sort is arranged on a private basis for each and every one of us. But if, instead, we could implement the second-best arrangements, the ones we are describing, that would be most reasonable. And yet, we maintain that for people living in this way, the task entrusted to them is far from trivial or commonplace; a just law has assigned them the most important task of all.

Consider, then, a life that affords no leisure for any other activities at all, the life of someone intent upon victory in the Olympic or Pythian games, for instance. Well, the life that is concerned with the overall care of both body and soul in terms of excellence, the one that may most truly be called a life, is twice – indeed, more than twice – as busy. Indeed, no other tasks should act as a distraction, impeding the provision of the appropriate exercise and nutriment to the body, or, indeed, of the necessary instruction and habituation to the soul. All day and all night is scarcely enough for someone engaged in this task to derive full and complete benefit from these pursuits. And this being the case, all these free people should have a regulated lifestyle all of the time, beginning more or less at dawn on one day and continuing without any interruption until dawn and sunrise on the next. Now, any law-giver who makes lots of detailed trivial pronouncements about private domestic arrangements would be a sorry sight, especially when these are concerned with how long people should remain awake at night if they are to be accomplished and attentive guardians of the entire city. Indeed, for any of our citizens to spend the whole of any night in slumber, and not be seen wide awake by his entire household because he got up first, should be regarded by everyone as disgraceful and unworthy of a free people, whether such behaviour is dictated by law or by practice. And, indeed, for the lady of the house to be awakened by some attendants rather than herself wakening everyone else first should be proclaimed a disgrace among the servants themselves, male and female, young and old, and even, if possible, by the very building itself. A good proportion of civic and household affairs should be dealt with whilst awake during the night hours by those in authority in the city, and by masters and mistresses in private households. For a lot of sleep is not naturally suitable either for our bodies or for our souls, or, indeed, when dealing with all these affairs. No one who is asleep is good for anything, any more than a dead person. But those of us who care most for being alive and using our minds, remain awake as much as we can, making sure that we get only as much sleep as is needed for our health, and that is not much once the habit has been well established. When the rulers in cities are awake during the night hours, they strike

fear into evil doers, be they external enemies or fellow citizens, yet they are admired and respected by the just, sound-minded people, and are a source of benefit to themselves and to the city in its entirety.

In addition to all the benefits we have listed, spending the night in this way will also equip the souls of everyone who resides in these cities with some courage. And when day 808 d
breaks once again at dawn, the children make their way to their teachers, for children should not be allowed to live without someone in charge of them, nor slaves without masters, any more than sheep or any other beast should be without herdsmen. Of all beasts, the young child is the most difficult to take in hand, since the fact that he, in particular, possesses a fount of intelligence that is as yet uncontrolled makes him a scheming, shrewd and extremely unruly creature. That is why a child needs to be reined in by lots of bridles, as it 808 e
were, firstly, when he is away from his nurse and his mother, by attendants to deal with his childish immaturity; then by teachers of any subjects at all, and by instruction that befits a free people. And yet he must also be treated as a slave who may be punished by any free man who comes across the child himself, or his attendant or teacher, engaging in any transgression. What is more, if the person who comes across them fails to inflict a just punishment, he is first and foremost to be held in the utmost contempt. Then the guardian of the 809 a
law who has been put in charge of the children shall keep a close eye on this person who came across the transgression we are referring to and did not impose the required punishment or did so in an improper manner. This guardian of ours should be extremely vigilant, pay particular attention to the rearing of the children, and guide their development by constantly turning them towards what is good and lawful.

As for the guardian himself, how might this law of ours provide him with adequate instruction? As matters stand, it has not so far said anything that is sufficiently clear; some 809 b
issues have been dealt with, others not. But in the case of this man, the law should do its best to omit nothing and expound a full account so that he in turn may expound this to others and look after them. The types of choral performances, by which we mean songs and dances, which should be selected, corrected and consecrated, have already been dealt with. But, O most excellent overseer of children, we have not described the kinds of written 809 c
compositions, devoid of metre, to be used by your charges, and the manner in which they should be used. Now, you already have an account of what they should learn and study in relation to warfare. Then there are letters and the lyre, and also calculation, of which we said there should be as much as each person needs to learn for the purposes of warfare, household management and the administration of the city. For the same reasons, they should also learn whatever is useful concerning the orbits of the heavenly bodies, the sun, moon and stars, and any provisions that any city needs to make with reference to these. What I 809 d
am referring to is the arrangement of the days into cycles of months, and the months into each recurring year, so that seasons, sacrifices and festivals are each celebrated in accord with the natural order because they have each been assigned their own appropriate place. These keep the city alive and alert, bestow honours upon its gods, and render the people more intelligent about these matters. These issues have not so far been adequately explained to you by the lawgiver, my friend. So pay attention to what is to be said next. 809 e

Now, in the first place, we are saying that you have not had adequate instruction about the written word. What is our objection? It is this: it has not yet been explained to you whether someone who is to be a reasonable citizen is to go into the subject in detail or set it aside entirely, and the same consideration applies to playing the lyre. Well, we are now saying that these studies should not be set aside. For a ten-year-old, three years on writing is more or less enough, and if he takes up the lyre at the age of thirteen, three years 810 a

is a good measure of time to spend on it. And neither the child himself nor his father may be permitted to prolong or curtail the time spent on these subjects out of love or distaste for them, and go against the law by so doing. Whoever does not comply is to be deprived of the educational honours which we shall describe shortly.

810 b You should first understand what precisely the young people should learn in those years, and, again, what the teachers should teach. And we should not insist upon high achievement, in terms of speed or beauty, in students whose development is naturally slower during the specified time periods. For the purpose of instruction in written compositions not set to music, some having metre, others devoid of rhythmical subdivisions, consisting in fact of the spoken word alone, bereft of rhythm and harmony; for this purpose we have
810 c been left writings that are fraught with danger by some of the numerous authors of this kind. So, most excellent guardians of the law, what are you to do with these? And what exact directions for using them would the lawgiver give you if he were to proceed aright? I think this will challenge him mightily.

CLINIAS: What exactly do you mean, stranger? You are apparently describing your own personal perplexity.

ATHENIAN: Your suspicion is correct, Clinias, and, indeed, since the two of you are my partners in this discussion of laws, I need to explain where the difficulties seem to lie and where they do not.

810 d CLINIAS: Well then, what point are you making now, and what is bothering you?

ATHENIAN: I will tell you, then, although it is not at all easy to speak in opposition to tens of thousands of voices.

CLINIAS: What's this? Do you think that what we have said already about laws goes against majority opinion, merely on a few insignificant matters?

ATHENIAN: Very true, in fact you seem to be telling me, as I see it, that although the same course is anathema to the majority, it is perhaps acceptable to just as many others, and even if there
810 e are fewer of them, they are every bit as good as the majority. You are now encouraging me to take my chances with these few, not to give up, but proceed courageously along the legislative course prescribed by our present arguments.

CLINIAS: Indeed.

ATHENIAN: I shall not give up, then. Now, I am saying that we have countless poets who compose in hexameters, in trimeters, and in all the metrical forms you could mention, some whose intention is serious, others intent upon raising a laugh. The tens of thousands of voices maintain that properly educated young people should be brought up on these verses and saturated in them, thus turning them into highly learned folk who have heard a lot, having
811 a committed entire poems to memory. There are others who select highlights from all the poets' works, compile whole extracts, and maintain that these must be studied and committed to memory if our young charge is to be good and wise, because of this extensive experience and learning. Are you telling me, then, to be frank with these people and point out the rights and wrongs of what they are saying?

CLINIAS: Of course.

811 b ATHENIAN: Well then, is there a single statement I can make about all of these poets that will suffice? I think that something along the following lines may be enough, something on which most people will agree with me. Each of these poets has said much that is good and much that is not. If this is the case, then I maintain that for children, extensive learning is fraught with danger.

CLINIAS: So what advice would you give to the guardian of the law?

ATHENIAN: About what?

CLINIAS: About the guideline he is to refer to as to what all the young folk should be allowed to learn and what should be forbidden. Tell us and hold nothing back. 811 c

ATHENIAN: Good man, Clinias, I suspect that I have somehow been fortunate.

CLINIAS: In what respect?

ATHENIAN: Insofar as I am not entirely at a loss for a standard. In fact, as I look back now at the discussions we have conducted from dawn up to this point, not, I believe, without some inspiration from the gods, these seem to me to have been delivered from start to finish like some poem. Indeed, as I surveyed our own arguments, gathered together as it were, it is surely no surprise that I experienced great delight. In fact, of all the many discourses I have learned or listened to, in poetry or in a flood of words like ours, these to me are evidently the most measured, and especially appropriate for young people to hear. So I don't think I would be able to propose a better standard than this to an educator and guardian of the law, or do better than encourage him to instruct those who teach children, to teach them these discourses. And if in his enquiries he should somehow come across poetical compositions that are related to or similar to these, in the form of prose writings or simple unwritten works, akin to these discourses, he is not to let them go at all, but get them written down. Firstly, he is to compel the teachers themselves to learn and to praise these, and any of the teachers who don't like them are not to be employed as colleagues, while those who go along with his praise are to be employed and entrusted with the instruction and education of the young. And so, with this, let my story about the written word and the teachers thereof be concluded. 811 d 811 e 812 a

CLINIAS: Well, stranger, looking at our initial intention, I don't think we have gone outside of the bounds of the discussions we intended. But it is hard to say for certain whether we are still adopting the correct approach or not.

ATHENIAN: That, dear Clinias, as we have said on many occasions, is likely to become clearer of itself once we come to the end of our entire exposition concerning laws.

CLINIAS: You're right. 812 b

ATHENIAN: So, after the teacher of the written word, shouldn't we deal next with the harp teacher?

CLINIAS: Indeed.

ATHENIAN: Well then, in the case of harp teachers, I think we shall assign them their appropriate roles as instructors and as educators in such subjects generally, if we bring our previous discussions to mind.

CLINIAS: Discussions about what?

ATHENIAN: We said, I believe, that the sixty-year-old singers of the chorus of Dionysus have to be exceptionally perceptive in relation both to the rhythms and to the constructions of the harmonies in melodic imitations, which may be good or bad in terms of how they affect the soul. This will ensure that there is someone who can distinguish between the likenesses associated with a good imitation and those of a bad one, reject the latter, give pride of place to the former, and sing these to the young folk to charm their souls, encouraging each of them to hold fast to the acquisition of excellence which they should understand by means of the imitations. 812 c

CLINIAS: Very true.

ATHENIAN: To this end, the harp teacher and the student should make use of its sounds for the sake of the distinctness of its strings by matching the notes of the instrument to those of the voice. But the harp exhibits contrast and variation, so that one tune comes from the strings, another from the composer of the melody, especially when lots of notes are sounded with very few, fast tempo with slow, high pitch with low, and likewise all sorts of variations in rhythm can be incorporated into the notes of the harp. All such devices are to be avoided if 812 d 812 e

our pupils are to derive benefit from music in the short space of three years. For this clash of opposites with one another makes learning difficult, but it is most important that our young people learn easily. Indeed, the compulsory subjects we are assigning to them are neither few nor trivial, but the progress of our discussion will reveal these in due course. So, our educator is to look after these matters for us in this way. As for the musical compositions themselves, and the words that the choral instructors should teach, and what these should be like, all this we have already described in detail. We stated that they should each be consecrated and assigned to the appropriate festival, thus benefiting the cities by providing them with propitious pleasure.

813 a

CLINIAS: True. You have explained this.

ATHENIAN: True, indeed. And our chosen supervisor of music is to assume responsibility for this, and may good fortune attend him. Our contribution will be to add to what has already been said about dance and physical training in general. Just as in the case of musical instruction we contributed what was missing, so we should also do the very same in the case of physical training. For the children, male and female, must indeed learn to dance and to train their bodies. Isn't this so?

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CLINIAS: Yes.

ATHENIAN: The boys and the girls should have dancing teachers, male and female, so that this exercise may be of service to them.

CLINIAS: They should.

813 c

ATHENIAN: Then let us call once again upon the person who will have most duties to perform, the one in charge of our children, who, being responsible for both musical and physical training, will be very busy indeed.

CLINIAS: How will he be able, at his age, to be responsible for so much?

ATHENIAN: Easily enough, my friend. For in exercising this responsibility, the law has given him, and will always give him, the support of any of the citizens, male or female, whom he wishes to enlist. And he will know the people he needs, and will resolve to make no error in selecting them because he has the intelligence to recognise and respect the importance of his own role, and come to the realisation that when the young have been, and continue to be, well brought up, everything holds to a steady course for us. But if not, the consequences should not even be spoken of, and we are not to speak of them now in the case of our new city out of respect for those who are highly superstitious. On these matters too, concerning dancing, and movement related to bodily exercises in general, we have said a great deal already.

813 d

For we are instituting gymnasia and the various bodily exercises related to warfare: archery, throwing missiles, skirmishing, all sorts of armour fighting, tactical manoeuvres, various marches of armies and encampments, and the subjects involved in cavalry training. Indeed, there should be public instructors in all these, earning a wage from the city, and their pupils should be the boys and men of the city. And the girls, and women too, must be knowledgeable about all these matters, having practised dancing and fighting in armour while still young, and in womanhood having taken part in manoeuvres, drills, and the placing and taking up of arms. If nothing else, this will ensure that if it ever proves necessary for our entire fighting force to leave the city on military campaign, those who are left guarding the children and the city at large, will at least be up to the task. Or if, on the other hand, and this is nothing unusual, some external enemy, Greek or barbarian, were to invade with huge power and might, and there had to be a battle for the city itself, it would presumably be a vile disgrace to the state if the women had been so badly brought up that they were not prepared to do as birds do and fight for their young against the strongest of beasts in the

813 e

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814 b

face of death and all sorts of dangers, but instead they made straight for refuge in the temples, crowding all the shrines and altars, pouring upon human beings the reputation for being the most cowardly creatures of all.

CLINIAS: No, by Zeus, stranger. If this were to happen in the city, apart from the harm it would do, it would be most unseemly. 814 c

ATHENIAN: Should we enact a law to this effect – that to the extent indicated at least, women are not to neglect military matters, but all citizens, male and female, are to attend to them?

CLINIAS: Well, I agree with you at any rate.

ATHENIAN: Now, as for wrestling, much has been said, but I would maintain that we have not yet dealt with its most important aspect, nor is it easy to do so without a physical demonstration to illustrate what is being said. So, we shall only make a decision on this when word follows deed and makes something about the various issues we have spoken of quite clear – that of all movements, the sort of wrestling we are referring to is very closely related to military combat, and, indeed, the wrestling should be pursued for the sake of the combat, and not the other way around. 814 d

CLINIAS: You are right about that anyway.

ATHENIAN: Let that be enough said for now on the efficacy of wrestling. Movement of the entire body, other than in wrestling, may, for the most part, properly be described as dancing. We should think of this as having two forms, one being the dignified representation of the movement of beautiful bodies, the other being the base representation of the motion of ugly bodies. And again, the base and the serious movements have two further subdivisions. One form of the serious movement occurs in warfare and in the strenuous exertions of beautiful bodies and a courageous soul, the other is the motion of a moderate soul in success, amidst measured pleasures, and this would naturally be called the dance of peace. The warlike kind, which is quite different from the peaceful one, may properly be referred to as Pyrrhic. This imitates various means of avoiding blows and missiles by ducking, yielding, jumping upwards, and by crouching, and their opposites too, motions that involve postures of attack, attempting to imitate the shooting of arrows and darts and the inflicting of all sorts of blows. In these dances, the upright and well-braced posture, when imitating the good bodies and souls, preserving for the most part the straightness of the limbs of the body, is the sort of imitation we accept as correct, while imitations of the opposite of these are wrong. In the case of the peace dance, the following question needs to be considered in each case. Does the performer, in his dances, succeed or fail in persistently adopting the noble dancing in a manner appropriate to people with good laws? 815 a

So we have, in the first place, to make a distinction between controversial dancing and the uncontroversial kind. What, then, is this distinction, and how may we distinguish one kind from the other? Any Bacchic dances, or those of that ilk, which, as they say, mimic so-called nymphs, pans, silenoi and satyrs in a drunken state, which are performed during certain purifications or initiations, all constitute a class of dancing that defies easy definition as a peace dance or a war dance, nor is its purpose easy to define. I think that the most correct way to distinguish this dance is to insist that it is distinct from the warlike and the peaceful kinds, declare this dance to be uncivilised, leave it aside, and return once more to the warlike and peaceful dances which are, undeniably, ours. Whatever belongs to the non-warlike Muse, dances in which people revere the gods and their offspring, constitutes a single general class involving a sense of well-being. This may be divided into two parts. One imitates people escaping from hardships and dangers and coming out well. This is more pleasurable. The other is milder in its pleasures, and it involves the preservation or increase of goods that they already possess. And in these situations, presumably, a person moves more 815 b

violently when the pleasures are greater, and less violently when they are less. Again, some-
 816 a one who is better behaved and better trained for courage moves less violently, while the
 coward, and someone untrained for restraint, exhibits more violent and erratic changes in
 his movements. In general, when the voice is being used, whether in song or in speech, no
 one is able to keep the body totally still. And so, because there is imitation, in gesture, of
 whatever is spoken, this has produced the art of dancing in its entirety. In all these situations,
 816 b some of us move in harmony with the utterances, others do not. Now, many of our other
 traditional names should be given well-deserved praise for their excellence and their accord
 with nature. One of these is the name given to the dances of people who are doing well and
 are themselves measured in their use of pleasure. See how right the man was, and how
 musical too, whoever he was, who, with good reason, named all these dances “harmonious”
 and established two kinds of noble dances, one warlike, called “pyrrhic”, the other one
 816 c peaceful, called “harmonious”. He gave a suitable and fitting name to both. These the law-
 giver should explain in general terms, while the legal guardian should scrutinise them, and
 having completed his investigation, combine dance with music in general, and allocate to
 the various sacrificial festivals whatever is appropriate to each, thus consecrating them all
 in due order. Thereafter, there should be no change in anything involving dance or song.
 816 d And so, the same city and body of citizens should live well and live happily, being as like
 unto one another as possible by enjoying the same pleasures in the same way.

So, that concludes the matter of beautiful bodies and noble souls engaged in choral
 performances of the kind we have prescribed. But we also need to look at and take note of
 ill-formed bodies and ill-formed notions, and those who engage in laughable clownish activ-
 ity in speech, song or dance, using imitations of all these for comic effect. For it is not pos-
 sible to understand the serious without considering the comic, or to understand anything
 816 e that has an opposite in the absence of its own opposite if we propose to develop our intel-
 ligence. Nor indeed is it possible to engage in both if we really intend to share even in a
 modicum of excellence. No, the very reason why we need to understand these is to ensure
 that we never do or say ridiculous things out of ignorance when we shouldn’t. But such
 mimicry is to be turned over to slaves and foreign hirelings, and it should never be taken
 seriously. Nor should any free-born man or woman ever be seen engaging in its study, and
 there should always be something novel about these imitative performances. So much then
 817 a for the laughable entertainment which we generally call comedy. It may be settled in this
 way by law and by reason.

As for the so-called serious compositions of the tragic poets, suppose some of them
 were to approach us and question us. “Strangers, may we or may we not visit your city and
 its territory, and may we bring our poetry along with us, or how have you decided to deal
 with such matters?” How might we respond to these divine men in the right way on these
 817 b issues? I suggest the following. “Visitors, best of men, we ourselves are authors of a tragedy,
 the most beautiful and excellent one we are capable of. Indeed, our entire civic arrangement
 has been constructed as an imitation of the most beautiful and excellent life, which, at least
 according to us, really is the truest tragedy. So you are poets and we are poets too, of the
 same sort, rival authors and rival actors in the most beautiful drama, which true law alone
 817 c naturally produces. That is what we believe. Do not presume then that we shall ever allow
 you so easily to set up your stage in our midst in our market place, bringing in your honey-
 voiced actors to drown out our sound, or trust you to speak publicly to our women and chil-
 dren and the general populace, speaking on the same topics we speak on, not saying the
 same things as we do, but for the most part, the complete opposite. In fact, we would be
 817 d completely mad, more or less, and so would any city that would allow you to do what is

now being suggested, before the officials had decided whether or not your works are fit to be spoken and deserve a hearing among us. Well then, ye children sprung from the soft Muses, once you have, in the first place, exhibited your own verses to the officials alongside ours, then provided your pronouncements turn out to be every bit as good as ours or even better, we shall grant you a public chorus. But if not, my friends, we could never do so. So, if you agree, in the case of choral performance in general, and instruction in these matters, let these customs be prescribed to accompany the laws, one set of arrangements for slaves, a different set for their masters. 817 e

CLINIAS: How could we disagree, at this stage at least?

ATHENIAN: For a free people there are three subjects still remaining: calculation and whatever involves number, one subject; measurement of length, area and volume is the second one; while the third deals with the orbit of the stars, and their natural motion relative to one another. It is not necessary for a lot of people to apply themselves to all these subjects in all their detail. Only a few should do so. And we shall say who these people are as we come to the end. That's the appropriate place. It would be appropriate for the multitude to learn as much of these subjects as is necessary, and it would be a disgrace, properly speaking, for most people not to know that much at least. But for everyone to study them in detail would neither be easy, nor at all practicable. Yet, what is necessary in them cannot be cast aside, and it seems that whoever first devised the proverb about God had these in view when he said that not even God would ever be seen doing battle against necessity, referring, I believe, to necessities that are divine. Since, if the reference is to human necessities, which is what most people have in mind when they say this sort of thing, then this is by far one of the silliest of all sayings. 818 a 818 b

CLINIAS: What, stranger, are the necessities in these subjects that are not of this human sort, the divine ones?

ATHENIAN: In my opinion they are those which, if they neither enacted nor learned them at all, no god would be a god to humanity, nor would any daimon or hero be capable of exercising any serious care of us humans. They would fall far short of the status even of a godly human if they were completely unable to tell one from two or two from three or, in general, distinguish odd from even, or did not know how to count at all and were unable to demarcate night and day, having no familiarity with the orbits of the sun and the moon and the other stars. So all these studies are necessary for anyone who intends to attain any knowledge whatsoever of the most exalted of subjects, and it is utter folly to think otherwise. The particular aspects of these that should be studied, the extent and timing of this, what goes with what, which may be studied in isolation, and all combinations of these, this is what needs to be understood first. We may then proceed, guided by these subjects, to learn the others. For necessity has settled matters in this way, and against this we maintain none of the gods now does battle, nor will they ever do so. 818 c 818 d 818 e

CLINIAS: It seems at the moment, stranger, when you put it like that, that this has been expressed correctly and that what you are saying is in accordance with nature.

ATHENIAN: This is indeed the case, Clinias, yet although we have prearranged matters in this way, it is difficult just now to enact any laws. But we might, if you agree, enact laws in greater detail on some other occasion.

CLINIAS: You seem to us, stranger, to be concerned about the customary lack of experience in these subjects among ourselves. But your fear is ill-founded, so try to explain yourself without any reservation on those grounds.

ATHENIAN: Although I have concerns on the grounds you mention, I am even more fearful of those who apply themselves to these particular subjects but do so in the wrong way. Complete 819 a

and total inexperience is never a threat, nor is it a huge evil, but vast experience and learning, accompanied by bad training, is much more damaging.

CLINIAS: True.

819 b ATHENIAN: So I maintain that free people should learn as much of these various subjects as vast
hordes of children in Egypt learn when they are being taught to write. For beginning with
calculation, lessons have been devised for mere children, combining amusement and pleas-
ure with learning. They make distributions of some apples or garlands, allocating the same
fixed number to larger or smaller groups, or they arrange byes and pairings for boxers and
819 c wrestlers, who take their turn in sequence as natural circumstances dictate. And, indeed,
they devise games in which saucers of gold, bronze and silver and other such materials are
mixed, or in other cases whole sets of these are distributed. By fitting the applications of
the rules of arithmetic into a game, as I said, they are of benefit to the students in terms of
the arranging, leading and marching of armies, and in household affairs too, and so they
819 d produce people who are generally more useful to themselves and more alert. After this, in
the case of measurements of distance, area, and volume, they dispel the natural but laughable
and shameful ignorance about all these matters that is so widely prevalent.

CLINIAS: What do you mean? What sort of ignorance?

ATHENIAN: Dear Clinias, when I heard only recently of our general predicament in relation to these
matters, I was astonished, and it seemed to me more like the predicament not of humans,
819 e but of lowly creatures like pigs, and I was ashamed not only for myself, but for the entire
Greek world.

CLINIAS: About what? Tell us what you mean, stranger.

ATHENIAN: I am telling you, but I will make the point clearer by using questions. Tell me briefly,
do you know what length is?

CLINIAS: Of course.

ATHENIAN: What about area?

CLINIAS: Absolutely.

ATHENIAN: Do you realise that these are two distinct things and that volume is a third?

CLINIAS: Certainly.

ATHENIAN: Now, do you think that all these can be measured against one another?

CLINIAS: Yes.

820 a ATHENIAN: I mean, that length can naturally be measured against length, area against area, and the
same applies to volume.

CLINIAS: Very much so.

ATHENIAN: But what if this is neither very much so nor moderately so, but so in some cases and
not so in others, and you believe that it is so in all cases? How then, would you rate your
understanding of these matters?

CLINIAS: I'd rate it badly, of course.

ATHENIAN: Now, what about length and area with respect to volume, or length and area with respect
to one another? Aren't we Greeks all of the view that they can somehow or other be meas-
ured against one another?

820 b CLINIAS: Entirely so.

ATHENIAN: But if this is not possible in any way at all, but we Greeks, as I said, are of the view
that it is possible, are we not justified, out of shame on behalf of us all, in saying to them,
"Oh most excellent Greeks, this is one of those matters of which we said that ignorance
constitutes disgrace, although there is nothing particularly wonderful in knowledge of such
necessary matters either."

CLINIAS: Of course.

ATHENIAN: And besides these, there are other matters related to these in which, again, many errors
akin to these errors arise for us. 820 c

CLINIAS: Such as?

ATHENIAN: Issues concerning the nature of the interrelationship of things that are measurable
against one another and things that are not. In fact, we need to be able to distinguish between
these or else be very lowly creatures indeed. People should be constantly setting problems
like this for one another, competing in activities that are valuable to them, a much more
refined pastime for old men than draughts.

CLINIAS: Perhaps. After all, there is not a great deal of difference between draughts and these 820 d
subjects.

ATHENIAN: Well, Clinias, I maintain that the young folk should learn these subjects. Indeed, they
are neither harmful nor difficult, and when learned through the medium of play they will
benefit the city and do it no harm. Yet if anyone says otherwise, we should listen to him.

CLINIAS: Of course.

ATHENIAN: Well then, if this turns out to be how matters stand with these subjects, we should obvi-
ously include them in our scheme, but if this is not the case they should be excluded.

CLINIAS: Obviously, indeed. 820 e

ATHENIAN: In that case, stranger, shall we now let these be included among the subjects that need
to be learned so that there may be no gaps in our laws? But let us let them lie there like so
many pledges that can be revoked from the rest of the constitution, in case we who have
given them or you who are receiving them come to disapprove of them.

CLINIAS: A fair pledge.

ATHENIAN: Next we should consider teaching the young people about the stars, and whether you
approve of this or not.

CLINIAS: Proceed.

ATHENIAN: There is a major surprise in relation to these matters, a totally intolerable one.

CLINIAS: What is it? 821 a

ATHENIAN: We maintain, nowadays, that the greatest god and the entire universe should not be
subject to enquiry, nor should we busy ourselves in seeking out their causes, because to do
so is an unholy act. But it does seem that the very opposite course of action to this is the
correct course.

CLINIAS: What do you mean?

ATHENIAN: What I am saying is controversial and may be thought inappropriate to men of our
advanced years. However, once a person believes a particular teaching to be exalted, true,
beneficial to the city, and favoured completely by God, it is no longer at all possible for 821 b
him to refrain from speaking about it.

CLINIAS: Quite likely. But what teaching concerning the stars shall we find that matches your
description?

ATHENIAN: Good friends, nowadays all Greeks are, in a sense, telling a lie about the great gods –
the Sun and the Moon.

CLINIAS: What lie is this?

ATHENIAN: By calling these, and some other heavenly bodies along with them, planets, we are say-
ing that they never hold to the same course.

CLINIAS: Yes, by Zeus, stranger, that is true. Indeed, in my own lifetime, I myself have often 821 c
observed that the morning star and evening star, and certain others, never traverse the same
course, but wander in all sorts of ways, while the sun and the moon behave in a way that
presumably is familiar to us all.

ATHENIAN: That is the very reason, Megillus and Clinias, why I am now maintaining, in relation

821 d to the gods of the heaven, that our citizens and our young folk should learn at least enough about all these matters to avoid blasphemy in this regard and speak always with reverence, both when performing sacrifices and when uttering solemn prayers.

CLINIAS: That's true, provided, firstly, that it is possible for whatever you are speaking of to be learned, and secondly, that anything we are now expressing incorrectly about them will be expressed correctly once we have learned this subject. If this is so, then I agree with you that something like this, something of such importance, must be learned. So you should attempt to explain, comprehensively, that this is indeed how matters stand, while we follow along with you and learn.

821 e ATHENIAN: Well, what I am speaking of is not easy to learn, nor again is it enormously difficult, nor does it involve some huge time period. Here's my evidence. Although I had not heard about these matters in my early years, or long ago, I would nevertheless be able to explain them to you both in a relatively short time, whereas if they were complicated, I, at my age, would never be able to explain them to men of your age.

822 a CLINIAS: True, but what exactly is this teaching which, according to you, is surprising, yet so appropriate for the young, and unknown to us? Please explain this much about it at least, as clearly as you can.

ATHENIAN: Try I must. For this assertion, best of men, that the moon and the sun and the other stars are wandering planets, in any sense, is incorrect; the exact opposite is the case. Each of them always traverses one and the same circular course, not many, even though each appears to follow many. What is more, the quickest of them is believed, incorrectly, to be the slowest, and the slowest to be the quickest. Now, if this is the natural state of affairs, but we believe otherwise, it's as if we were forming such views about horses racing in the Olympic Games, or about men running long distances, declaring the slowest to be quickest and the quickest to be slowest, and singing our celebratory odes to the loser rather than the winner. I imagine such odes would be misplaced, and not very well received by the competitors, who are, after all, mere humans. Yet nowadays, when we fall into the very same errors about the gods, can we not appreciate that what was incorrect and comical in that example would, in this present case, be no laughing matter at all? It is surely not pleasing to the gods that we are continually perpetuating a lie about them.

CLINIAS: Very true, if this is indeed how matters stand.

ATHENIAN: Well then, if we can demonstrate that this is how matters stand, then everything of this sort should be learned, thus far at least, but if this cannot be demonstrated, then we should leave them aside. Is this our agreement?

822 d CLINIAS: It certainly is.

ATHENIAN: Well, at this stage we may declare that our regulations concerning the subjects of education are concluded. So we should now apply our minds, in like manner, to hunting and any other activities of this sort. In fact, the responsibility of a lawgiver seems to involve more than instituting laws and leaving it at that. There is something else, besides the laws, something that naturally lies somewhere between admonition and laws, something that has come up frequently in our discussions, for instance, in connection with the nurture of very young children. For we are not saying that these matters cannot be formulated, but in formulating them it would be outright folly to imagine that we are enacting laws. So, when the laws and the overall constitution have been written down like this, any praise of a citizen for pre-eminent excellence is deficient when it maintains that a citizen is good merely because he is an exceptional servant of the law who obeys them to the utmost. The praise would be more comprehensive if it said that the best citizen is the one who spends his life, through and through, in obedience to anything the lawgiver has written by way of legisla-

822 e

tion, praise or censure. This statement in praise of a citizen is the most correct one, and so the real lawgiver should not only write down the laws, but he should also intertwine his views on what is good and what's bad with the details of his laws. And the pre-eminent citizen should uphold these, no less than those that are enforced by legal penalties. 823 a

But if we were to introduce our present topic as a sort of witness, that might make our meaning clearer. Indeed, hunting is a very complex subject, encompassed more or less by a single name. Hunting of water creatures is multifarious, and so is the hunting of birds, and there are a whole variety of ways of hunting land creatures, not only beasts but humans too, and this form of hunting deserves our attention. It operates in warfare and in hunting based upon friendship, which is sometimes praiseworthy, sometimes the opposite. Capture by kidnappers or armies is also a form of hunting. Now, the lawgiver, when enacting laws about hunting, cannot avoid making these differences clear, nor can he set down legal regulations and directions applicable to every situation with penalties as a deterrent. What, then, should be done about such matters? The lawgiver should praise or censure the various aspects of hunting with a view to the endeavours of the young and their activities, while the young, for their part, should listen and obey, uninfluenced by the pleasure or the pain that is involved. They should comply more with whatever it is that the lawgiver praises, and be more respectful of that than of any particular legal penalties instituted as a deterrent. After these preliminary remarks, a measured praise and censure of hunting should follow, praising the sort that makes the souls of the young better, and censuring the form that does the opposite. 823 b 823 c 823 d

Next we should speak to the young people, addressing to them a prayer. Friends, we pray that no desire or passion for hunting by sea may ever overtake you, nor for angling either, nor for the hunting of water creatures in general, nor for lazy hunting using baskets that work on your behalf whether you are awake or asleep. May you never be overtaken by a longing for piracy, the pursuit of your fellow-man on the high seas, which would turn you into wild and lawless hunters. As for thieving in the countryside or in the city, may the thought never so much as cross your minds. And may none of you young folk be seized by the seductive passion for bird-hunting, which is so unbecoming of a free people. What's left for our competitors, then, is only the hunting and pursuit of land animals. One form of this, night hunting, is for idle men who take it in turns to sleep, and it deserves no praise. It involves just as much rest as exertion, and the wildness and strength of the quarry is overpowered by nets and snares rather than the triumph of a soul that loves exertion. The only kind of hunting left for everyone, and the best kind, is the hunting of four-footed beasts using horses, hounds and their own limbs, where the hunters, those that cultivate a divine courage, overcome all the creatures themselves with their own running, striking and shooting. 823 e 824 a 824 b

The discourse we have gone through would constitute our praise and our censure of all these matters. The law would be as follows: no one is to prevent those truly sacred hunters from hunting wherever and however they wish. But no one is ever to allow the night hunter, who puts his faith in nets and snares, to hunt anywhere at all. The bird hunter is not to be hindered in the open countryside or on the mountains, but anyone who comes across him on cultivated land or sacred open countryside is to drive him away. The fisherman is allowed to catch fish anywhere except in harbours, sacred rivers, pools and lakes, except that he may not make the water turbid with plant juices. 824 c

And now, at this stage, we may declare that all our regulations concerning education have been completed.

CLINIAS: Well you may say so.



Laws

— BOOK VIII —

828 a ATHENIAN: The next step for us, with the help of the oracles from Delphi, is to arrange and establish by law which sacrifices, offered to which gods, would be better and more agreeable to the city. The timing of these and their number would, for the most part, be largely up to ourselves to legislate.

CLINIAS: Yes, in the case of their number that is quite likely.

828 b ATHENIAN: Then let us deal with their number first. Let there be no fewer than three hundred and sixty-five festivals, so that there is always at least one official offering a sacrifice on behalf of the city, its people or its property, to some god or daimon. Interpreters, priests, priestesses and prophets are to gather together, along with the guardians of the law, and make appropriate arrangements for whatever the lawgiver has inevitably omitted. And, indeed, these very people should act as judges of what has actually been omitted. And the law, in fact, 828 c will say that there are to be twelve festivals to the twelve gods after whom the twelve tribes would each be named, involving monthly sacrifices offered to each of these gods, with choruses and competitions in music and gymnastics being dedicated, as appropriate, both to the gods themselves and the particular seasons of the year. In the case of the women's festivals, they are to determine those from which men should be excluded and those they may attend. What is more, the rituals associated with the gods of the underworld, and those associated with the gods who should be called heavenly, are to be kept separate and not be mixed together, allocating them by law to the twelfth month, sacred to the god of the underworld, 828 d Pluto. And there should be no revulsion among military men towards a god of this sort, who should, rather, be revered as being consistently best for the human race. For I would seriously maintain that communion of soul with body is not better in any way than its dissolution in death.

Furthermore, those who are going to make these distinctions in a satisfactory manner need to bear the following facts in mind: no city comparable to ours is to be found nowadays, either in terms of the amount of leisure time afforded, or the availability of life's necessities; and, like an individual human being, the city should live well. And to live happily it is first necessary that we ourselves neither do injustice, nor suffer injustice at the hands of others. The first of these requirements is not hugely difficult, but it is extremely difficult to acquire the ability to suffer no injustice, and it is not possible to have this ability perfectly except by becoming perfectly good. The same principle also applies to the city; if it becomes good, its life is peaceful; if bad, its life is a battle, internally and externally.

829 a Since this is more or less how matters stand, everyone should train for warfare, not 829 b in time of war, but in time of peace. So a city possessed of intelligence should conduct military exercises for at least one day each month, or more, as the rulers see fit, paying no heed to the weather, be it hot or cold. Whenever the rulers decide to march them all, men, women

and children must go. On other occasions they may call upon only part of the population. They should also be continually devising noble games to accompany the sacrifices so that there may be some festive battles imitating the real-life military battles as best they can. At each of these they should award prizes for victory and for excellence, and they should compose speeches of praise or of censure for one another according to how each person fares in the contests, or, indeed, in life generally, decorating whoever is deemed to be best, and censuring anyone who falls short. 829 c

Not everyone is to be a composer of such speeches. Firstly, they should be more than fifty years of age, and they should not be the sort of people who have attained an acceptable proficiency in poetry and music but have never performed a single noble or illustrious deed themselves. The compositions of people who are themselves good and who are honoured in the city for the noble works they produce, these are the songs that should be sung, even if they are not naturally musical. The selection of these composers shall lie with the educator and the other guardians of the law, who shall allow them the following privilege: they alone are to be allowed freedom of expression in music. No one else is to have such licence, nor should anyone dare to sing an unapproved song that has not been judged by the guardians of the law, even if it be sweeter than the hymns of Thamyras and Orpheus.¹ All that are allowed are those that have been duly dedicated to the gods, and those composed by good men, which present censure and praise, and have been adjudged to do so in a measured way. And I say that the same directions relating to military activity and freedom of expression in poetry should apply in like manner to women and men. 829 d

The lawgiver should reflect and reason with himself as follows. “Now that my preparations are in place for the city as a whole, what sort of people am I nurturing here? Won’t they be competitors in the greatest conflicts of all, where they will encounter vast numbers of opponents?” “Very much so” would be the correct response. Well then, suppose we were nurturing boxers or all-in-fighters or competitors in some other contests like these, would we go into the actual contest itself without practising fighting with someone else on a daily basis beforehand? Surely if we were boxers, we would have been learning to fight for very many days in advance of the competition, and working hard at imitating all the moves we intended to rely upon when we eventually fought it out for victory, and getting as close as possible, in training, to the real thing. Instead of training gloves, we would wear match gloves so as to practise punching and avoiding punches as best we could. And if we had a major problem finding people to train with, would we be so bold as to hang up a lifeless dummy and practise on that, or would we be afraid that some fools might laugh at us for doing so? And if we were ever devoid of opponents, animate or inanimate, and were on our own without training partners, would that deter us from literally fighting with our own shadows? Or what else, besides shadow-boxing, would you call this sort of practising with your own hands? 830 a

CLINIAS: The very name you gave it, stranger, there isn’t really an alternative.

ATHENIAN: Well then, will the fighting force of our city dare to embark every time upon the greatest of all contests worse prepared than contestants of this sort as they do battle for their lives, their children, their wealth and the entire city? And is the lawgiver to be afraid that these training exercises against one another may seem ridiculous to some? Is he, then, to refrain from enacting laws requiring military activity, if possible, on a daily basis, at least on a small scale without weapons, directing all training, whether in groups or not, to these ends? 830 b

¹ Thamyras was a mythical singer who challenged the Muses to a competition and lost. Orpheus was legendary for his ability to charm any living thing, and even non-living things like rocks, with his sweet music. 830 c

830 e Won't he also order exercises of another kind, major and minor, to be held at least once a month, involving various contests with one another throughout the entire territory, in which people compete in capturing certain positions and laying ambushes, thus imitating warfare in every aspect? These trials have a way of revealing who is spirited and who is not, through fighting with actual combat gloves and missiles that are as close as possible to the real thing, making use of weapons that are somewhat dangerous so that their game may not be entirely devoid of fear but involve some threats. Then, by correctly awarding honour to one and dishonour to the other, the lawgiver would enable the entire city to be of service in the true life-long contest. And, indeed, if someone loses his life in the process, the slaying is to be regarded as an accident, and once the killer has been purified in accordance with the law, his hands may be pronounced clean. The lawgiver's view will be that if a few people should perish, others who are just as good will be born to replace them, whereas if fear itself should perish, so to speak, he will not find a test to distinguish the better people from the worse in all such cases, and for the city, that is a far greater evil than the other one.

831 a

831 b

CLINIAS: We agree with you, stranger. Measures like these should be enshrined in law, and every city should practise them.

ATHENIAN: Now, do all of us understand the reason why such choristry and competition do not exist at all in cities nowadays, except perhaps on a very small scale? Would we say it is because of the ignorance of the general population and the people who institute laws for them?

CLINIAS: Perhaps.

831 c ATHENIAN: Not at all, Clinias, bless you! We should insist that there are two causes that are well capable of bringing this about.

CLINIAS: What are they?

ATHENIAN: One originates in the passion for wealth, which keeps a person so busy that he cares for nothing else besides his own personal possessions. Once the soul of every citizen depends upon these, it would never be capable of having any care for anything else besides short-term advantage, everyone, personally, being extremely keen to learn and practise any subject or activity that leads to this objective, and laughing at any others. This, we must insist, is one particular cause of a city's refusal to take this or any other noble and good pursuit seriously. Indeed, because of this insatiable desire for gold and silver, everyone is prepared to resort to any skill or device, noble or unseemly, provided it is going to make him rich. He will perform any act, holy or unholy, even an utterly disgraceful one, without scruple, as long as he is able to provide himself, like some wild beast, with total, unrestricted satisfaction in eating, drinking and lust, in endless variety.

831 d

831 e

CLINIAS: Correct.

ATHENIAN: Well, this cause, the one I am speaking of, may be set down as one that prevents cities from properly practising military activities or any other noble pursuits, and turns people who are naturally well behaved into traders, merchants and out-and-out servants, while making pirates, thieves, temple robbers, thugs and tyrants of the courageous types, although much of the time they are not bad-natured but unfortunate.

832 a

CLINIAS: In what way?

ATHENIAN: Unfortunate in the extreme. How else could I describe people who are compelled to go through life with a constant hunger in their own souls?

CLINIAS: Well, that's one cause. What's the second cause, stranger?

ATHENIAN: It is good that you remind me.

832 b CLINIAS: Yes, according to you, one cause is the insatiable lifelong search which keeps people busy, and gets in the way of the proper practice of military exercises. So be it. Now tell us the second cause.

ATHENIAN: I expect you think that I am delaying and won't tell you because I am at a loss.

CLINIAS: No, but you do seem to us, out of a sort of hatred for the character you are describing, to be castigating him more than is required by the present argument.

ATHENIAN: An excellent rebuke, strangers. It seems you want to hear what comes next.

CLINIAS: Speak on.

ATHENIAN: I maintain that the causes lie in the 'non-constitutions' which have been mentioned so many times in the preceding arguments, the democratic, the oligarchic and the tyrannical. In truth, not one of these is a political system; indeed, they may all quite correctly be called 'states-of-faction'. None of them involves willing rule over willing subjects, but willing rule over the unwilling, always with some degree of force, and the ruler, out of fear of his subject, will never willingly allow him to become noble, wealthy, strong, courageous or in any way military. Now these, more or less, are the two main causes of all evils, at least of the evils we are now considering. However, the political system for which we are now enacting laws has eliminated both. For it presumably allows the most free time and its citizens are free from one another, and under these laws, I believe, they would be least fond of wealth. Consequently, it is reasonable to expect that of all political systems, only the one arranged in this way would make allowance for the military education we have set out, which is also an amusement, as described appropriately in our account. 832 c 832 d

CLINIAS: Good.

ATHENIAN: After all this, shouldn't we declare once and for all, regarding athletic contests in general, that those that are militarily useful should be pursued and prizes for victory should be awarded, while those that are not should be set aside? It is best to begin by stating which these are and by enacting laws. And we should first provide for contests in running and rapidity in general, shouldn't we? 832 e

CLINIAS: We should.

ATHENIAN: Now, bodily agility in general of the feet or the hands is more useful than anything else for military purposes. In flight and in pursuit, fleetness of foot is required, while in a set fight at close quarters calling for endurance and strength, quick hands are needed. 833 a

CLINIAS: Indeed.

ATHENIAN: But in the absence of weapons, neither of these has its full effect.

CLINIAS: No, how could they?

ATHENIAN: So, at our competitions, the herald, as he does nowadays, shall first call the short distance runner, and he shall come in wearing his armour, and we shall award no prize to a competitor without armour. First then, the competitor who runs one stade in full armour shall enter, second comes the contestant who runs twice that distance, third is the one who runs the length of the horse track, fourth the chariot-course runner, and then fifth is the one in heavier armour whom we shall despatch, in the first instance, to run sixty stades to some temple of Ares and back again. We shall call him a hoplite, and he shall follow a smooth course, while his rival, an archer wearing full archer's gear, must run one hundred stades² through hills and varied countryside to a temple of Apollo and Artemis. And having set up the competitions, we shall wait until the contestants return and award the prizes to the victors in each event. 833 b 833 c

CLINIAS: Rightly so.

ATHENIAN: Then, let us devise contests in these three classes – one for children, one for youths and one for men. And let's set the course distance for youths at two-thirds of the full length,

² One Greek stade was roughly equivalent to 180 metres (600 feet). So a distance of sixty stades is 10.8km (6.75 miles) and a distance of one hundred stades is 18km (11.25 miles).

and for children at half the length, whether they compete as archers or as hoplites. In the case of females, girls who have not yet attained womanhood are to run one stade, two stades, the horse track and the chariot course, without gear, on the course itself. From the age of thirteen, while awaiting marriage between the ages of eighteen and twenty, they may still be involved, but they must put on the proper gear when entering these races. So let these be the arrangements concerning running for men and women. As for events involving strength, instead of wrestling and the like, the ‘heavy’ contest of today, let’s arrange fights in armour, one against one, two against two, up to a maximum of ten contending against ten. What must be accepted and what may be done to win a victory, and the points awarded, should be decided based upon current practice in wrestling where the relevant officials regulate what constitutes good wrestling and what does not. So we, in like manner, should call upon experts in armour fighting and ask them to help us to make laws about who rightly deserves victory in these fights, what he must do or avoid, and, similarly, the rules for deciding the loser. Let these regulations also apply to females until they are married.

For boxing in the pancration,³ we should substitute general combat using missiles; fighting with bows, light shields, javelins and stones thrown by hand or with slings. For these too we must make regulations, awarding the honours of victory to the one who best conforms to the rules of these competitions.

After these should be the regulation of horse-racing. But we don’t have much use for horses, nor are there many of them, certainly not in Crete at any rate, and so their breeding and racing is inevitably taken less seriously. As for chariots, there is no one at all who keeps them, nor would anyone have any significant ambition in that direction. Consequently, to set up a competition of this sort, contrary to local custom, would not be an intelligent course of action, nor would it seem so. But if we were to institute prizes for horse-riding on colts, young horses and full-grown animals, we would be adapting the sport of horsemanship to the nature of the country. For these particular competitors, then, let there be competitive contests established by law, and let judgement both of the actual courses themselves, and of the competitors bearing arms, be entrusted jointly to the company commanders and cavalry commanders. For competitors who are unarmed it would not be right to set up competitions by law, either in this case of horsemanship, or for the athletes. For a Cretan there is some advantage in being a mounted archer or javelin-thrower, so let there be sportive rivalry and competition in these activities too. Yet there is no merit in forcing women, by laws and regulations, to be involved in these contests. But if, due to their earlier education, a habit has developed whereby their nature accepts such involvement when they are children or young women, let them do so and let there be no criticism.

Well now, at this stage the subject of competition and instruction in gymnastics has been concluded, including our endeavours in relation to contests and day-to-day teaching. Similarly, too, in the case of music, most aspects have been dealt with, but the matter of rhapsodes and anything associated with them, and any choral competitions required at our festivals, shall be put in order once the months, days and years have been assigned to the gods and their associates, also determining whether the festivals should be held every two years or every four years, or whatever interval or manner the gods may suggest. On these occasions we should expect the music competitions to be held, in turn, as set down jointly by judges of the contests, the educator of the young, and the guardians of the law, at a meeting concerning these very matters where they act as lawgivers, determining when, by whom, and with whom the contests will be instituted in the case of all choruses and dances. The original lawgiver has frequently declared what each of these should be like with respect to

their words, melody, and harmony combined with rhythm and dance. These secondary legislators should follow his lead, allocating the contests appropriately to each sacrifice at fitting times, thus providing the city with festivals to celebrate. 835 b

Now, it is not difficult to recognise how to give a legal structure to these regulations and others like them. Nor indeed would changing them this way and that be greatly to the advantage or detriment of the city. But there is a matter that makes a difference, a significant difference, about which it is difficult to persuade people. In fact, it is really a task for a god, if it were somehow possible for guidance to come directly from such a source. But, for now, what is needed is probably some courageous person who, valuing frankness above all else, will say what he believes to be best for the city and its citizens, someone who, surrounded by corrupted souls, prescribes what is appropriate and becoming to the constitution, speaking in opposition to the most powerful desires of all, with no one else to help as he stands alone, by reason alone. 835 c

CLINIAS: What point are you making now, stranger? We don't understand you so far. 835 d

ATHENIAN: That is not unexpected. In that case, I will try to explain myself to you more clearly. Indeed, when my argument arrived at the topic of education, I pictured young men and women consorting with one another in a friendly manner, and, not unexpectedly, I became fearful as I considered how one is to manage a city like this in which young men and women, well reared, are exempt from the hard work which does so much to curb the passions, and for whom sacrifices, festivals and choruses are their lifelong concern. In a city like this, how precisely will the young refrain from those desires that so often plunge so many into ruin, desires from which reason, in an effort to become law, directs them to refrain? Now, if our previous regulations as enacted were to curtail most of these desires, that would not be surprising. Indeed, the prohibition on becoming excessively wealthy is of considerable benefit in promoting sound-mindedness, and their entire education includes regulations adapted for similar purposes. What's more, the eye of the officials, having been trained to look nowhere else and to be constantly vigilant towards the young people themselves, brings an element of measure to their desires in general, insofar as this is humanly possible. 835 e

However, when it comes to the loves of children of either sex, or of men for women or women for men, which have had all sorts of consequences for individuals and for entire cities, how may he guard against this and what remedy is to be found to avoid such a danger in each of these cases? This question, Clinias, is not at all easy to answer. And, indeed, Crete in general, and Sparta too, have given us reasonable assistance in framing laws that are unusual compared to most, but when it comes to these loves, I have to say, just between ourselves, that the position is the exact opposite. What if someone, following the natural order, should institute the law previous to that of your lawmaker, Laius,⁴ and maintain that it is not right for males to consort with males, old or young, in the same way as they have intercourse with females? In the process, he might cite the natural habits of animals and point out that in such situations males do not have contact with males because this is contrary to nature, and he would then perhaps have a persuasive argument even though this does not conform to the practices of your cities. What is more, the matter which, according to us, demands the utmost vigilance of the lawgiver, does not fit in well with these practices 836 a

³ The pancration was a form of combat that combined wrestling and boxing, but also allowed kicking and choking. It was not dissimilar to contemporary mixed martial arts.

⁴ Laius was a legendary king of Thebes who kidnapped and raped Chrysippus, the young son of King Pelops. As a result of this incident, Laius is cited as having instituted the practice of homosexual pederastic love. 836 c

of yours. For we are constantly enquiring as to which enactments are conducive to excellence and which are not.

So, come on then, suppose we were to agree that this practice is noble and not at all disgraceful, and were now to legislate accordingly. What consequence would follow in terms of excellence? Will it engender the quality of courage in the soul of the one who is seduced, or develop some form of sound-mindedness in the soul of the seducer? Surely no one will ever believe this. Quite the contrary; everyone will censure the softness of a person who yields to pleasures and is incapable of mastering them, and won't they also rebuke the man who imitates a woman for his very resemblance thereto? This being the case, who on earth will ever legislate for such a practice? Hardly anyone, not if they have any notion of what true law is. So how are we to maintain that this is all true? If anyone is to think aright about these matters, he will need to discern the nature of friendship, of desire too, and of what is referred to as love. For there are these two, and from both, another third form arises, but a single name encompasses the three and this gives rise to all sorts of perplexity and obscurity.

CLINIAS: In what way?

ATHENIAN: We refer, as you know, to the friendship of like for like and of equal for equal in respect of excellence, and indeed of the needy for the wealthy, despite being opposite in kind. And whenever either friendship becomes intense, we call it love.

836 e CLINIAS: And rightly so.

ATHENIAN: Well, the affection between opposites is fierce and wild, and among ourselves it is seldom mutual, while affection between like for like is gentle, mutual and lifelong. When there is a mixture of these two, firstly, it is not easy to appropriate what precisely someone who has this third love wants for himself, and secondly, he is perplexed as he is dragged in opposite directions by one or the other, one encouraging him to avail himself of the delight, the other forbidding him. For one person loves the body, and being hungry to pluck the ripe fruit of its delights, he encourages himself to have his fill without showing the least regard for the soul of the beloved or its condition. The other man, however, regarding desire of the body as a diversion, contemplates rather than loves; he really desires soul with soul, and regards the sating of body by body as wantonness. Respecting and revering sound-mindedness, courage, magnanimity and wisdom, he would wish to live in constant purity with his pure beloved. The kind of love which is a mixture of both is the one we have just described as the third love. Now, since there are three of them, should the law prohibit all of them and prevent their occurrence among us, or is it obvious that the one that loves excellence and wants the young person to be as excellent as possible is what we would like to have in our city, while prohibiting the other two if this were possible? What is our position here, my dear Megillus?

837 e MEGILLUS: I say, stranger, that you have just spoken very well in every respect on these matters.

ATHENIAN: It seems, my friend, as indeed I suspected, that I meet with your approval. The law among yourselves in Sparta, and what it thinks about such matters, is something I don't need to investigate, I need only accept your approval of my argument. After this, on another occasion, I shall try charming Clinias into agreeing with me. What you both concede to me should be left at that, and we should return, by all means, to dealing with the laws.

MEGILLUS: Quite correct.

838 a ATHENIAN: I have a device ready to hand for establishing this law, and although it is straightforward, it is also, in a way, as difficult as could be.

MEGILLUS: What are you referring to?

ATHENIAN: We know indeed that even nowadays most people, however lawless they are, are well

and truly prevented, without any resistance and with complete consent, from having intercourse with beautiful people.

MEGILLUS: On what occasions?

ATHENIAN: When they have brothers or sisters who are beautiful. Also, in the case of a son or daughter, the same law, although it is unwritten, is quite enough to guard against anyone lying with them either openly or in secret, or wanting to touch them in this way. No, the desire for this intercourse does not even occur to them at all. 838 b

MEGILLUS: That's true.

ATHENIAN: Doesn't one little saying extinguish all such pleasures?

MEGILLUS: What saying do you mean?

ATHENIAN: The saying that these practices are not at all holy, are detested by God, and are the most disgraceful of all disgraceful deeds. The explanation for this is that no one speaks differently from anyone else about these matters. Rather, each of us, as soon as we are born, hears this spoken of in comic utterances, or frequently in serious tragedy when Oedipus or Thyestes appears,⁵ or a Macareus having intercourse in secret with his sister, all of whom are seen readily inflicting death upon themselves as the penalty for their misdeeds when they come to light. 838 c

MEGILLUS: You're quite right in saying this much anyway, that popular opinion possesses a wondrous power once no one at all attempts to breathe a word that does not accord with the law. 838 d

ATHENIAN: Isn't it right, then, as I said just now, that it is easy enough for a lawgiver who wishes to restrain a desire that utterly enslaves people at least to recognise how he should go about it? By making this saying sacred in the eyes of everyone, bond or free, children and women, and the entire city on the same basis, he will thus be ensuring that this law is firmly established. 838 e

MEGILLUS: Very well, but how it will ever be possible to arrange that everyone will be willing to say this sort of thing...

ATHENIAN: A good interjection. Indeed, this is what I was saying, that in relation to this law I might have a device for ensuring the natural use of reproductive intercourse; the male refraining from the male, thus avoiding the deliberate annihilation of the human race by sowing seed into rocks and stones where it will never take root and adopt its own fruitful nature; refraining also from any female field in which you would not want the sown seed to spring up. This law, then, having become permanent and holding sway in the same way that the law about intercourse of parents with their children prevails nowadays, would indeed confer countless benefits if it were also to prevail, as is only right, in the other cases too. 839 a

Firstly, it is in accord with nature and it brings about restraint of the raging madness of love, of all sorts of debauchery, of any excesses in drinking and eating, and, indeed, it makes men friendly and affectionate towards their own wedded wives. There would also be countless other benefits if it were possible for someone to have this law enforced. But perhaps some intense young man, his seed overflowing, might be close by and hear us proposing our law, and he might ridicule it as a stupid regulation that is impossible to implement, and fill the air with his declamations. This is what I had in mind when I made the statement that I had a particular device for ensuring that this law is permanently established, in a way the easiest device of all, but in a way, extremely difficult. In fact, it is easy enough to appreciate that this is possible and how it is possible, for according to us, once this law has been made sacred enough, every soul will become subject to it. This will lead to a fear 839 b

⁵ Oedipus was said to have married his mother, and Thyestes was said to have raped his own daughter in an attempt to fulfill a prophecy. 839 c

of the established laws, and total obedience to them. But nowadays things have come to such a pass that even with this law in place, it seems that the desired outcome might not come about. It is just like the situation with the practice of common meals, where the possibility of implementing this in the daily life of the entire city is greeted with disbelief. And even though it is an actual practice among yourselves, nevertheless, even in your own cities, the extension of this practice so as to include women is regarded as contrary to nature. And so, it was because of the strength of this disbelief that I said that both these practices are extremely difficult to establish permanently as law.

MEGILLUS: And you were right to say so.

ATHENIAN: So, would you like me to try to formulate some argument possessing some degree of certainty to show that this can actually happen and is not beyond human capacity?

CLINIAS: Of course.

839 e ATHENIAN: Tell me, then, in which of these cases would someone exercise sexual restraint more easily and be willing to do as directed in these matters, with due measure – when his body is in good condition and not out of training, or when it is run down?

CLINIAS: When it is not out of training, this is much easier.

840 a ATHENIAN: Yes, and we all know what is said about Iccus of Tarentum because of his involvement in the contests at Olympia and elsewhere.⁶ Due to his sheer ambition in these competitions, his professionalism, and the courage combined with sound-mindedness he possessed in his soul, they say he never touched a woman, or, indeed, a boy either, while his training was at its peak. And, indeed, the same story is also told of Crison and Astylus and Diopompus and very many others. And yet, Clinias, these people had received a far inferior education in
840 b soul than your citizens and mine, while their bodies were much more vigorous.

CLINIAS: You're right in saying so. Yes, it has been confidently reported by men of old that this was indeed what actually happened in the case of these athletes.

ATHENIAN: Well then, are these athletes to refrain from what most people refer to as a blissful activity, all for the sake of victory in the ring or on the track and such like, while our young folk refuse to tolerate restraint for the sake of a much more sublime victory? This is a victory
840 c whose glory we shall praise as we speak to them from their very childhood, in the hope of charming them, using stories, speeches and songs.

CLINIAS: What victory?

ATHENIAN: The victory over pleasures, which, if they win it, ensures a happy life, we'll say, whereas if they are defeated, the outcome is the exact opposite. And besides this, won't a foreboding at the out and out unholiness of this activity be capable of ensuring this victory for them, a victory which has been won by others who are worse people than these citizens of ours?

CLINIAS: Quite likely.

840 d ATHENIAN: Well, this is our predicament in relation to this particular regulation: we have been cast into perplexity by the evil ways of the majority of people. So I maintain that our regulation on these particular matters should simply proceed by stating that our citizens ought not to be worse creatures than birds and any other animals that flock together on a large scale. Until the time for reproduction arrives, they live unwed, as pure, chaste virgins, and when they reach the appropriate age they come together in pairs, as they prefer, male with female,
840 e female with male, and live out their lives in holiness and justice, constant and true to their first ties of affection. Surely our citizens should be superior to animals. But what if, instead, they are corrupted by the vast majority of Greeks and non-Greeks in general, seeing and hearing of the enormous power of the so-called 'irregular love' among these people, and consequently prove unable to win this sublime victory? Then the guardians of the law must become lawgivers and devise a second law for them.

CLINIAS: What law would you advise them to implement if the one we are now implementing evades them? 841 a

ATHENIAN: The one that comes after this one is obviously second, Clinias.

CLINIAS: Which do you mean?

ATHENIAN: There was a way of making the power of these pleasures largely ineffective by diverting their influx and sustenance elsewhere through physical work. This would also happen if there were less shamelessness involved in recourse to sexual activity, since because of the shame, resort to this would be more sparing and, being used less frequently, the strength of its tyranny would be reduced. Let them accept then that discretion in such activity is something noble, endorsed by custom and unwritten law, while lack of discretion is shameful. But they need not refrain from the activity completely. In this way, we would have a second best standard of what's shameful or noble, established by this law, and a second-best standard of rightness too, and the particular kind of people whose natures have been corrupted, whom we describe as inferior to themselves, would be restrained by a threefold barrier and prevented from transgressing the law. 841 b

CLINIAS: What are the three? 841 c

ATHENIAN: Reverence for God, accompanied by love of honour and the birth of a desire for the beautiful qualities of the soul rather than those of the physical bodies. What we are now saying may well be a sort of combination of fable and prayer, and yet if this were to happen it would be the very best thing that could happen in any city. But perhaps, God willing, we might enforce one or the other of two regulations concerning sexual relations. One would be that no noble freeborn person should dare to touch any except his own wedded wife, or sow unconsecrated and illegitimate seed with concubines, or sow unproductive seed with males, in contravention of nature. Alternatively, we could completely ban sexual activity with males, and in the case of women, if anyone consorts with any woman save those brought into his house and consecrated by divine marriage rites, whether he buys her or acquires her in any other way, and he is found out by any man or woman, we would probably be right in enacting by law that he be deprived of his rights and honours as a citizen of the city because he is, in truth, an alien. So this law then, whether we refer to it as one law or as two, should apply to sexual relations and all matters concerning love, and what practices are right and what practices are not right, in our interaction with one another by reason of such desires as these. 841 d

MEGILLUS: Well, stranger, for my own part I would accept this law without reservation, but Clinias should declare for himself what precisely his views on these matters are. 841 e

CLINIAS: That's what I'll do, Megillus, whenever I think the occasion is right. For now, let's allow the stranger to proceed further with his laws. 842 a

MEGILLUS: Right.

ATHENIAN: Very well then, our proceedings have now reached the point at which common meals have been more or less established. Elsewhere, according to us, this would be difficult, but in Crete no one suggests doing anything differently. As for the manner in which they are arranged and whether the system here or the system in Sparta is better, or whether there is some third system that is better than both, this would not, I think, be difficult to ascertain, but there would be no great advantage in doing so. In fact, we have now made these arrangements in a satisfactory manner. 842 b

The next issue is provision for these common meals in a manner suited to them. In 842 c

⁶ Iccus of Tarentum was an athlete who was noted for his strict adherence to Pythagorean tenets in his training regime, which included maintaining a meagre diet and abstaining from sexual activity.

the case of cities, there would be a huge variety of provisions from lots of different places, at least twice as many sources as these cities of ours. For most Greek cities get their food supply from the land and from the sea, while these cities of ours get it from the land alone. This makes things easy for the lawgiver, for the number of laws required would be less than half, much less, and besides, they would be more suited to a free people. Our lawgiver, being largely quit of merchant shipping, trading, retailing, inn-keeping, compound interest and countless other requirements of that sort, will then pass laws for farmers, herdsman, beekeepers, and for those who supervise such matters and are responsible for the equipment. He has already enacted laws dealing with the most important issues: marriage, the birth and upbringing of children, education, and the appointment of officials in the city. He now needs to turn his attention to legislating in relation to food and the people who collaborate in producing this.

Firstly, then, let there be laws that go by the name of ‘agricultural’. The first law, the law of ‘Zeus of the boundary’, may be stated as follows. No one is to move a land boundary marker, either of a neighbour who is a fellow citizen, or when he owns land bordering a foreign frontier and his neighbour is a foreigner. He must realise that, in doing so, he is, in truth, moving the immovable.⁷ And everyone must prefer to attempt the removal of some enormous rock that isn’t a boundary marker rather than the tiny stone, consecrated to the gods, that marks off the land of a friend or the land of a foe. For in one case, Zeus, god of the clan, is witness, and in the other case, Zeus, god of strangers, is witness, and when these are aroused the most bitter conflicts follow. Now, whoever obeys the law shall not suffer any of its penalties, while those who disregard it are to be subject to a twofold retribution, first and foremost from the gods, and secondly from the law. For no one is deliberately to move the boundary markers of his neighbour’s land, and whoever does so is to be reported to the land-owners by anyone who wishes, and they in turn should take him to court. If someone is convicted of such a crime, since the offender is making a redistribution of land by stealth or by force, let the court decide what penalty the guilty party must suffer, or the compensation he should pay.

Furthermore, lots of minor grievances between neighbours, by their very frequency, give rise to a significant accumulation of ill-feeling, and turn neighbourly relations into something difficult and extremely bitter. Therefore, a neighbour must be extremely careful to do nothing offensive to a neighbour, in general, and must always be particularly careful not to encroach on his land at all. For it is not difficult to do harm – anyone can do so – but not everyone can confer a benefit. Whoever encroaches upon the land of his neighbour, disregarding the boundary markers, is to make good any damage, and, what’s more, to cure him of his shamelessness and unworthy behaviour, he is to pay double the damages to the victim in addition. In all cases of this sort, let the rural commissioners act as inspectors, judges and assessors. In major cases, as stated previously, the entire command structure of the district is to act, while in lesser cases the guard commanders may do so.

If someone’s cattle graze on another’s land, these officials shall decide the case and the penalty once they have inspected the damage. And if anyone exploits the susceptibility of bees and appropriates a hive by making rattling noises to attract them to his own property, he is to pay damages. And if he should light a fire and is not careful about his neighbour’s materials, he is to pay a fine as assessed by the officials. He is also to be fined if, while planting trees, he plants them too close to his neighbour’s property. These are issues that lots of lawgivers have dealt with quite adequately, and we should simply make use of their laws and not expect the important person who is putting our city in order to legislate for the numerous trivial matters which any random lawgiver could deal with.

Since time-tested laws are already in place for farmers concerning water supply, we need not draw upon these for our argument. Rather, anyone who wants to bring water to his own holding from the communal sources may bring the water provided he does not intercept the exposed well of any private individual and he avoids any houses, temples and tombs and does no damage beyond what's required for the channelling. In areas where the land is naturally arid and fails to retain the heaven-sent waters and there is a shortage of necessary drinking water, the person should dig on his own land until he reaches the clay subsoil, and if he does not encounter any water at all at that depth, he is to be supplied by his neighbours with enough drinking water to meet the needs of every member of his household. If the scarcity also extends to his neighbours, he is to make arrangements for a water supply with the rural commissioners, receiving this on a daily basis, and share his neighbours' water in this way. And when the rains from heaven come, if someone does damage to the farm or the adjoining house that lies below his own by blocking the outflow of water, or, conversely, the person above damages the holding below by carelessly discharging the flow, and the parties are unwilling to accommodate one another, either may go to the city commissioners, in one case, or the rural commissioners, in the other, for a direction as to what they should do. Anyone who does not abide by such a direction is to be penalised for his grudging and unco-operative spirit, and on conviction is to pay double the damage to the injured party for his refusal to obey the officials.

In the case of the fruit harvest, the generally accepted rule should be as follows. Two gifts are bestowed upon us by the grace of this goddess, one being the bounty of Dionysus that none can store, the other naturally produced for storage. So, let the following law be enacted concerning the fruit harvest. Whoever tastes the coarse fruit, whether grapes or figs, before the season of the vintage comes with the rising of Arcturus,⁸ either from his own land or from another's, is to pay fifty drachmas, sacred to Dionysus, if he plucks it from his own property, a mina if plucked from his neighbour's land, and two thirds of a mina if it was taken from elsewhere. Whoever wants to harvest what nowadays are called special grapes or special figs may gather them as and when he wishes if he takes them from his own land. But if he takes them from someone else's land without permission, he is to be fined for each offence in accordance with the law which declares that you don't disturb what you have not set down. But if a slave touches such fruit without the permission of the landowner, he is to be whipped, receiving one stroke for each grape on the bunch or for every fig taken. A resident alien who has bought a crop of special fruit may harvest it if he so wishes. A visiting foreigner who wants fruit to eat as he travels the roads may, along with one attendant, avail of special fruit if he wishes, without payment, as our gift to our guest. As for the so-called coarse fruit and the like, the law should prohibit the visitor from sharing in these. And if anyone, master or slave, takes them unknowingly, the slave is to be punished by being beaten, while the free man is to be told off and instructed to avail of the other fruit that is not suitable for being stored to make raisins, wine or dried figs. Let there be no disgrace in taking apples, pears or pomegranates, or the like, secretly, but if anyone under thirty is caught in the act, let him get a beating, avoiding serious injury, as a deterrent, and let there be no legal redress available to a free man for such an assault. Let a foreigner be allowed to partake of this sort of fruit in just the same way as the grapes and figs, and if any older person avails of them, eating them on the spot and taking nothing away, let him have his share of all fruit of this sort, just like the foreigner. But if he disregards this law,

⁷ This was a common expression indicating a resistance to social change.

⁸ A reference to the autumnal equinox.

he runs the risk of being disqualified from every public distinction when the time comes, if such behaviour is brought to the attention of the acting judges.

Water, more so than anything else, is what sustains garden produce, but it is easily spoiled. For neither earth nor sun nor winds, which co-operate with water in nourishing the growing plants, are at all easy to spoil by poisons, diversion or theft. However, in the case of the water, it is possible for everything of that sort to happen, and so the protection of the law is needed. So, let there be the following law about this. If anyone deliberately spoils another's water supply, in a spring or in a pond, with poisons, by digging trenches or by theft, the injured party is to take the case before the city commissioners, detailing the extent of the damage. If someone is found guilty of doing such damage using poisons, in addition to any fine he is also to purify the springs or water reservoir in whatever manner the legal interpreters prescribe for the conduct of the purification in any particular case, or on any particular occasion.

When gathering in the season's harvest, it shall be open to anyone to convey his own produce through any place he wishes, provided he does no damage, or the profit he himself gains from the route is three times the damage done to his neighbour's property. In these cases, the officials are to act as assessors, and also in all other cases where someone maliciously harms the person or property of another by force or by stealth, by the way he uses his own possessions. All such cases are to be reported to the officials for award of compensation where the damage is less than three minae. If anyone makes a claim against another for a greater sum, he is to pursue the case before the public courts to secure redress from the wrongdoer. If any official is judged to have decided a penalty based upon an unjust opinion, he is to be liable to pay double damages to the injured party. And, indeed, anyone who wishes may challenge the unjust decisions of any officials before the public courts.

Governing the conduct of the legal actions, there are countless minor regulations dealing with the statements of grievance, the summonses, the serving of the summons, and whether its service requires two witnesses or some other number, and so on and so forth. These matters do require legislation, but they are unworthy of a senior lawmaker. The junior lawgivers then are to legislate for these matters, imitating the previous enactments, the minor imitating the major, having had practical experience of the need for their use, until they are all arranged in an adequate manner. Then, having fixed them permanently, they should live by them, since at that stage the measure is right.

For skilled workers in general we should proceed as follows. Firstly, no native citizen is to be numbered among those who labour at the professions of skilled workers, nor may the servant of a citizen do so either. For a citizen already has a sufficient profession, one that demands a lot of practice and a great deal of learning, in maintaining and preserving the good order of the city, and this needs to be a full-time occupation. For among us humans there is scarcely anyone who is naturally up to the task of working at two occupations or professions in a comprehensive manner. Nor indeed can we practise one profession ourselves while supervising someone else who is practising another. So, in our city, the guiding principle from the very outset should be that no one is to work as a smith and, at the same time, as a carpenter, nor indeed while working as a carpenter is he to supervise someone working as a smith rather than his own profession. It is no excuse to say that by supervising lots of subordinates who work on his behalf, he naturally supervises them better because his income from their work is greater than the income from his own profession. Rather, each skilled worker in the city is to have one profession, and from this he is also to earn his living. The rural commissioners then are to exert themselves in maintaining this law, and if any native person is inclined towards any profession to the neglect of the concern for excel-

lence, they shall punish him with censure and loss of privileges until they return him to his own proper course. If any foreigner pursues two professions, they shall punish him with bonds, financial penalties and expulsion from the city, thus compelling him to be one person rather than many. Cases involving payments to workers or the acceptance of their work, or where someone does an injustice to them or they wrong someone else, are to be decided by the rural commissioners up to a value of fifty drachmas, but if the amount involved is greater than this, the public courts are to judge the case according to the law. 847 b

No duties are to be paid in our city by anyone either on exported or imported goods. No one is to import frankincense or any other foreign produce of that sort relating to sacrifices to the gods, or purple or any coloured dyes not produced in the country, or anything associated with any other profession that requires imported goods but serves no necessary purpose. Nor indeed should any goods that are needed in the country be exported; they should remain. The overseers and supervisors of all these matters are to consist of the twelve guardians of the law who are left after the five senior members are exempted. 847 c

As for weaponry and all military equipment, there may be a need to import a particular skill, plant material, metal, rope, or animals, for such a purpose. If so, the cavalry commanders and generals are to be given responsibility for the imports and exports, the city itself being the buyer and seller, and the guardians of the law are to institute appropriate and adequate laws about these matters. No one in our country as a whole, or in our city, is to trade for financial gain, either in this or in anything else. 847 d 847 e

In the case of the food supply and its distribution, it seems that if a good system, coming close to that set out in the laws of Crete, were to be implemented, that would be quite suitable. Everyone should divide the total production of the territory into twelve parts, which is how it is to be consumed. Each twelfth part of wheat, for instance, or barley, are allocations to which all the other allocations of the crops should conform, including any animals that are for sale in any district. These parts are to be divided into three, proportionately, one part for free-born citizens, one for their attendants, and the third for skilled workers and for foreigners in general, including communities of resident aliens who are in need of sustenance, or people who have come in for a time to do business with the city or some private citizens. Of all the basic necessities that have been allocated, this third portion is the only one that may be placed on sale compulsorily. There is to be no compulsion to sell any part of the other two divisions. Now, what would be the correct way to allocate these? In the first place it is obvious that in a way we are allocating them equally, and in a way unequally. 848 a 848 b

CLINIAS: What do you mean?

ATHENIAN: The earth will, I presume, inevitably produce each of these portions in varying quality, some being better than others.

CLINIAS: Of course.

ATHENIAN: In this regard, none of the three subdivisions, once allocated, is to involve any advantage, neither the one given to the masters nor to their slaves, nor indeed the one that belongs to the foreigners. Rather, the distribution shall ensure the same equality of likeness for everyone. Each of the citizens, having taken the two portions, is to be responsible for its distribution to slaves and to free-born, distributing as much as he wishes of whatever quality he wishes. The surplus from these should be distributed according to the following measures and numbers. It is to be distributed by counting up the total number of animals that need to be sustained from the land. 848 c

What is needed next are individual houses for the inhabitants, suitably arranged, and the arrangement best suited to such purposes is as follows. There should be twelve villages,

848 d one in the centre of each of the twelve regions. And in each village we should first set aside temples and a marketplace for the gods and their associated divinities. And if there are any local divinities belonging to the Magnetes, or shrines of other ancient divinities whose memory is still preserved, they are to be granted the same ancient honours that those people gave them. And in every one of the twelve districts, temples are to be founded to Hestia, Zeus, Athena or whatever other god happens to be the patron of the region. To begin with, there are to be dwellings around these temples, wherever the ground is highest, as the most secure lodging possible for the guards. All the rest of the territory is to be provided with skilled workers who are to be divided into thirteen groups. One of these will take up residence in the city itself, and this group shall in turn be divided into twelve parts corresponding to the twelve divisions of the entire city, dwelling round about on the outskirts, while in each village the kinds of workers that will be useful to the farmers are to be given residence there. The supervisors of all these arrangements are to be the people in charge of the rural commissioners. They are to decide the number and type of workers each region needs, and where they should live so that they will be the least trouble and of maximum benefit to the farmers. And in the city, in like manner, the board in charge of the city commissioners should have and retain the supervision of the workers.

848 e

849 a

The market commissioners are of course to look after everything to do with the market. Their second task, after their oversight of the temples adjacent to the market in case anyone does anything wrong, is to oversee the way people conduct their business, watching out for proper and improper behaviour, punishing anyone who needs to be punished. They shall first of all see to it that when the city folk are required to sell goods to foreigners, the sale is conducted according to the law in every case. The law for each item will be that on the first of the month the portion of the goods that are to be sold to the foreigners should be brought out by the agents – that is, the foreigners or slaves who have been given this task by the city folk. Beginning with corn, the foreigner is to purchase at the first market a month's supply of corn and whatever is associated with it. On the tenth of the month, the sale and purchase of liquid goods is to be conducted, enough to last for the entire month. Every third month, on the twentieth day, let there be a sale of any live-stock that need to be bought or sold to meet the needs of those involved. Let there also be a sale by farmers of any goods or materials such as hides, clothing items in general, woven materials, felt, and anything else of that sort, items that foreigners are required to purchase from other people.

849 b

849 c

As for trading in these goods, barley or wheat flour, or other foodstuffs in general, no one is to sell these to citizens or their slaves, nor may anyone buy these from them. However, in the markets of the foreigners, a foreigner, dealing in wine and corn, may sell to the skilled workers and their slaves, which most people call trading. Butchers too may cut up animals and distribute the meat among foreigners, skilled workers and their attendants. Any wood for burning may be bought in bulk on any day by a foreigner, as he wishes, from the agent in the localities, and he may sell it on himself to other foreigners as much as he wishes, whenever he wishes.

849 d

849 e

The other goods or products that people need are to be sold in the public market, being brought to the specific location where the rural commissioners, assisted by the city commissioners, mark out suitable sites, defining the positions of the stalls. Here, goods are exchanged for money and money for goods, and no one may forgo his part of the transaction. And if anyone does forgo his part and thus give credit, he must accept his fate whether he is repaid or not, because no legal redress is available for a contract in such matters. If the extent or value of the purchase or sale contravenes the law that sets upper and lower

850 a

limits beyond which neither transaction may go, the excess shall be recorded immediately by the guardians of the law in the case of excess, or the transaction shall be cancelled in the opposite case.

The same rules about the recording of excess wealth are also to apply to resident aliens. Anyone who wishes may become a resident alien on specified terms, since residency is open to any foreigner who wishes to reside here and is able to do so provided he has a skill and dwells here no more than twenty years from his date of registration. All we require is his good behaviour, so he need pay no aliens' tax, nor indeed any duty on purchases or sales, and on completion of his permitted stay he may depart taking his wealth with him. And if during this time with us he acquires a good reputation because of some significant service to the city, and he believes he can convince the Council and the Assembly either that he deserves an official postponement of his departure, or even lifelong permanent residency, let him come forward and persuade the city, and whatever he persuades them of shall be his in full. For children of resident aliens who are skilled workers and have reached fifteen years of age, their period of official residency shall begin after they turn fifteen. When one of them has remained for twenty years on the specified terms, he may go wherever he likes. If he wishes to remain, he may do so, subject to the same procedure for convincing the state. On departure, he is to ensure that any official records, previously recorded by the officials, are erased.

850 b

850 c



Laws

— BOOK IX —

853 a ATHENIAN: The next topics in our systematisation of the laws would naturally be the legal procedures associated with all the activities referred to previously. Although some of the matters that give rise to legal proceedings have been dealt with, in the case of farming and related activities the most significant issues have not yet been dealt with. So, explaining this in
853 b detail, stating what offence requires what punishment and before what courts it should be tried, these are the issues that should be dealt with next.

CLINIAS: And rightly so.

ATHENIAN: Now, there is an element of disgrace in actually legislating, as we are proposing to do on all these issues, in a city of this sort, which, according to us is well managed and possessed of all the right conditions for the cultivation of excellence. The very assumption that some citizens might grow up in a city like ours, sharing in the depravities of other cities in their most extreme forms – so that we need to pass laws in anticipation as a deterrent in
853 c case such people arise, and that we have to put laws in place for them, to warn and punish them as if they were going to exist – this, as I said, involves an element of disgrace. But we are not now legislating like the lawgivers of ancient times, who, as we are told, passed laws for heroes and children of the gods, they themselves being descended from gods, imposing laws on others of similar stock. We, rather, are humans, setting laws for those who are
853 d sprung from human stock. So we may be forgiven for being afraid lest any of our citizens prove to have a sort of hard shell, and to be so tough by nature as to be incapable of softening. They could be just like hard-shelled seeds in the heat of the fire, and might prove incapable of softening down when exposed to our laws, strong and all as they are.

It is, then, for the sad sake of these people that I shall begin dealing with the plundering of temples, in case anyone has the audacity to do such a deed. Now we would never wish, nor indeed would we expect in the least, that any citizen who has been properly brought up would ever be infected by this disease. But slaves, foreigners, and the slaves of foreigners might often turn their hands to such misdeeds. So, it is mainly for their sake, but
854 a also out of a wariness of the overall weakness of human nature, that I shall state this law dealing with the plundering of temples, and all the other diseases of this sort that are difficult or impossible to cure. And, on the principle agreed upon previously, we should include preambles to all such laws, keeping them as brief as possible. We might address that person with words of reason and of encouragement, the person whom evil desire exhorts on a daily basis and awakens at night, leading him on to plunder temples. We might say, “Dearest, it
854 b is no human badness, or divine badness either, that sets in train this inclination to go out and plunder temples. It is a madness that springs up in people because of ancient injustices that have not been cleansed, and it is still running its accursed course. This you must guard against with all your strength. Listen to the caution you must exercise. Whenever any

notions of this sort assail you, turn to the sacrifices that banish the evil, go as a suppliant to the temples of the gods who avert evils, seek the company of those among you who are reputed to be good and learn from them, and say this yourself, that everyone should honour what is noble and what is just, and flee headlong from bad company. And if, by such a course, the disease abates, well and good. And if not, then look to death as the better option and take your leave of this life.” 854 c

These are the preambles we are to intone to those who are intent upon all these unholy deeds that undermine our city. For those who are already convinced, the law may remain unspoken. But for those who are not convinced, the law, besides the preamble, must proclaim loudly that whoever is caught plundering a temple, be he a slave or a foreigner, shall have the misfortune written onto his forehead and his hands, and he shall suffer as many lashes of the whip as the judges deem fit, and he is to be cast out beyond the borders of our country, naked. For perhaps having suffered this punishment, he might become a better, more sound-minded person. Indeed, no penalty imposed by law aims to do any harm. In general, it brings about one of two outcomes: it either makes the person who receives the punishment a better person or, failing that, a less degenerate one. 854 d

But if some citizen ever exhibits such behaviour by perpetrating enormous, unspeakable injustices against the gods, his parents or the city, the judges, reckoning that he has not refrained from the most extreme evils in spite of the education and upbringing he has been receiving from his earliest years, are to regard this fellow as already incurable. The penalty in this case is death, the least of evils, serving as an example for the benefit of others, and he is to be buried anonymously beyond the borders of our country. His children and family, if they shun the ways of the father, are to be famous, spoken of with honour as people who have done well and acted courageously in fleeing from evil to good. It would not be appropriate that the property of any such person be forfeited to the state in any city in which the property allocations must always be equal and of the same number. When someone has done an injustice that seems to deserve a financial penalty, the fine may properly be paid only when there is a surplus over and above what is needed to maintain the holding. The fine may not exceed this surplus. In these cases, the guardians of the law are to look at the details in the registers, and consistently convey the exact information to the judges so that none of the holdings ever falls out of use through a deficiency of funds. 855 a

If it is decided that someone deserves a fine of more than this, and it turns out that none of his friends is willing to act as surety by getting together to pay the fine and secure his freedom, he is to be punished with prolonged imprisonment, public disgrace and degrading treatment. No one is ever to lose his citizen's rights completely for any transgressions, not even if he flees the country. Rather, the penalty should be death, imprisonment, beating, or some degrading situations or positions, or placement before temples on the country's borders, or fines subject to the strictures we described earlier. 855 b

In the case of the death penalty, the guardians of the law are to be the judges, along with a court, selected on merit from the officials who held office in the previous year. The bringing of the case, the summons and the like, and how the case is to be conducted, should be dealt with by the junior lawgivers, while it should be our job to legislate for the voting procedure. The vote is to be conducted openly, and before this happens our judges are to take their seats in close formation in order of seniority, face to face with the defendant and the accuser. All citizens who have the time shall attend and pay close attention to such cases. The accuser is to speak first, the defendant second, each making a single speech. After these speeches, the most senior judge shall present his examination of the case, conducting a comprehensive review of what was said in the speeches. After the eldest, they are all, in 855 c

turn, to go through in detail whatever they found lacking or mistaken in any way in the speeches of either side. Any judge who finds nothing lacking should hand over his review time to someone else. Whatever seems relevant in what has been said is to have a seal affixed thereto, the signatures of all the judges are to be attached, and the document is to be placed on the altar of Hestia. They are to meet again the next day in the same place, review the case in the same way, and sign the statements once more. Having done this three times, giving due consideration to the evidence and the witnesses, each judge is to cast a sacred vote, swearing before the altar of Hestia to give just and true judgement as best they can, thus bringing a case like this to a close.

After cases concerning the gods come those dealing with the subversion of the constitution. Whoever attempts to enslave the laws by placing them under human control or making the city subject to some party, and does all this by force and stirs up faction, this person indeed should be thought of as the worst enemy of all to the entire city. And anyone holding any of the most important positions of power in the city who does not take part in such machinations, yet fails to notice all this, or who notices it and, out of cowardice, fails to stand up for his own fatherland, is the sort of citizen who should be regarded as second in the scale of badness. Any man who is worth anything must inform the officials by bringing the plotter to court on a charge of changing the constitution by force and of breaking the law. The judges in these cases are to be the same as for the temple plunderers, and the entire case is to be conducted in the very same way, and their vote may impose the death penalty by majority verdict. But to be brief, in no case is the disgrace or punishment of the father to fall upon the children except where someone's father, grandfather and great-grandfather have all, in turn, incurred the death penalty. The city is to send these children back to their own fatherland and city, along with their personal property, except for the wealth required to equip the holding fully. Ten names are to be chosen by lot from the families of citizens with more than one son under the age of ten, nominated by their father or grandfather on the father's or mother's side. The ten chosen names are to be sent to Delphi, and whomever the god selects is to be installed as the legal holder of the lot that has been vacated, and may better fortune attend it.

CLINIAS: Very good.

ATHENIAN: There is to be one law like the last, a third law prescribing which judges should judge the cases and how the trials are to be conducted when people are brought to court on a charge of treason. And, in like manner, let there be a law about whether the offspring should remain in the country or leave, applicable alike to these three cases of temple-plundering, treason, and the forcible subversion of the laws of the city.

For a thief, regardless of whether the theft is big or small, let there be only one law, and a single legal penalty in all cases. First, he is to pay twice the value of what was stolen once he has been convicted of such a crime, provided he has enough wealth over and above his holding to make the payment. If not, he is to be imprisoned until the fine is paid or he persuades the person who prosecuted him to release him. If someone is convicted of theft of public property, he shall be released from prison once he has persuaded the state to let him out or he has repaid double the value of what was stolen.

CLINIAS: How can we say, stranger, that it makes no difference to the thief's treatment whether he steals something big or small, from a sacred, holy place or from elsewhere, and that none of the other differences between the various kinds of theft matter? Surely the lawgiver should pay heed to the variations, and not impose similar penalties in every case?

ATHENIAN: Very good, Clinias. I was, so to speak, letting myself drift when you clashed with me and woke me up. You have reminded me of something I thought of previously, that the

issues involved in setting down the laws have not been correctly worked out at all, and what has just happened confirms this. What do I mean? We didn't make a bad comparison earlier when we compared all law-making nowadays to medical treatment given by slaves to slaves. For you really need to appreciate that if one of those physicians who set about healing people through experience devoid of reason were to come across a physician who is free, conversing with a patient who is free, using arguments much like those used in philosophic discourse, dealing with the disease from its source, recapitulating in its entirety the nature of human bodies, he would laugh aloud on the spot. He would have nothing else to say on the matter besides the words that always spring so readily to the lips of most so-called physicians, for he would say, "Fool, you are not healing your patient, you are educating him as if he wanted to become a physician instead of becoming healthy." 857 d 857 e

CLINIAS: Would he not be right to say so?

ATHENIAN: Perhaps he would, provided he also appreciated, in addition, that anyone who deals with laws in this way, just as we are now doing, is educating the citizens rather than legislating for them. Wouldn't this observation also apparently be relevant?

CLINIAS: Perhaps.

ATHENIAN: Our present predicament is a fortunate one then.

CLINIAS: In what way?

ATHENIAN: There is no necessity for us to make laws, but only to enter into an enquiry ourselves about political systems in general and attempt to see how what's best and what's essential may be brought about. And what's more, we are now seemingly in a position to consider what is best or what is essential in relation to laws, as we prefer. So we should make our choice. 858 a

CLINIAS: We are presenting a ridiculous choice, stranger. Indeed, we would be behaving like lawgivers who are under pressure to pass laws there and then, by some urgent necessity, because tomorrow will be too late. But we are allowed, if I may say so, to act like stone masons, or anyone else who is starting to construct something. We may accumulate materials at random, from which we shall then choose what's suitable for what we intend to construct and, indeed, we may choose at our leisure. So, let's not put ourselves in the position of those who build under compulsion rather than doing so at their leisure, laying some materials aside for future use while using others to build with. And so we may rightly say that some of our laws are being enacted while others are being laid aside. 858 b 858 c

ATHENIAN: Well, Clinias, at least our review of the laws would be more natural. Indeed, we should look, by heavens, at an issue concerning lawmakers.

CLINIAS: Which is?

ATHENIAN: There are writings and written speeches by lots of people in our cities, and there are writings and written speeches of the lawgivers too.

CLINIAS: Of course.

ATHENIAN: Now, are we to pay serious attention to the writings of the various other authors, who have set down for posterity a written record, in verse or in prose, of their own advice concerning the conduct of life, while ignoring the writings of the lawgivers? Or should we attend to these most of all? 858 d

CLINIAS: Very much so.

ATHENIAN: There are many writers who advise us about what is noble, good and just, teaching us what these are and how they should be pursued by those who are intent upon a happy life. Surely the lawgiver can't be the sole exception.

CLINIAS: Of course not.

ATHENIAN: Well, in that case, is the disgrace greater for Homer, Tyrtaeus and the other authors if they did badly in setting down precepts about life and activities in their writings, but less 858 e

of a disgrace for Lycurgus and Solon and any other lawgivers who have written down laws?¹ Or, more correctly, should all writings in our cities, written on the subject of laws, prove, when the scroll is unfolded, to be by far the most beautiful and excellent writings? Should the writings of others either conform to their standard, or else, if they are discordant with these legal writings, be a laughing stock? And how are we to think about writings dealing with the laws of our cities? Are they to appear in the guise of an affectionate and intelligent father or mother, or should they give orders and issue threats, like a tyrannical despot, who writes his decrees on the walls and that is that? So, this is the question we now should consider. Should we, in thinking about the laws, try to state them in this gentler way, proceeding eagerly at any rate, whether we are up to the task or not? And in adopting this approach, are we to accept whatever predicament we end up in? May all be well, and God willing, all will indeed be well.

CLINIAS: Well said. We should do as you suggest.

ATHENIAN: So, since we have set it in train, we should first conduct a detailed enquiry into the law concerning temple-plundering, theft in general, and injustices of all sorts, and not be discouraged if in the midst of passing our laws we find that we have already enacted some, while others are still under consideration. For we are in the process of becoming lawgivers, but we are not there yet, although we may perhaps succeed. So, if we agree to consider the issues I have spoken of, in the way that I have spoken of them, let's proceed to do so.

CLINIAS: Yes, certainly.

ATHENIAN: There is something we should be clear about in relation to what is noble and just. To what extent do we agree with one another at the moment, and to what extent do we disagree? According to ourselves, we are eager at least to do better than most people, even if we achieve nothing else. But to what extent do the majority themselves disagree, for their part, among themselves?

CLINIAS: What sort of differences between us do you have in mind?

ATHENIAN: I shall try to explain. In relation to justice in general – just people, just deeds and just behaviour – everyone agrees somehow that these are all noble. And so even if someone insists that just people who happen to have ugly bodies are yet utterly noble because their character is so very just, whoever says so would not really be too far wide of the mark it seems.

CLINIAS: Isn't this right?

ATHENIAN: Perhaps. But let us take note that if everything possessed of justice is noble, 'everything' includes what is inflicted on us just as much as what we enact.

CLINIAS: What of it?

ATHENIAN: An action that is just, insofar as it shares in justice, also to that extent participates in nobility.

CLINIAS: Indeed.

ATHENIAN: And in accepting that an infliction that shares in justice is, to that extent, also noble, our language would be consistent, wouldn't it?

CLINIAS: True.

ATHENIAN: But if we accept that a just infliction is ignoble, then what is just and what is noble will be inconsistent because we are then saying that what is just is utterly ignoble.

CLINIAS: What point are you making?

ATHENIAN: Nothing that is hard to understand. Indeed, the laws we set down a little earlier seem to be saying the exact opposite to what's being said now.

CLINIAS: In what sense?

ATHENIAN: We laid it down that the temple-plunderer, and the enemy of our duly enacted laws,

may be put to death, and when we were about to enact many more regulations of this sort we held back. We saw a huge number of severe penalties being inflicted under these regulations, and that all these inflictions were most just, and at the same time ignoble in the extreme. Accordingly what is just and what is noble will look exactly the same to us at one moment, and directly opposite the next. Isn't this so?

CLINIAS: There is that danger.

ATHENIAN: And that is the inconsistent way that most people speak about these matters, setting apart what is just and what is noble. 860 c

CLINIAS: Apparently so, stranger.

ATHENIAN: Well, let us look once more at our own position, Clinias. Where indeed does the consistency lie in relation to these very matters?

CLINIAS: What consistency? In relation to what?

ATHENIAN: In our previous discussions, I think I stated explicitly somehow – or if I didn't say so before, you may take it that I am saying so now...

CLINIAS: Saying what?

ATHENIAN: That all bad people are always bad unintentionally. This being the case, the next point necessarily follows from this. 860 d

CLINIAS: What do you mean?

ATHENIAN: That the unjust person is indeed bad, but the bad person does not intend to be like that. But it makes no sense that an intentional deed is done unintentionally, so for someone who is of the view that injustice is unintentional, the person who acts unjustly does so unintentionally, and this is indeed the view I must now accept. For I agree that everyone does injustice unintentionally. And if someone out of contentiousness or because they want to be famous maintains that although some people are unjust unintentionally, many people intend to act unjustly, well that is not my argument. So how may I be consistent in my own arguments? Suppose you two, Megillus and Clinias, were to ask me, "If this is indeed how matters stand, stranger, what advice are you giving us regarding the legislative process for our city of Magnesia? Are we to enact laws or not?" "By all means," I shall reply. "Now, will you make a distinction for them between intentional and unintentional injustices, and are we to impose greater penalties for the intentional transgressions and injustices, and lesser penalties for the others? Or should the penalties be equal for them all, because there are no intentional injustices whatsoever?" 860 e

CLINIAS: Yes, you are expressing that in the right way, stranger. So, what is the practical application of what you are now saying?

ATHENIAN: Good question. Well, let us apply them first as follows.

CLINIAS: In what way?

ATHENIAN: Let us remind ourselves that we said just now, and rightly so, that we are utterly confused and inconsistent in relation to what is just. Bearing this in mind, let us ask ourselves a further question. Well then, there is a difficulty concerning these two which we have not resolved, nor have we defined what precisely the difference is between these two kinds of injustices, those that are intentional and those that are unintentional. Every legislator who has ever appeared in any city has legislated for these two forms of injustice. And will the proposition we have just advanced say this much and walk away, laying down the law like some divine pronouncement which doesn't provide a supporting argument because it has 861 b

¹ Lycurgus was the legendary lawgiver who is credited with having established the laws of Sparta, introducing equality among the citizens along with the austere regime of fitness and military preparedness for which Sparta was famous. Solon was a poet and the most famous Athenian lawgiver.

861 c spoken the truth? No, before making laws it is necessary to demonstrate that there are these two forms of injustice, and that the difference between them is other than what people imagine, so that whenever someone imposes a penalty in either case, anyone who follows what we are saying would be able, somehow or other, to decide what's appropriate to impose, and what isn't.

CLINIAS: That sounds good to us, stranger. Yes, we need to do one of two things. Either we deny 861 d that all injustices are unintentional, or else, having first made the appropriate distinctions, demonstrate that this is correct.

ATHENIAN: Well, of these two options, there is one that I cannot accept at all. I cannot allow you to deny this because I think that this is where the truth lies, and so a denial would be unlawful and unholy. But how are there to be two, if the two don't differ as unintentional and intentional injustices? In that case, we must try to demonstrate the principle on some other basis.

CLINIAS: Entirely so, stranger. It is not possible for us to approach this issue in any other way.

861 e ATHENIAN: That is what we will do. So come on, then. When citizens are involved in communal activities and various interactions, they harm one another in lots of ways, so it seems, and in these cases there are countless instances of the intentional and the unintentional.

CLINIAS: Inevitably.

ATHENIAN: No one should insist that all the harms are injustices and, accordingly, decide that the injustices involved in these harms are twofold, some being intentional, some unintentional. 862 a For on the whole, there are as many instances of the unintentional harms as there are intentional harms, and they are just as significant. But please consider whether I am making sense or talking utter nonsense in saying what I am about to say. For I am not saying, Megillus and Clinias, that if someone injures someone else unintentionally, without wanting to do so, he is acting unjustly even though he is doing so unintentionally. And I am not going to propose laws on that basis by treating this as an unintended injustice. Rather, I shall not designate this sort of harm as an injustice at all, regardless of whether it is of 862 b greater or lesser significance. But in many cases we shall say, if my opinion prevails, that the person responsible for a benefit that unfolds wrongly is acting unjustly. For, in general, my friends, even if someone gives anything at all to someone else, or indeed takes it from them, such an action should not be referred to in simple terms either as just or as unjust. Rather, the lawgiver needs to consider whether or not the person is benefiting another or harming them, in a just spirit and in a just manner. He must take these two factors into account, the injustice and the harm. He must do the best he can, by the laws, to make good 862 c the harm done. He should restore what has been undone, reconstruct what has fallen down, and make good the slaughter and the deep wounds. And when the harm has been atoned for by awarding compensation, he must constantly endeavour to use the laws to establish friendship in place of discord, among the perpetrators and their victims.

CLINIAS: Yes, very good.

ATHENIAN: As for cases of unjust harm, and profit too, where someone treats another unjustly but causes him to profit from that action, these are diseases of the soul, and when they are curable they are to be cured. And the curing of the injustice, according to us, should proceed as follows.

CLINIAS: How?

862 d ATHENIAN: In such a way that if someone commits an injustice, great or small, the law will teach him and compel him never, intentionally, to dare to do such a deed again at all, or to do so very much less often, and, in addition, to pay for any harm done. The actual function of the most sublime laws is to bring this about with words or deeds, employing pleasures and 862 e pains, honours and dishonours, financial penalties or gifts, or any means at all at the disposal

of the lawgiver to induce a hatred of injustice and a love, rather than hatred, of justice itself. But if the lawgiver realises that someone is beyond cure in these respects, what penalty shall he impose in such cases, and under what law? He would recognise, I presume, in all such cases, that it is not better for the people themselves to continue living, and that their departure from this life benefits others in two ways: by acting as an example to others to avoid injustice, and by ridding the city of bad men. And so, in such cases and no others, the lawgiver needs to impose the death penalty as a punishment for the transgressions. 863 a

CLINIAS: What you have said sounds most reasonable somehow. But it would be nice to hear a clearer account of how the distinction between injustice and harm, and between what's intentional and what's unintentional, have become so mixed up.

ATHENIAN: Then, I must try to do as you ask and explain this. There is something about soul that you have surely discussed with one another, and heard about. There is innate in it one characteristic, or part of its nature, namely passion – a contentious, aggressive quality whose irrational force frequently wreaks havoc. 863 b

CLINIAS: Of course.

ATHENIAN: And, indeed, we do not speak of pleasure as being the same as passion. We maintain that it holds sway by using a power that is the opposite of this, always getting its own way through persuasion combined with deception.

CLINIAS: Very much so.

ATHENIAN: And if someone were to say that ignorance is a third cause of the transgressions, that would not be a lie. Now, it would be better if the lawgiver were to divide this in two, regarding its simple form as the cause of slight transgressions. The complex form of ignorance arises when a person is devoid of understanding, being gripped not only by ignorance, but by a belief that he is wise, as if he was completely knowledgeable about things he knows nothing about at all. This sort of ignorance, when accompanied by strength and power, the lawgiver regards as the cause of major, vile transgressions. But when it is accompanied by weakness, he will see that it is the cause of transgressions belonging to childishness or old age. And although he will indeed regard these as offences, and will pass laws as if these people were transgressors, these will be the most gentle and forgiving laws of all. 863 c

CLINIAS: That sounds reasonable.

ATHENIAN: Now, we all speak generally of one person as being in control of pleasure and passion, and another as controlled by them, and this is indeed how matters stand.

CLINIAS: Entirely so.

ATHENIAN: But we have never heard it said that one person is in control of his ignorance while another is controlled by it.

CLINIAS: Very true. 863 e

ATHENIAN: And yet we say that when his own will is taking him in one direction, all these frequently urge the person in the opposite direction.

CLINIAS: Yes, with great frequency.

ATHENIAN: Well then, I should now define for you, clearly and without complication, what I mean by just and unjust. For I refer to the tyranny in the soul of passion and fear, of pleasure and pain, envy and desire, whether they cause harm or not, as injustice in all cases. But when the opinion as to what's best is dominant in souls, and orders the lives of everyone – whatever a city or some citizens believe this to be – then, even if damage is done, anything that is done in this way, and whatever is obedient to such rule, should be declared just and best, all in all, for the lives of us humans, even though the sort of harm I refer to is regarded by most people as unintended injustice. But our concern at the moment is not with some contentious argument about names. Rather, since it has been demonstrated that there are three 864 a

forms of transgressions, we should first get an even better mental grasp of these. One form is pain, which we call passion and fear.

CLINIAS: Very much so.

ATHENIAN: The second consists of pleasure, and desires too. The third, which is quite different, is the striving for hopes, and true opinion about what is best. And when this one is itself divided in three, we have five forms, as we are now saying.² Different laws in each case should be enacted for these five, in two categories.

CLINIAS: What are these two?

ATHENIAN: One consists of any deeds involving outright violence, the other of deeds done secretly with dark deception. There are also deeds that involve both aspects, and in such a case the laws should be at their harshest if they are to play their proper role.

CLINIAS: Yes, that's reasonable.

ATHENIAN: Next, let's return to the point from which we digressed, and continue the enactment of our laws. We had, I believe, put laws in place about plundering of the gods' property, about treason, and about the subversion of the laws in order to destroy the established constitution. Now, someone might engage in one of these whilst mad or under the influence of disease or extreme old age or out of immaturity, which are not much different from madness. If any of these circumstances comes to the notice of the selected judges, on the report of the offender himself or someone acting on his behalf, and it is adjudged that he broke the law whilst in this condition of madness, he should simply pay in full for any harm he has done to anyone, and any other penalties are to be waived. However, if he has killed someone and his hands have not been cleansed of the murder, he is in that case to be banished to another country, and dwell in that foreign place as an exile. Should he return before the time specified by law, or if he even sets foot in his native land, he is to be imprisoned in the state prison by the guardians of the law, and released only after two years.

Now that we have begun on the subject of murder, let us try to enact laws in full concerning all of its forms, dealing first with cases of unintentional violence. If someone causes the death of a friend in a contest or during public competitions, whether the person dies on the spot or later on from his wounds, or the same thing happens in war or during military training when practising with the body unprotected, or in full armour when imitating actual warfare, he may be pronounced pure once he has been purified in accord with a law received from Delphi concerning these cases. And in the case of physicians, if the patient dies unintentionally at their hands, let the law account the physician pure.

If one person, by his own act, unintentionally kills someone else, either unarmed using his own body or using some implement or missile, or by giving the person food or drink, or by exposing him to heat or cold or suffocating him, whether he does this himself in person or through the agency of others, in any case the act should be treated as if it was his own act in every respect, and penalties should be imposed as follows. If he kills a slave he is to compensate the dead man's master for any damage or loss, treating the matter as if a slave of his own had been done away with. Otherwise, he is to incur a penalty of double the value of the dead slave, as determined by the judges, and undergo purifications that are greater and more numerous than in cases where people cause death during competitions. And interpreters whom the god selects are to be in charge of these purifications. If the slain slave was his own, he is to be acquitted once he has been purified according to the law. If someone unintentionally kills a free man, he is to undergo the same purifications as someone who kills a slave, and he should respect the ancient story, recounted of old. This tells us that someone who has suffered a violent death, having lived his life proud and free, is angry, just after death, with the person who did the deed. He is filled with fear and dread because

of his own violent fate, and when he sees his own murderer frequenting his own familiar haunts, he is maddened, and, being disturbed himself, with memory as his ally, he troubles the perpetrator as much as he possibly can, both the man himself and all his actions. For this reason, the perpetrator should avoid the victim for all the seasons of a single year, by vacating any places that are personal to the man throughout his native land. And if the man who died was foreign, he is also to refrain from visiting that foreign country for the same period of time. If someone complies willingly with this law, the dead man's closest kin, supervising all of these developments, are to forgive him, and in making peace with the offender they would be acting reasonably in every respect. But if someone does not comply, and first has the audacity to enter the sacred places and offer sacrifice without being purified, or again fails to fulfil the period of exile as decreed, the dead man's closest kin are to prosecute the killer for murder, and if he is convicted, all the penalties are to be doubled. And if his closest relative does not pursue the case, anyone who wishes may take a case against him, demanding five years of exile from his own native land as the legal penalty, as if the defilement had come around to the kinsman. If a foreigner unintentionally slays another foreigner, anyone in the city who wishes may prosecute him under the same laws, and if he has alien residency rights he is to be exiled for a year. But if he is an alien in every respect, whether a foreigner, a resident alien or a citizen was slain, in addition to the purification he is to be excluded for his entire life from the country where these laws hold sway. And if he returns illegally, the guardians of the law are to impose the death penalty upon him, and if he has any property this should be handed over to the victim's closest kindred. If he returns unintentionally because of a shipwreck off our coast, he is to encamp where the sea wets his feet, and keep watch for a ship to take him away. If he returns by land because some people have taken him here by force, the first city official who comes across him is to release him, and send him safely across the border.

If someone by his own hand slays a free-born citizen, but the deed is done in passion, we should begin by making a twofold distinction. For such a deed is done out of passion in one case by those who suddenly, and without planning the killing in advance, take someone's life in a spur-of-the-moment attack with blows or the like, and are remorseful as soon as the deed is done. In another case it is done out of passion by those who, having been insulted with words or disrespectful behaviour, pursue their revenge and eventually take someone's life, fully intending to kill, and are not remorseful over what has been done. It seems then we should treat these as two kinds of murder, both born more or less of passion, and it would be only right to say that they fall somewhere between the intentional and the unintentional. Not that they don't bear a resemblance to the two extremes. One resembles the intentional, in that the person nurses his passion and does not take revenge suddenly on the spur of the moment, but later on as part of a plan. The other, while not being entirely unintentional, does resemble the unintentional. The person is out of control, giving vent to his anger suddenly, on the spur of the moment, without advance planning, just like the unintentional murderer. Therefore, it is difficult to decide whether murders done in passion are to be treated by the law as intentional or, in a sense, unintentional. The best and truest course is to treat them both as resemblances, and distinguish them by the presence or absence of premeditation. Those who kill in anger, with premeditation, should be punished more harshly by the law, while those who do so suddenly, on the spur of the moment, should be

² This refers back to 863c-d where ignorance as a cause of transgressions is divided into simple and complex forms. The latter is further subdivided into complex ignorance accompanied by power, and complex ignorance accompanied by weakness. Thus, there are three forms of ignorance leading to transgressive behaviour, which, when added to the first two, yield five.

treated more gently. For the deed that resembles the greater evil should receive the greater punishment, while the deed that resembles the lesser should be punished less. Our laws then must act accordingly.

CLINIAS: Entirely so.

ATHENIAN: Well, returning to our theme once more, let us say this. If someone slays a free-born citizen by his own hand, whoever does so in anger, without premeditation, should suffer in general the fate deserved by someone who kills without passion, but he should be compelled to go into exile for two years, restraining his own passion. Someone who slays out of passion, but with premeditation, is to be treated much the same as the previous person, except that he is to be exiled for three years, rather than the two years in the other case, the greater passion receiving a longer term of punishment. Their return from exile should be dealt with as follows. Now, it is difficult to enact such laws in a precise manner since, of the two, the person treated by the law as more dangerous might, on occasion, be less aggressive, while the person it treats as less aggressive might be more dangerous and have carried out the murder more savagely, while the other was less aggressive. However, for the most part, what happens is in accord with what we have just been saying. So, the guardians of the law are to act as arbiters in all these cases, once the period of exile is over. In either case, they are to send twelve judges from among themselves to the country's borders, judges who have, during the period of exile, looked into the actions of the exiles in even greater detail. They are to act as judges concerning the forgiveness and the return home of these offenders, who are, for their part, to abide by whatever is decided by such officials. If either of the two, having returned home, ever lets anger get the better of him and does the same thing again, let him be exiled, never to return. And if he does return, let him suffer the same fate as a returning foreigner.

If someone kills his own slave, he is to be purified, and if he kills someone else's slave out of passion, he is to pay double damages to the owner. If any killer of any sort disregards this law and defiles the market place, the games or the other sacred places by being impure when he goes there, anyone who wishes may prosecute the responsible member of the dead man's family, and the killer too, and compel them in one case to demand, and in the other case to pay, double the fine and other penalties. And let the fine be payable, by law, to the person who prosecuted them. Should a slave kill his own master out of passion, the relatives of the dead man may treat the killer as they please; except to be pure, they are under no circumstances to leave him alive. If some other slave, out of passion, kills a free citizen, his masters are to hand the slave over to the relatives of the dead man who must put the murderer to death, but may do so in any way they please.

If, as sometimes happens, but not often, a father or mother, out of passion, slays a son or daughter with blows or by some other violent means, let them be purified by the same procedures as in the other cases, and be exiled for a period of three years. When such killers return, a woman is to separate from her husband and a man from his wife, and they are not to have any more children together. Nor may they share a home with those whom they have robbed of a child or a brother, nor may they join in their sacred rituals. Anyone who disrespects and disregards these requirements may be prosecuted for impiety by whoever wishes. If some man in anger kills his own wedded wife, or a woman does the very same thing to her husband in the same way, let them undergo the same purifications and be exiled for three years. On their return, someone who has done such a deed may not join in the sacred rituals of their own children, nor share their table. If either the parent or the child disregards these requirements, they are to be prosecuted for impiety by anyone who pleases.

If, out of passion, brother slays brother or sister, or sister slays brother or sister, they

are to undergo the same purifications and period of exile as decreed for the parents and the offspring. No one may ever share the home or join in the sacred rituals with brothers whom they have deprived of brothers, or parents whom they have deprived of their children. If anyone disregards this precept, it is only right and just that they be prosecuted under the law as stated concerning impiety in such cases.

If someone develops such uncontrolled passion directed against those who gave him life, that in the madness of anger he dares to slay one of his parents, and the victim, just before death, willingly forgives the perpetrator of murder, then let him be accounted pure once he has undergone the same purifications as those who have committed an unintentional murder, and has done everything else that is required in those cases. If he is not forgiven, then whoever has done such a deed must be subject to a number of laws, for he would be liable to penalties in the extreme, for assault, for impiety, and for temple plundering too, because he has stolen the soul of his parent. And so, if it were possible for the same person to die many times, then it would be perfectly just for a patricide or matricide, who did the deed out of passion, to suffer many deaths. Indeed, in this case alone, even in self-defence where his life is under threat from his parents, no law will permit the slaying of a father or mother, the very people who are responsible for his existence. The law will ordain that he put up with anything rather than do such a deed. How else under the law could such a person be punished appropriately? So let the death penalty stand as the punishment for someone who slays his father or mother out of passion.

If, during some civil faction, a brother slays a brother during a fight or the like, while defending himself against someone who started the trouble, let him be accounted pure, just as if he had killed an enemy. The same applies to the killing of a citizen by a citizen, or a foreigner by a foreigner. If a citizen slays a foreigner, or a foreigner a citizen, in self-defence, the procedures for purification are to be the same, and likewise if a slave kills a slave. But if, on the other hand, a slave kills a free-born citizen in self-defence, he is to be subject to the same laws as someone who kills his father. What has been said about the forgiveness of murder on the part of a dying father is also to apply to all forgiveness of such offences. If anyone willingly forgives anyone else for this, as though the murder has been unintentional, the offender is to undergo the purifications, and the period of exile under the law is to be for one year.

Let that stand as a reasonable treatment of murders that are violent, unintentional and born of passion. We must now add to these our treatment of murders that are intentional and born of total injustice, that are premeditated and performed under the dominion of pleasures, desires and jealousies.

CLINIAS: Quite right.

ATHENIAN: Once again, then, let us begin by stating, as best we can, how many such causes there are. The greatest is desire, which dominates a soul made wild by its own longings. Now, this is strongest when the object of the most frequent and powerful yearning that affects most people is present. Because of their bad nature and ill education, the power of wealth is such as to breed countless passions in people for its own insatiable and unchecked acquisition. And the cause of the ill education is the custom, among Greeks and non-Greeks alike, of praising wealth in a perverse manner. For by deciding that it is the foremost of goods, when it really lies third, they do harm to the succeeding generations and to themselves. The most exalted and excellent practice of all, for any city, is to speak the truth about wealth, which is that it exists for the sake of the body, and the body for the sake of the soul. So since there are these goods, and wealth exists for their sake, it would lie in third place after the excellence of body and soul. Now, this precept would teach us that someone intent upon a happy life

should seek not to be wealthy, but to be wealthy in a just and sound-minded manner, and in this way, murders requiring further murders as a purification would not take place in our cities. Nowadays, however, as we said at the outset of these deliberations, this love of wealth is the single most significant factor responsible for the most serious court cases involving intentional murder. Second is the disposition of an ambitious soul, producing jealousies that are particularly difficult even for the jealous person himself to live with, and difficult too for the best people in the city. In third place are the fears born of cowardice and injustice that lead to so many murders in cases where someone is doing, or has done, something they wouldn't want anyone else to know about, so they do away with those who might expose such secret deeds by killing them when they are unable to stop them in any other way.

Let what has been said so far be preludes dealing with all these matters, to which we should add the account, firmly believed by many, who have heard it from those who have concerned themselves with this sort of thing in the sacred mysteries. The account states that in Hades there is retribution for such transgressions, and that on returning to this world once more, the offender must pay the natural penalty, the penalty of experiencing the crime he himself committed, thus ending his present life by suffering that very fate at the hands of another.

There is no need to recount the full law on this matter to someone who is convinced, and totally dreads such a penalty. But for anyone who is not convinced, let the law declare in writing, that whoever by his own hand slays a fellow citizen with premeditation, in an unjust manner, is, in the first place, to be excluded from the lawful assemblies and is not to defile the sacred places, the market, the harbours or any public meeting with his presence, whether someone notifies the offender of these exclusions or not. In fact, the law notifies him on behalf of the entire city, and does so publicly, and will continue to do so. If anyone closely related to the deceased, on his father's or mother's side, as close as a cousin, who should prosecute the killer doesn't do so, or fails to proclaim his exclusion, firstly, the defilement should fall upon that person, and the wrath of the gods too, for the wrath of the law brings infamy with it. Secondly, he is liable to prosecution by anyone who wishes to exact punishment on behalf of the deceased. Whoever is prepared to exact punishment should pay due attention to the relevant ablutions and whatever other requirements the god has ordained in these cases, and give formal notice of the proceedings. He should then go on to compel the offender to submit to the imposition of the penalty, according to law.

Now, the lawgiver may declare, quite easily, that this must all be brought about through certain prayers and sacrifices to the gods who are concerned, that no murders take place in our cities. But who these gods are, and what manner of prosecuting such cases would be most correct in relation to the divine, shall be ordained, in conjunction with interpreters, prophets and the god, by those who make the laws, who should conduct these cases accordingly. And the judges of these cases shall be the same as those who were said to have full authority to try the temple plunderers. Whoever is found guilty is to be sentenced to death, and is not to be buried in the land of his victim, for quite apart from the impiety, such a burial would imply forgiveness. If he flees and is not prepared to submit to judgement, let him flee and be an exile forever. But if any such person sets foot in the land of the murder victim, the first relative or fellow citizen of the deceased that comes across him may kill him with impunity, or else tie him up and hand him over to the officials who tried the case, to be put to death. Whoever is prosecuting a case must, at the outset, secure a guarantee from the person he is accusing, who should provide guarantors, worthy people in the opinion of the court that tries such cases. Three such worthy guarantors are to guarantee to present him for trial. And if the accused is unwilling or unable to make such an arrangement, the

court shall apprehend him, keep him in prison, and present him for trial.

If someone does not commit a murder by his own hand, but nevertheless plots the death of another person, and having killed him through planning and contrivance continues to dwell in the city, responsible for murder but with his soul unpurified, let him be subject to the same judicial procedures as the previous case except in the matter of the guarantee, and let's allow him be buried in his own native land. In all other respects the procedure in his case is to be the same as in the previous case.³ These same procedures apply, apart from the guarantee, to killings in person or through contrivance, involving foreigners against foreigners, citizens and foreigners against one another, or, indeed, slaves against slaves. The guarantee, as we said, is to be obtained by those who kill in person, and so whoever makes the accusation of murder must demand a guarantee in these cases too. 872 a 872 b

But if a slave intentionally slays a free citizen, either in person or through contrivance, and he is found guilty of the crime, the public executioner is to drag him towards the burial place of the deceased, to a place where the tomb is visible, and lash him as many times as the accuser ordained. And if he is still alive after being whipped, he is to be put to death. If someone kills a slave who has done no wrong, fearing that he might expose the man's own disgraceful, evil deeds, or from some similar motivation, let him stand trial for the murder of such a slave in just the same way as if he had slain a fellow citizen. 872 c

Now, there are cases for which the framing of laws is a dreadful and utterly distasteful task, yet it is impossible to avoid enacting them. I am referring to murders of close relatives, either in person or through contrivance, that are intentional and unjust in every way. These occur for the most part in cities that are badly governed, where people are badly brought up, but something like this may happen even in a country where you might least expect it. So we should repeat the account we gave a moment ago in the hope that someone who hears us may be better able under such guidance, to refrain of their own accord from murders that contravene every sacred precept. For the story or account, or whatever it should be called, comes from priests of old, and declares plainly that justice, the avenger of the blood of kinfolk, keeps watch using the law we have just stated, and decrees that whoever does such a deed must of necessity suffer that very same fate himself. If someone ever kills his father, he himself must submit to suffering the same violent death sometime at the hands of his own offspring. If he slays his mother, he himself must be born with a female nature, and in due course lose his life at the hands of those to whom he gave birth. For once the shared blood has been defiled, there is no other purification besides this, and the stain of pollution will refuse to be washed away until the offending soul has paid the price, murder for murder, like for like, and has brought the anger of all the kinfolk to rest by appeasing them. So, dreading such vengeance from the gods, a person should show restraint. If, however, any people are overtaken by such wretched misfortune as to deprive a father or mother, siblings or offspring, of their human body, with premeditation and full intent, the law enacted by the mortal lawgiver should decree the following. The proclamations of their exclusion from lawful assemblies, and the guarantees, are to be the same as described in the previous cases. And if someone is found guilty of such a murder, having slain one of these kinfolk, the judges' assistants and the officials are to put him to death and throw his body at a place outside the city where three roads meet. There all the officials, on behalf of the entire city, each bearing a stone, are to throw it at the head of the corpse to sanctify the whole city. Afterwards, by law, the body is to be carried beyond the boundaries of the country, and cast out unburied. 872 d 872 e 873 a 873 b 873 c

³ That is, in the case of one who kills by his own hand.

But what is to happen to someone who slays the closest kindred of all, the dearest of all, so called? I am referring to someone who kills himself, violently depriving fate of its destined course without the city's just decree, without being compelled to do so because he has been afflicted by huge, inescapable pain, without being involved in some desperate disgrace that he cannot live with; someone who, out of idleness and unmanly cowardice, passes an unjust sentence upon himself. In this case then, in general, god knows the observances that are required in relation to purification and burial. The closest kindred should make enquiry about these from the interpreters, and from the relevant laws, and act in accordance with their injunctions. The graves of those who have met their end in this way are firstly to be solitary. There must be no shared tombs. And they are to be buried ignominiously, with no headstones or names visible on their graves, on unnamed waste land between the borders of the twelve regions.

Now, if a beast of burden or some other animal murders someone – except when it does something like this while competing in the public games – the relatives shall prosecute the killer for murder and the case is to be judged by those rural commissioners, in whatever number, whom the relatives appoint. The guilty animal is to be killed and cast out beyond the country's borders. What if something lifeless deprives a human being of life? Except in the case of lightning or some such dart from god, any other object that kills someone by falling on him, or because he falls against it, is to be tried by the man's nearest neighbour at the behest of his closest relative, who is thus purified, himself and the whole family. The offending item is then to be cast out beyond the boundaries, just as we described in the case of animals.

If someone has obviously been slain and it is not apparent who killed him, and this is not discovered even after a careful investigation, the same notices of trial are to be served, just as in the other cases, but the prosecutor should make his public address to “the person who committed the murder”, and having established his right to prosecute, shall announce in the market place that “whoever killed so and so’ is guilty of murder and is not to enter the sacred places, nor anywhere in the country of his victim. And if he does make an appearance and is recognised, he shall be put to death and cast out, unburied, outside the country of his victim. So let this stand as one of our established laws, one dealing with murder.

So far we have dealt with cases of this sort, in this way. But the cases and circumstances where a killer may properly be accounted pure are as follows. If someone slays a thief whom he catches entering his house by night to steal his property, let him be accounted pure. If someone kills a robber in self-defence, let him be pure. If someone is doing violence to a free-born woman or boy, sexually, he may be slain with impunity by those who are being forcibly violated, or by their father, brothers or sons. If a man finds his wedded wife being violated and he kills the perpetrator, let him be pure in the eyes of the law. And if anyone slays someone while defending his father's life when his father is doing nothing improper, or indeed when defending his mother or children or brothers or the mother of his children, let him be accounted pure, entirely so.

Let us take it, then, that laws are in place for punishments in cases of violent death and for the upbringing and education of the living soul, which makes life liveable when present, and the very opposite when absent. And although the laws that deal with the nature and education of bodies have been described, what follows from these – the violent actions against one another that occur intentionally or unintentionally – must be distinguished as best we can, stating what they are and how many there are, and what the appropriate punishments are in each case. It seems only right to legislate for these matters as well as the others. Now, even the most incompetent practitioner of the law would place cases of injuring

and consequent maiming next, after cases involving death. Injuries must be distinguished in the same way that murders were distinguished, some being unintentional, born of passion or fear, others being intentional and premeditated. But everything of this sort requires a prefatory statement explaining that it is, indeed, necessary for us humans to enact laws, and to live according to those laws, or else be no different from the wildest of wild beasts. The reason for this is that there is no human being whose nature is so fully developed as to recognise what is beneficial to humanity in civic terms, and having recognised this be capable of doing what is best, always and willingly. Indeed, it is difficult to recognise, firstly, that the true science of politics needs to care not for the private but for the common interest, for what's common unites the cities, while the private tears them asunder. And it is hard to recognise too that it is beneficial, both to the community and to the individual, that the common be given priority over the private. Secondly, even someone who arrives at an adequate recognition that this is the natural state of affairs in theory, and afterwards rules the city unchecked, answering to none but himself, would never be able to abide by that precept, and spend his time fostering common interests in the city while placing his personal interests second. Rather, his mortal nature will drive him to greed and self-interest, fleeing from pain and pursuing pleasure in an irrational manner, giving higher priority to these two than to justice and goodness, producing its own darkness, and finally filling itself and the entire city with all sorts of evils. Of course, if any person was ever born, by divine providence naturally equipped with the ability to appreciate these truths, no laws would be needed to govern him. For no law or command is more authoritative than knowledge, nor is it ordained that reason be subservient to anything, or be its slave. Reason should have authority over everything, if it really is as it naturally is, true and free.

But nowadays this appreciation is nowhere to be found, or is quite rare, so we must take the second-best course – command and law. These two can discern a great deal, and attend to a great deal, but not to everything. All this has been said because we are now deciding what should happen to the person who injures or harms someone else, and what the penalty should be. At this stage, anyone might quite rightly interject, and ask in general, “What injury does this person do, to whom, how, and when?” For there are countless possibilities here, and they differ enormously from one another. Now, it is impossible to entrust all these issues to the law courts for judgement, or to entrust none of them. Indeed, in all cases one issue that must be entrusted to them for judgement is the question of whether each of these events happened or did not happen. And it is well-nigh impossible to avoid entrusting them with the further decision on the penalty for the wrongdoers, and what they must suffer in any of these cases. And it is impossible too for the lawgiver to enact laws for all these cases, great and small, himself.

CLINIAS: After this, what precept comes next?

ATHENIAN: That some matters should be entrusted to the courts, while others should rather be legislated for by the lawgiver.

CLINIAS: Which matters should be legislated for, and which should be handed over to the law courts for judgement?

ATHENIAN: It would be more correct to make the following point next. Consider a city where the law courts are degenerate and inarticulate, where they don't disclose their members' opinions, where judgements are given secretly, and to make matters worse are made not in silent proceedings but amidst tumult, as if in a theatre, with shouts of approval or disapproval of each of the speakers in turn. All this tends to be a difficult predicament for the entire city. To take on the task of enacting laws for courts of this sort, under pressure of necessity, is a most unfortunate position to be in. Nevertheless, having taken on the task out of necessity,

we should trust the courts to assign penalties in the insignificant cases, while most cases are dealt with explicitly by formal legislation, if that is, one would ever legislate for such a society at all. But in a city where, to the best of its ability, the courts have been properly established, and the people who are to act as judges have been well trained and tested in every detail, it would be right and sensible to trust judges of this sort, for the most part, to decide what is to happen to offenders, and what penalties they should incur. No one should blame us then, in the present case, if we do not prescribe for them by law the various important principles which even less educated judges would be well able to discern, and then impose upon each of the transgressors the deserved penalty for the injury suffered and the crime committed. That is because the judges for whom we are making laws are, in our view, more than capable of deciding such matters for themselves, and should be trusted to do so in most cases. Of course, we cannot avoid the approach stated and acted upon so often previously in the implementation of our laws by providing an outline and giving samples of the punishments as examples to the judges, so that they do not transgress the bounds of justice. That was the right thing to do then, and that's what should be done now, as I return once more to consideration of laws.

Let our enactment about wounding be as follows. If someone plans and intends to slay a friendly party, apart from those whom the law opposes, and he fails to kill him but wounds him instead, the person who planned the murder and inflicted the injury deserves no mercy. And there should be no concern about treating him just as if he had killed someone, and making him stand trial for murder. But we should show respect for the fact that his misfortune was not total, and respect too for the daimon who took pity on him and on the person he injured by acting as their saviour so that the injury did not prove fatal in one case, and that the misfortune did not turn into a curse in the other case. So, out of gratitude and submission to the daimon, the offender should be spared the death penalty, and exiled instead to a neighbouring state to live out his life there, enjoying all of his own possessions in full. If he has damaged the injured party, let him make payment to the person he has damaged, and let the amount be assessed by the court that judges the case, a court consisting of the judges who would have decided the murder case if the victim had died of his wounds. If a son intentionally wounds a parent, or a slave his master, let the penalty be death. And if a brother wounds a brother or sister, or a sister does the same, and they are found guilty of wounding with intent, let the penalty be death. If a man wounds his own wife, or a woman her husband, while intending to kill them, they are to be exiled in perpetuity. If they have any sons or daughters who are still children, their property is to be entrusted to trustees who should look after the children as orphans. If the children are adults, they should be under no obligation to support the exiled parent, and the property should belong to them.

If such disasters befall someone who is childless, there should be a meeting of relatives on both sides, the male and the female, extending as far as children of cousins, to decide upon an inheritor for this holding – a 5,040th part of the city – in conjunction with the guardians of the law and the priests. They are to bear in mind the general principle that of the 5,040 holdings, none belongs to the occupier or even to his entire family as much as it belongs, as public and as private property, to the city itself. And the city must, as best it can, preserve the sanctity and good fortune of its own holdings. So, whenever a household suffers such misfortune and ignominy at the same time, to such an extent that the possessor, unwed or married, without offspring, dies, having been sentenced to death for wilful murder or some other such offence against the gods or the community, for which the death penalty has been expressly prescribed by law, or when a man with no children is in exile in perpetuity, this holding must first be purified and exorcised in accordance with the law. Then the

members of his household are to meet together, as we described just now, along with the guardians of the law, to discover the family in the city that is held in the highest esteem for its excellence, and is fortunate too, and in which there are a number of children. From this family they shall give one child up for adoption to succeed the father of the dead person and his lineage, naming him after one of them as an omen, praying that by so doing he may become a source of offspring for them, a guardian of the hearth, who cares for everything holy and sacred, enjoying better fortune than his adoptive father. This person is to be installed by law as the heir to the holding, while the offender, when such misfortunes befall him, is allowed to lie nameless, childless and portionless. 878 a 878 b

It is not the case it seems, under all circumstances, that one boundary line is always adjacent to another boundary line. In some cases there is an intervening space between the boundaries, touching either of the two first, as it lies midway between them. And, indeed, we said that a deed done in anger is like this, as it lies between the intentional and the unintentional. So our law about wounding in anger should be as follows. If someone is found guilty, he is to pay double damages if the injury turns out to be curable, and quadruple damages if it is incurable. And if, although it is curable, the wounded party suffers enormous shame and embarrassment, quadruple damages are to be paid. When someone inflicts injuries that not only harm the victim, but the city too, by rendering the victim incapable of defending his fatherland in time of war, he is to compensate the city for the damage, in addition to the other penalties. For as well as his own military service, he should also do service on behalf of the incapacitated person, and take on the military duties in his place. If he fails to do so, anyone who wishes may take a legal action against him for evasion of military service. The amount of any damages, whether they are to be double, triple, or quadruple, should be determined by the judges who found him guilty in the first place. 878 c 878 d

If kindred in like manner injures kindred, then the parents and the relatives, as far as the children of cousins, on both the male and female side, are all to meet together, men and women alike, and having judged the case are to entrust the decision on the penalty to the natural parents. If the penalty is disputed, the male relatives are authorised to decide the penalty, and if they are unable to do so themselves, they should finally entrust the decision to the guardians of the law. In cases where such injuries are inflicted on parents by their offspring, the judges need to be over sixty years of age, with natural children of their own, not adopted. If the defendant is found guilty, they are to decide whether such a person should be put to death, or suffer some more severe, or even slightly less severe, punishment. None of the relatives of the offender are to judge the case, not even if they have reached the age stipulated by the law. 878 e 879 a

If a slave wounds a free citizen in anger, the owner is to hand the slave over to the injured party to do with him as he pleases, and if he doesn't hand him over, he himself is to make good the damage. If someone alleges that what happened was a conspiracy hatched by the slave and the injured party, he must sustain that allegation in court. If he fails he shall pay triple damages, but if he succeeds he shall secure an action for kidnapping, against whoever devised the conspiracy in conjunction with the slave. If someone injures someone else unintentionally, let him pay the simple damage, for no lawgiver is up to the task of controlling the operation of chance, and the judges shall be those prescribed for cases where children injure their parents, and they shall assess the value of the damages payable. 879 b

All the cases we have just spoken of involve violence, and assault too, as a general category, also involves violence. Now, in relation to such behaviour, every man, woman and child must always bear in mind that the elder is revered much more than the younger, among the gods, and among people who intend to live a safe and happy life. So, an assault 879 c

perpetrated in public by the younger on the elder is a disgraceful act to behold, and one detested by the gods. So, it is most becoming for a younger person who is struck by an older person to endure the anger with equanimity, thus storing up such respect himself for his own old age. Let our principle be that everyone is to revere everyone older than himself, in word and in deed. Any man or woman more than twenty years his senior is to be regarded as his father or mother and treated with care. All, who because of their age are capable of having begotten him or given him birth, are to be shown restraint for the sake of the gods of birth. In like manner, restraint should be exercised with a foreigner, whether he is a long-term resident or newly arrived. Indeed, neither as the aggressor nor in self-defence, under any circumstances, should a citizen dare to chastise such a person with blows. And if he himself has been assaulted outrageously and audaciously by a foreigner, who he believes should be punished, he is not to retaliate, but to apprehend the foreigner and bring him before a court of city commissioners so that he may learn never to be so bold as to assault a native citizen. The commissioners, having taken the foreigner in hand and cross-examined him with due respect for the god of strangers, are, if the foreigner proves to have unjustly beaten the native, to lash him just as many times as he himself struck the native to put a stop to this foreign audacity. If he has not acted unjustly, they shall warn and censure the man who brought him in, and send both on their way. If someone assaults someone of the same age as himself, or someone who is older but childless, whether elder strikes elder or younger strikes younger, natural self-defence with bare hands, devoid of weapons, may be employed. If someone over forty years of age dares to engage in a fight, either as the aggressor or in self-defence, the degrading punishment of being regarded as wild, unworthy of freedom, and little better than a slave, is no more than he deserves.

Someone who readily accepts such exhortation will be easy to deal with, while someone who resists and thinks nothing of our prelude should readily accept the following law. If anyone assaults someone who is twenty years older than himself, or more, firstly, whoever comes across them and is not the same age, or younger, is to separate them or else be an evildoer in the eyes of the law. And if he is the same age, or even younger, let him come to the defence of the victim, as if he were his brother or father or elder relative. Furthermore, whoever dares to attack an elder, as described, is to be tried for assault, and if he is found guilty he is to be imprisoned for at least a year, and if the judges impose a longer sentence that penalty is binding. If a foreigner or a resident alien strikes someone who is twenty years older than himself or more, the same laws relating to assistance from bystanders shall have the same force. For anyone who is convicted of such an offence, who is a foreigner without residency rights, the penalty should be two years imprisonment. A resident alien who disobeys these laws should be imprisoned for three years, unless the court decides to impose a longer sentence upon him. A bystander who doesn't render assistance in such cases, as prescribed by law, is to be fined one mina for those of the highest property class, fifty drachmas for the second highest, thirty for the third, and twenty for the fourth. And the court in such cases should consist of generals, army commanders, cavalry officers and cavalry commanders.

Some laws it seems are aimed at worthy folk, to teach them a manner of dealing with one another that will ensure that they live wisely. Other laws are aimed at people who reject education, who are hard by nature and devoid of the softness required to avoid going the way of total evil. These people are responsible for whatever we are about to state, since the lawgiver needs to enact certain laws for them, wishing all the while that they were not needed. Whoever dares to lay hands upon father or mother or their progenitors in a violent assault, fearing neither the wrath of the gods above nor the punishments reported in the

world below, acting as if he knows when he does not know at all about these matters, who transgresses the law out of contempt for the ancient and universal traditions, is someone who requires the ultimate deterrent. Now, death is not the ultimate deterrent. The travails described for such offences in Hades are much more extreme than those in this world, but although they are recounted in great detail, they do not act as a deterrent for souls like these, for if they did, these unholy, flagrant assaults upon mothers and ancestors would never occur. So, the punishments of these people for such offences in this life, should, if possible, not fall short of those in Hades. 881 b

Let our next pronouncement, then, be as follows. If someone who is not in the grip of madness dares to strike their father or mother, their grandfather or grandmother, firstly, as in the previous cases, any bystander must render assistance. A foreigner with residency rights who helps shall be called to the seats of honour at the public games, or shall be exiled from the country in perpetuity for not doing so. A foreigner without residency rights who helps is to be praised, and if he does not help he is to be reprimanded. A slave who helps is to be given his freedom, or if he does not help, let him receive one hundred lashes of the whip from the market commissioners if the assault took place in the market place. If it took place in the city, but outside the market, the resident urban commissioner should administer the punishment. If it happened in some rural area, those in charge of the rural commissioners should see to it. If the bystander is a native-born man, woman or child, they should, in every case, ward off the attack and denounce the outrageous act. If they fail to do so they are liable by law to the curse of Zeus, the god of kindred and parentage. If any of them are found guilty of assaulting their parents, first let them be exiled from the city to some other region in perpetuity, and excluded from all sacred places. If they ignore the exclusion, the rural commissioners should punish them with whipping, or in any way they please, and if they return to the city they should be condemned to death. If any free-born person eats or drinks or has a similar interaction with such an offender, or even meets up with him and makes physical contact, he should enter no holy place or the marketplace, or anywhere else in the city, before he has been purified, as though he had been involved in an abominable crime. And if he disregards the law and defiles the city illegally, any official who is aware of this and does not prosecute such a person shall, at his audit, face this omission as one of the most serious allegations made against him.⁴ Should a slave strike a free citizen or a foreigner, any bystander should come to their assistance or else be subject to the fine previously specified for their property evaluation. The bystanders shall help the victim to bind the slave, and then turn him over to the wronged party who shall take charge of him, bind him in fetters, whip him as many times as he wishes without detriment to his master, and finally hand him over to that master and rightful owner. 881 c
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So, let the law be that when any slave strikes a free person without being directed to do so by the officials, his owner is to receive him, in bonds, from the person he assaulted, and is not to release him until the slave persuades his victim that he deserves to be released and continue with his life. In all such cases, the same regulations should apply whether women are dealing with women, men with women, or women with men.

⁴ City officials were to be assessed for their conduct at the end of their terms in office.



Laws

— BOOK X —

884 a ATHENIAN: Now that assaults have been dealt with, a single universal regulation concerning the use of force should be stated as follows. No one is to take or remove what belongs to others, nor should he make use of what belongs to a neighbour without the owner's consent, for all the evils we have described, past, present and to come, derive from such behaviour. Of the remaining causes, the most grievous is unrestrained and outrageous behaviour in the young, and this is most serious when it affects the sacred, and is especially serious in the case of whatever is sacred to the community, or partly so, being common to clans or similar groupings. Second in rank and severity are outrages against private shrines and tombs. Third are outrages against parents, apart from those described earlier. A fourth kind of outrage occurs when someone has so little regard for those in authority that he removes or takes away or makes use of something that belongs to them without their consent. Fifth would be any outrage against the civic entitlement of any individual citizens, calling for legal remedy. A common law applicable to each case should be provided.

885 a In the case of temple plundering, by force or subterfuge, we have already stated briefly what should happen to the offenders. We should now say what is to happen in any cases where someone acts outrageously towards the gods, in word or in deed, by what is said or what is done, beginning with a preamble as follows. No one who believes in the gods, as the laws prescribe, has ever deliberately done an impious deed or let loose an unlawful word. If anyone does so it is because one of three things befalls him. Either, as I was saying, he does not really believe in them, or secondly he believes that they exist but do not care about us humans, or thirdly he believes that they are easily appeased under the influence of sacrifices and prayers.

885 c CLINIAS: So, what should we do or even say to these people?

ATHENIAN: Good man, let's listen first to what I suspect they would say, mocking us contemptuously.

CLINIAS: In what way?

ATHENIAN: To tease us they would probably say this. "Athenian stranger, Spartan and Cnossian, what you are saying is the truth. Some of us indeed do not believe in any gods at all, while others believe in gods of the kind you are describing. We then deserve the very same treatment that you deserved from the laws, that before issuing harsh threats, you first attempt to persuade us and teach us by providing adequate proofs that the gods exist, and that they are too good to be diverted from the path of justice when beguiled by some gifts of ours. For as matters stand, we hear all this and other ideas of this sort from poets, orators, prophets and priests, of the highest reputation, and from countless others too. And so most of us, rather than following a path where we do nothing unjust, act unjustly and attempt to make amends. From legislators like yourselves then, who claim to be gentle rather than aggressive, we expect to be dealt with first through persuasion. And if you don't do much better than

the others in speaking about the existence of the gods, but do better in terms of truth, you may perhaps persuade us. So, if what we are saying sounds reasonable, try to rise to our challenge.”

CLINIAS: It seems easy enough, stranger, to speak truthfully when saying that the gods exist, does it not?

ATHENIAN: How so?

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CLINIAS: First there is the evidence of the earth, sun and stars, and the entire universe, and the beautiful ordering of the seasons, divided into months and years. And then there is the fact that Greeks and non-Greeks alike believe in the existence of gods.

ATHENIAN: Bless you. But I do have a fear of the degenerate folk – although I would never say that I am in awe of them – a fear that they may somehow despise us. Indeed, you don’t understand the cause of their disagreement with us, and you believe that lack of control over pleasures and desires is the only thing that impels their souls to a life of impiety.

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CLINIAS: What other cause could there be, stranger, besides this?

ATHENIAN: One which you scarcely understand at all, because you live outside its realm and are unaware of it.

CLINIAS: What cause are you referring to now?

ATHENIAN: A grievous ignorance that seems to be the height of wisdom.

CLINIAS: How do you mean?

ATHENIAN: In my country, we have accounts in writing which, as I understand it, are not in existence among yourselves because your civic arrangement is so excellent. These speak of the gods, some in verse, some in prose. The most ancient of them describe how the primal nature of heaven and all else came into being, and, moving on a little from this starting point, describe the birth of the gods and how they treat one another once they have been born. Regardless of whether these accounts are somehow beneficial or detrimental to those who hear them, it is not easy to censure these ancient authorities, and yet I could never bring myself to praise their stories of respect and care for parents, or say that these are beneficial or entirely true. So we should let go of these ancient tales, bid them farewell, and let them be told in the manner that pleases the gods, while we blame the views of our young folk, and the wise, as the cause of the evils. The arguments of such people proceed as follows. Whenever you and I present proofs for the existence of gods, proposing this very point – that sun, moon, stars and the earth are gods and divinities – the young folk, having been convinced by the wise, are inclined to say that these all consist of earth and stone, and are therefore unable to think about human affairs, and that these proofs of ours have been nicely dressed up in reasoned arguments to make them sound persuasive.

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CLINIAS: The argument you are referring to would be troublesome enough, stranger, even if it was the only one, but nowadays, when there are so very many of them, the difficulty is even greater.

ATHENIAN: What of it? What are we to say? What should we do? Are we to defend ourselves against the impious folk who, when they fall foul of our legislation, accuse us of doing something terrible by enshrining the existence of gods in law? Or should we bid farewell to the issue, in case our preamble becomes longer than the actual laws it is introducing? For our argument would run to considerable length if we were to defer the enactment of suitable laws until we had first presented these people, who are so inclined to impiety, with the reasoned arguments which they say are needed, frightened our accuser away, and made the impious folk detest their impiety.

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CLINIAS: But, stranger, one point has been made many times in the short interval at our disposal: that there is no need at the moment to prefer a short argument over a lengthy one, since as

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they say no one is chasing after us. So, to be seen choosing the brief in preference to the best would be comical and undignified. But it is of the utmost importance that our arguments, somehow or other, have a degree of persuasiveness when they maintain that the gods exist, that they are good, and that they revere justice more than any of us humans. Indeed, this formulation would constitute the best and most beautiful preamble for any of our laws. So, without reluctance or impatience, let's deploy any power of persuasion we possess on such issues unstintingly, to expound the arguments adequately as best we can.

ATHENIAN: What you have just said was expressed with such depth of feeling that it seemed to me like a call to prayer. No further delay is allowed then. We must speak. Come on then, how could anyone discourse on the existence of gods without depth of feeling? In fact, it is inevitable that we bear ill-feeling and hatred towards these people who have been, and still are, responsible for our involvement in these arguments, people who don't believe the stories they hear as young children, still at the breast, from their nurses and mothers, tales told in songs of a sort, in a playful or serious spirit, which they also hear directly in prayers during the sacrifices, accompanied by the delightful sights that the young person sees and hears enacted at the sacrifices, beholding their own parents, with the utmost seriousness, offering earnest prayers and supplications on behalf of themselves and their offspring to gods whose existence is undeniable. At the rising of the moon and the sun, and at their setting too, they see and hear the prostrations and adorations of all Greeks and non-Greeks when faced with various misfortunes and successes, not as if there are no gods, but as if they really do exist beyond any grounds for suspicion.

But people who view all of this with contempt, without a single adequate argument – as anyone with a modicum of intelligence would agree – are now compelling us to say what we are saying. So, how might anyone, in mild language, be able to chasten these people and, at the same time, instruct them about the gods, teaching them first and foremost that they exist? But we should take on the task, for there is no use in some among us being maddened by a greed for pleasure, while others are equally maddened by their ill-feeling towards such people. Let our dispassionate preliminary address to those who corrupt their minds in this way proceed, and let's speak to them in mild language with any ill-feeling extinguished, as though we were addressing one person of this sort as follows. "Child, you are young, but as you get older time will transform many of the opinions you now hold into their direct opposites. Wait until then before you sit in judgement on matters of the utmost importance, and the most important is the one that you set at naught – thinking aright about the gods, and so, living, or not living, a good life.

"Now, there is one thing I should mention to you at the outset which will never prove false. Neither yourself alone, nor your friends, are the first thinkers to lead the way in holding this opinion about the gods. There are always people, sometimes more, sometimes fewer, who are afflicted with this disease. So I, who have made the acquaintance of lots of them, should inform you that no one who adopts this opinion about the gods when young, the opinion that they don't exist, ever persists into old age still holding to the same belief. But the other two misconceptions about the gods do persist in some cases, although not many: that the gods exist but have no concern for human affairs, or, alternatively, they are indeed concerned, but are easily appeased by sacrifices and prayers. So, if you heed me you will wait until your opinion concerning the gods has become as clear as possible, deliberating as to what the truth of the matter actually is, seeking guidance from people in general, but especially from the lawgiver. And in the meanwhile, do not dare to show any impiety towards the gods. For whoever is instituting laws for you, now or hereafter, should endeavour to teach you the truth about these matters."

CLINIAS: What we have said so far, stranger, sounds excellent to us.

ATHENIAN: Entirely so, Megillus and Clinias, but we have unwittingly stumbled upon a wondrous argument.

CLINIAS: What are you referring to?

ATHENIAN: An argument regarded by most people as the very pinnacle of wisdom.

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CLINIAS: Please clarify.

ATHENIAN: Some people presumably maintain that everything that is coming into being, has come into being or will come into being does so by nature in some cases, by artifice in others, or, again, by chance.

CLINIAS: Aren't they right to say so?

ATHENIAN: Well, the wise men are likely to be right in what they say, I presume, but let's pursue the matter with them at any rate, and find out what people from that camp actually have in mind.

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CLINIAS: Absolutely.

ATHENIAN: Evidently, they say, the most important and beautiful things are produced by nature and chance, while artifice produces those of lesser importance. Artifice takes the important primary products from nature already created, and then forms and fashions the lesser items, which we all refer to as artificial.

CLINIAS: What do you mean?

ATHENIAN: I'll explain this more clearly. Fire, water, earth and air all exist by nature and chance, they say, and none of these exist by artifice. And the bodies that then come after these, those of the earth, sun, moon and stars, have come into being through these four entirely soulless entities. They move by chance, each according to its particular power, in such a way that they come together, combining somehow with their own – hot with cold, dry with moist, soft with hard, and so on – for any mixture of opposites that is produced, of necessity, according to chance. In this way, based upon these processes, the whole heaven has come into existence, and everything under heaven, including animals and, indeed, all the plants too. And from these all the seasons have arisen, neither through reason, they say, nor through the agency of some god, nor through artifice, but according to them through nature and chance. Artifice comes afterwards, a later production of these two, itself mortal, born of mortal antecedents. Artifice goes on to generate some playthings, which have not the slightest share in truth, being mere images, just like artifice itself, images that painting generates, music too, and any artifice that assists these. Those artifices that actually give rise to something worthwhile are the ones that lend their own power to collaborate with nature, as happens in the case of medicine, farming and gymnastics. Statesmanship in particular, according to them, involves nature to a small extent, but mostly involves artifice, and so all legislation involves artifice rather than nature, and its propositions are not true.

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CLINIAS: In what way?

ATHENIAN: The first point these people make, my friend, is that the gods exist by human artifice, by some legal conventions, and not by nature. They are different in different places, depending upon what the various peoples agreed among themselves when making their laws. Furthermore, what's good by nature is one thing, and what's good by convention is something else. And what's just is not absolutely just by nature; rather, people are persistently arguing over this and changing their positions, and any changes they make are then authoritative, although they arise from artifice and legal conventions, and not from anything natural. All these, my friends, are the views of men who are wise in the eyes of the young people – prose writers and poets who maintain that supreme justice consists in attaining anything by force. Consequently, various impieties have afflicted our young people, as if gods, like those the law tells us to believe in, don't exist. And so, there are factions because

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of these, as the clever folk set about attracting people to the life that is correct by nature, the life of ruling over others in truth, and not being in servitude to others by legal convention.

890 b CLINIAS: What a dreadful argument, stranger, so damaging to young people as citizens of our cities and as individuals in private households.

ATHENIAN: True indeed, Clinias. So what do you think the lawgiver ought to do when such beliefs have been in place for so long? Should he simply stand up in public and issue threats to all and sundry who don't accept the existence of the gods, and don't believe that they are such as the law proclaims that they are, and who adopt the same attitude in relation to what's noble, what's just, and all matters of importance that relate to virtue and vice? Is he to declare that everything must be done in accordance with the beliefs prescribed by the lawgiver in his writings, and whoever does not accept the laws readily should, in some cases, be put to death, in other cases be beaten, imprisoned or dishonoured, or alternatively suffer poverty or exile? What about persuading the people at the same time as he imposes laws upon them? Is he to avoid adding persuasion to his pronouncements and doing his best to make them gentle?

890 d CLINIAS: Not at all, stranger. If there happens to be the slightest possibility of any persuasion in relation to such matters, no lawgiver who is worth anything should relent in any way, but he should, as they say, be an out-and-out advocate, supporting the ancient, traditional argument that the gods exist, and any other arguments you have just recounted. And, indeed, he must also defend law itself, and artifice, as being natural or not inferior to nature, since they are products of reason, according to the correct argument which you now seem to me to be propounding, and with which I agree.

890 e ATHENIAN: How eager you are, Clinias! But when addressing lots of people in this way, isn't it difficult to pursue arguments? And don't they take on an inordinate length?

CLINIAS: What's this, stranger? We were patient with one another when discoursing at such length about drunkenness and about music. Are we to be impatient now on the subject of gods and the like? And, indeed, this argument is surely of great assistance to wise legislation, because legal injunctions, once written down, are completely unalterable, ready to meet any challenge forever. Nor need we worry if they are hard to appreciate at first, since even the slowest learner can come back and consider them over and over. Neither should we be concerned about their length, provided they are beneficial. So, it seems to me that it is both unreasonable and impious for any man not to do his best to support these arguments.

MEGILLUS: I think, stranger, that Clinias has made an excellent point.

891 b ATHENIAN: I couldn't agree more, Megillus, and we should do as he says. Indeed, if such fallacious arguments were not so widely sown in more or less every human heart, there would be no need for counterarguments defending the existence of the gods. But we need them now, so who better than the lawgiver to come to the aid of our most important laws when they are being subverted by evil folk?

MEGILLUS: There's no one better.

891 c ATHENIAN: Well then, speak to me again, Clinias, and you too, for you need to join in the arguments. It is likely that someone who says all this is of the view that fire, water, earth and air, all of which he refers to as 'nature', come first, before everything else, and from these afterwards comes soul. But, in fact, this seems more than just likely, since this is being indicated to us directly by the argument.

CLINIAS: Very much so.

ATHENIAN: Well, by Zeus, have we discovered a sort of fountain of irrational opinion on the part of all the people who have ever turned a hand to investigations into nature? Let's look at

this, scrutinising each argument, for it will make an enormous difference if it can be shown that those who engage in impious arguments, and give the lead to others, are not only employing the arguments badly, but are wide of the mark too. I, for one, think that this is how matters stand. 891 d

CLINIAS: Well said. But where does the error lie? Try to explain this.

ATHENIAN: Well, I shall, it seems, have to deal with unfamiliar arguments.

CLINIAS: Don't be reluctant, stranger. I do understand that you think we will be straying outside the bounds of legislation if we deal with such arguments, but if it is impossible to agree on the correctness of the descriptions of the gods in our laws, in any other way apart from this, then this, my friend, is the course we must adopt. 891 e

ATHENIAN: I should, it seems at this stage, recount a somewhat unusual argument, as follows. According to the arguments that fashion the soul of the impious folk, the first cause of the generation and destruction of all things is said not to come first, but to arise subsequently, and what's subsequent is said to be prior. That's how they fall into error about the actual being of the gods.

CLINIAS: I do not yet understand you. 892 a

ATHENIAN: Soul, my friend – what it's like, and the power it possesses – is a matter about which all but a few are inclined to be in ignorance generally, and especially in relation to its origin. They don't know that soul is among the things that come first, having come into existence before all of the bodies, and more than anything else controls all their changes and transformations. And if this is indeed the case, mustn't anything akin to soul, of necessity, be prior in origin to anything associated with bodies, since soul is older than body? 892 b

CLINIAS: Necessarily.

ATHENIAN: Then opinion, attention, reason, artifice and law would be prior to anything hard or soft, heavy or light. And, indeed, the important primary works and activities would be those born of artifice because they are among the first, while those that are natural, and nature itself, incorrectly so called, come later and come from artifice and reason.

CLINIAS: Incorrectly in what sense? 892 c

ATHENIAN: By the word 'nature' they intend to describe the generation of things that come first. But if it turns out that soul comes first, rather than fire or air, then soul, having arisen with the things that come first, may be described most correctly as pre-eminently natural. This is how matters stand, provided it can be demonstrated that soul is older than body, but not otherwise.

CLINIAS: Very true.

ATHENIAN: Shouldn't we set about this very proof next?

CLINIAS: Indeed. 892 d

ATHENIAN: Let's be on our guard, then, against an utterly deceitful argument lest we somehow, in our old age, beguiled by its youthfulness, let it get away from us and turn us into figures of fun, who seem to aim for great things but miss the little ones. So, think about this. Suppose we three needed to cross a river with intense currents, and I happened to be the youngest of us, with a lot of experience of such currents. What if I suggested that I attempt the crossing first by myself, leaving you two behind in safety, so as to test whether the river can be crossed by you two older men or not? And if it turned out to be crossable, I could then, based on my experience, call upon the two of you to make the crossing too, and if it was too deep for you, the danger would be all mine. This would sound like a reasonable suggestion. And, indeed, in this case, the argument we are facing is most intense, and perhaps a little too deep for the strength you possess. So, in case it makes you dizzy and puts you in a spin, with its onslaught of questions you are not accustomed to answering, and begets 892 e 893 a

a distasteful lack of dignity and decorum, I think I should follow the same procedure myself now. I'll put the questions to myself first, while you two are listening in safety, and then I shall, in turn, answer the questions myself and conduct the entire argument in this way until it has dealt with the subject of soul, and shown that soul is prior to body.

CLINIAS: We think, stranger, that your suggestion is excellent. Please do as you suggest.

893 b ATHENIAN: Come on, then. If ever there was a time to call for a god's help, now is the time to do so. Let's take it, then, that the gods have been invoked, in all seriousness, to demonstrate their own existence, while we plunge into the argument before us, holding on to this rope for safety. Now, when I am being challenged on such matters with questions of this sort, it seems safest to respond as follows. For instance, when someone asks me, "Stranger, is everything stationary and does nothing move? Or is the situation the exact opposite? Or do
893 c some things move while others stay still?", I shall reply that some presumably move, while others stay still.

"Now, don't the stationary things stand still, and the moving things move, in a certain place?"

"Of course."

"And some, presumably, will do this in a single location, others in several."

"Do you mean," we shall say, "that objects which can be stationary at their centre are moving in a single location, as happens to circular objects which are said to be stationary, although their circumference is revolving?"

"Yes."

893 d "And we do understand that in this revolution, carrying around the greatest circle and the smallest one simultaneously, such motion distributes itself to the greater and the lesser, in proportion, being itself both lesser and greater, in proportion. And so it has become a fount of all wonders as it provides both large and small circles at the same time, with harmonised slowness and swiftness, an outcome which might be regarded as impossible."

"Very true."

893 e "And when you refer to things moving in several locations, I presume you mean those which move by being borne, constantly changing from one location to another, sometimes having a single centre of support, sometimes more than one, in which case they roll about. Any time they collide with each other, a moving body is disintegrated by a stationary one, whereas moving bodies coming from opposite directions coalesce into a single combination that is midway between the two."

"Yes, I agree. This is how matters stand, just as you say."

894 a "And, indeed, when combining, they increase in bulk, and when they disintegrate they decrease, provided the established condition of each persists, but if this does not remain, they are dissolved by both processes. So, under what set of circumstances does generation occur in all cases? Obviously it is when a beginning, having taken increase, has arrived at its second stage, and from this arrives at the next, and having reached the third stage becomes perceptible to observers. Everything comes into being by changing and moving in this way. It is really existing only for as long as it persists, and it is completely destroyed whenever it changes to another state."

894 b So have we mentioned all movements that can be classified numerically, apart, my friends, from two?

CLINIAS: Which two?

ATHENIAN: The two for whose sake, good man, almost all of our present enquiry is being conducted.

CLINIAS: Please clarify.

ATHENIAN: Presumably, it is for the sake of soul?

CLINIAS: Very much so.

ATHENIAN: Well, let one of the two be the motion that is always able to move other things but is unable to move itself. And of all the various motions, let the other one be the motion that is always able to move itself and other things by combination, disintegration, by increase and its opposite, and by generation and destruction. 894 c

CLINIAS: Let's do so.

ATHENIAN: In that case, we shall place the motion that always moves another and is moved by another ninth. And we shall say that the tenth motion is what moves itself and another, being included in all actions performed or suffered, and is actually called the change and motion of everything that exists.

CLINIAS: Entirely so.

ATHENIAN: Of the ten motions, then, which should we adjudge most correctly to be the most powerful of all, and most exceptionally effective? 894 d

CLINIAS: We must insist, I presume, that the motion that can move itself is enormously superior, and that all the others come after it.

ATHENIAN: Well said. In that case, must we rectify one or two of the incorrect statements we have made?

CLINIAS: What are you referring to?

ATHENIAN: What was said about the tenth wasn't really correct.

CLINIAS: In what way?

ATHENIAN: According to the argument, it is first in origin and in potency, and the one after it we hold is second, although we have just referred to it, oddly, as ninth. 894 e

CLINIAS: What do you mean?

ATHENIAN: Whenever we find something changing something else, and that in turn another and so on, will there ever be a first source of change in such a sequence? How indeed, when this is moved by something else, can this ever be the first of the things that are altered? It is impossible. But when this, having moved itself, changes something else, and that changes another, and thousands and thousands of things are moved in this way, would the source of all the movement of all these be anything other than change in the motion that moved itself? 895 a

CLINIAS: That's very well argued. These points must be conceded.

ATHENIAN: Then let's continue our discussion in this way, and let's reply to ourselves again. Suppose all things had come to a standstill together, as most thinkers of this sort have ventured to suggest, which of the motions we have mentioned would necessarily be the first to arise among them? It would of course be the motion that moves itself, for they will never undergo previous change by something else when there is no previous change among them. So, as the source of all motions, the first to arise among stationary things, and first in rank among things that are in motion, we shall necessarily declare the motion that moves itself to be the oldest and most powerful change of all, while the motion that is altered by something else, and then in turn moves others, comes second. 895 b

CLINIAS: Very true.

ATHENIAN: Well, now that we are at this point in the argument we should answer the following question. 895 c

CLINIAS: Which is?

ATHENIAN: If we were to see this motion in operation in something made of earth or water or fire, either separately or in combination, what condition would we say something of that sort was in?

CLINIAS: Aren't you asking me whether we should describe something as being alive whenever it moves itself?

ATHENIAN: Yes.

CLINIAS: Alive, yes of course.

ATHENIAN: What if we see soul in something? Is the situation any different? Mustn't we accept that it is alive?

CLINIAS: It's no different.

895 d ATHENIAN: Hold there, by Zeus. Wouldn't you be prepared to think of each thing as having three aspects?

CLINIAS: In what way?

ATHENIAN: One is the essence, one is the account of the essence, and one is a name. And, indeed, there are two questions you can ask about everything that exists.

CLINIAS: What are the two?

ATHENIAN: Sometimes when proffering the name itself we ask for the account, sometimes when presenting the account itself we ask in turn for the name. Anyway, don't we, for our part, wish to convey something like the following?

CLINIAS: Which is?

895 e ATHENIAN: Among numbers, and everything else too, there is, I presume, something that is divisible into two. The name of this in the case of number is 'even', and the account is 'number, divisible into two equal parts'.

CLINIAS: Yes.

ATHENIAN: That's the sort of thing I am referring to. Aren't we speaking of the same thing in either case, whether being asked for the account we respond with the name, or being asked for the name we give the account? By the name 'even' and by the account 'a number that can be divided by two', aren't we describing the same thing?

CLINIAS: Entirely so.

896 a ATHENIAN: What is the account, then, of that which is designated by the name 'soul'? Have we any other account apart from the one just stated: 'the motion that is able to move itself'?

CLINIAS: So the same essence, which everyone refers to by the name 'soul', has as its account 'that which moves itself'. Is that your point?

ATHENIAN: Well, that's what I'm saying. So, if this is how matters stand, do we still feel that it has not been satisfactorily proved that soul is the same thing as the first becoming and motion of anything that is, or has been, or will be, and, indeed, of the opposites of all these, since 896 b it has been shown to be the cause of change and motion in everything?

CLINIAS: No, it has been quite adequately proved that soul is the oldest of all, since it has turned out to be the source of motion.

ATHENIAN: Now, mustn't the motion arising in one thing because of another – motion that never gives anything the ability to move itself – come second, or, indeed, as far down the list as you wish to count it, since it is the change in a body that is in reality devoid of soul?

CLINIAS: Correct.

896 c ATHENIAN: So, our statement would be correct, authoritative, true and certain if we were to assert, as we have done, that soul is prior to body, while body is second and subsequent; that soul is ruling, while body is naturally being ruled.

CLINIAS: Yes, very true.

ATHENIAN: Now, we agreed in our earlier discussion, as I'm sure you recall, that if soul proved to be older than body, whatever belongs to soul would also be older than whatever belongs to body.

CLINIAS: Very much so.

896 d ATHENIAN: Then, tendencies, habits, intentions, reasoning, true opinions, attention and memories would have arisen prior to the height, breadth and depth of bodies, if soul is indeed prior to body.

CLINIAS: Necessarily.

ATHENIAN: Mustn't we necessarily agree next that the cause of whatever is good is soul, and also of whatever is evil, noble, shameful, just, unjust and all their opposites, if we are to insist that soul is indeed the cause of everything?

CLINIAS: There is no alternative.

ATHENIAN: Then, since soul controls and resides in everything that is moving anywhere, mustn't it also, necessarily, be said to control the heaven? 896 e

CLINIAS: Indeed.

ATHENIAN: Is there one soul, or more than one? More than one, I shall reply on behalf of both of you. We should propose at least two – one beneficent, the other capable of producing the opposite effect.

CLINIAS: Absolutely correct.

ATHENIAN: So be it. Soul impels everything in heaven and earth and ocean, by the motions of itself whose names are intention, consideration, attention, deliberation, opinion both correct and false, delight and tribulation, confidence and fear, hatred and affection. It impels them by these, and by any motions that are akin to these or are primary in their operation. And bringing in their train the motions that are secondary in their operation, and those of bodies, they impel everything to increase or decrease, disperse or combine, and to adopt the related qualities of hot and cold, heavy and light, hard and soft, white and black, bitter and sweet, and all those to which soul has recourse, when with reason – which is ever, rightly, a god to gods – as its helper, it leads everything happily and in the right way, or when it consorts with unreason and produces the very opposite effect in every case. Should we propose that this is how matters stand, or do we still suspect it might be otherwise? 897 a
897 b

CLINIAS: Not at all.

ATHENIAN: What kind of soul should we say is in control of heaven and earth and their entire cycle? One that is wise and full of excellence, or one that is possessed of neither? Would you like us to respond as follows? 897 c

CLINIAS: How?

ATHENIAN: If, my friend, we are to state that the entire course and motion of heaven, and of everything it contains, resembles the natural motion, circuit and calculations of reason, and proceeds in a kindred manner, we must of course maintain that the very best soul cares for the entire universe and leads it along that course.

CLINIAS: Correct.

ATHENIAN: But if it proceeds in madness and disorder, then the bad soul is in control. 897 d

CLINIAS: That's also correct.

ATHENIAN: What, then, is the nature of this motion of reason? This, my friends, is a difficult question to answer already, with any degree of cogency. And so, it is only right that I take a hand in answering the question, along with you.

CLINIAS: A good suggestion.

ATHENIAN: Well, in giving our answer let's not, so to speak, look directly at the sun and turn our midday to dark night, acting as though reason could ever be adequately seen and discerned with mortal eyes. Looking at an image of our quest would be a safer way to view it. 897 e

CLINIAS: In what way?

ATHENIAN: Of those ten motions, let's adopt the motion which reason resembles as our image. I'll recall this along with you, and then give the answer.

CLINIAS: An excellent suggestion.

ATHENIAN: Well, of what was said at the time, do we still at least recall that we proposed, in general, that some things are in motion, while others are at rest?

CLINIAS: Yes.

898 a ATHENIAN: Again, of those that are in motion, some move in one location while others traverse several.

CLINIAS: So they do.

ATHENIAN: Of these two, the one that moves in one place must always move about some centre, being an imitation of a wheel fashioned on a lathe, and must as far as possible be akin to and resemble the circuit of reason in every respect.

CLINIAS: What do you mean?

898 b ATHENIAN: If we were to say that reason, and the motion that occurs in one place – both resembling the motions of a fashioned sphere – move of course regularly, in the same way, in the same place, concerned with the same things, in accord with the same things, and a single principle and arrangement, we would never prove ourselves to be inferior craftsmen of noble, verbal images.

CLINIAS: Quite right.

ATHENIAN: Then again, motion that never occurs in the same way, nor regularly, nor in the same place, that is not concerned with nor in accord with the same things, that does not move with a single motion, order or arrangement, nor on a single principle, would be akin to total unreason.

CLINIAS: Very true. It would, indeed.

898 c ATHENIAN: At this stage there is no further difficulty in stating categorically that since soul, for us, is what drives everything about, we must declare that the circuit of heaven is necessarily driven about, whilst being cared for and ordered by either the best soul or its opposite.

CLINIAS: No, stranger. From what has been said just now, it would be unholy to deviate from the statement that what drives these about is one soul, or more than one, possessed of total excellence.

898 d ATHENIAN: You have followed the argument exceedingly well, Clinias. But please attend to the following additional point.

CLINIAS: Which is?

ATHENIAN: Consider the sun, moon and other stars. If soul does indeed impel everything, would it not also impel each one individually?

CLINIAS: Indeed.

ATHENIAN: Then, let's construct arguments concerning one star, and these will prove for us to be applicable to them all.

CLINIAS: Which one?

898 e ATHENIAN: Although everyone sees the sun's body, no one sees its soul, nor indeed the soul of any other creature's body, alive or dead. But there is great hope that this kind of thing, which cannot be perceived at all by our bodily senses, envelops us, and can be known by reason. By reason alone then, and by thinking, we should understand the following point about this.

CLINIAS: Which is?

ATHENIAN: Since soul impels the sun, we wouldn't go too far awry in saying that it does so in one of three ways.

CLINIAS: Which are?

899 a ATHENIAN: Either it resides within this apparent spherical body and conveys this sort of thing everywhere, just as the soul in us carries us everywhere. Or, as some argue, soul, having procured for itself an external body of fire or air, forcibly pushes body with body. Or thirdly, soul itself, devoid of body, exercises its guidance, possessed of other exceedingly wondrous powers.

CLINIAS: Yes, this must necessarily be so. Soul must impel everything by acting in one of these ways.

ATHENIAN: Better than this, this soul brings light to us all, and whether it does so by having the sun in a chariot, or acts from outside or by some other means, everyone should regard it as a god. Is this so?

CLINIAS: Yes, unless they had reached an extreme of unreasonableness. 899 b

ATHENIAN: Concerning all the stars then, the moon too and the years, months and all the seasons, have we any alternative than to give the very same account? Since soul or souls have turned out to be the causes of all these, being good in respect of every excellence, we shall say that souls are gods, whether they order the entire heaven while present in bodies as living beings, or in some other way. Now, is there anyone, agreeing with all this, who will tolerate the assertion that ‘all things are not full of gods’?¹

CLINIAS: No, stranger, there is no one so disordered in his thinking as that. 899 c

ATHENIAN: Then, Megillus and Clinias, by stating our terms to the person who until now does not believe in gods, let’s have done with the matter.

CLINIAS: What terms?

ATHENIAN: He should either teach us that we are wrong in proposing that soul is the first origin of everything, and in the various conclusions we drew from this, or if he is unable to improve upon our account, he should adopt it and spend the rest of his life believing in the gods. So, let’s decide at this stage whether we have done a good job of explaining to those who don’t believe in gods that there are gods, or whether we have fallen short. 899 d

CLINIAS: We have not fallen short in the slightest, stranger.

ATHENIAN: Well, let that be the end of our argument with these people. But we should now admonish those who believe that, although the gods exist, they have no concern for the affairs of us humans. “Good man,” we shall say, “as for your belief in gods, it is perhaps some divine kinship that draws you to your common stock, in honour and belief. Now, the fortunes of evil and unjust people in private and in public, are, in truth, unhappy, although they are acclaimed as happy, insistently but erroneously, by public opinion, and so you are led into impiety by their improper celebration in poetry and stories of all sorts. Or again, when you see old men coming to the end of their lives, leaving children and children’s children behind, who are held in the highest regard, perhaps you are troubled when you find out, either from others or from personal experience, that amongst their number lots of awful, impious deeds have taken place, and through these very acts they have risen from lowly status to tyrannical power and the highest office. Then, faced with all this, you are obviously reluctant to hold the gods responsible for this sort of thing, because they are your kindred. So, driven by poor reasoning and your inability to criticise the gods, you have ended up in your present predicament where you believe that, although the gods exist, they despise us humans, and don’t care about our affairs. Now, so that your current belief does not land you in a worse predicament in terms of impiety, and so that you may be able somehow to banish it by arguments, as it draws nigh, let’s attempt to attach the related argument, the one we expounded initially to the total unbelievers, and use this for our present purposes too.” You, Clinias and Megillus, should accept the role of answering on the young man’s behalf, as you did before. And I, if any difficulty comes up in the argument, will take over from you, as I did just now, and get you across the river. 899 e
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CLINIAS: You are right to say all this. So, do as you suggest, and as best we can we’ll do as you bid us.

ATHENIAN: Well, perhaps it would not be too difficult to demonstrate this much at least, that the gods are careful about minor matters, more so, indeed, than about matters of great importance. 900 d

¹ This statement has been attributed to Thales, who was one of the first of the early Greek philosophers.

Indeed, the young man was presumably present at our discussions recently and heard it said that the gods, being good in respect of every excellence, have care for all things, as something that is most appropriate to themselves.

CLINIAS: Yes, he certainly heard that.

ATHENIAN: Well, next, let us join together and enquire into what is meant by this excellence of theirs, by which we agree that the gods are good. Come on then, to be sound-minded and possessed of reason belongs to excellence, while their opposites belong to evil. Is this what we maintain?

CLINIAS: We do.

900 e ATHENIAN: And, indeed, that courage belongs to excellence, while cowardice belongs to evil?

CLINIAS: Very much so.

ATHENIAN: And of these, shall we maintain that the latter are shameful, while the former are noble?

CLINIAS: We must.

ATHENIAN: And shall we say that the base qualities, if they belong to anyone, belong to ourselves, while the gods have no share, great or small, in anything of this sort?

CLINIAS: Everyone would agree with this too.

ATHENIAN: What about this? Shall we insist that carelessness, idleness and indulgence constitute excellence of soul? What do you say?

CLINIAS: No, how could we?

ATHENIAN: So the opposite is the case?

CLINIAS: Yes.

901 a ATHENIAN: So, do their opposites constitute the opposite condition of soul?

CLINIAS: Yes, the opposite.

ATHENIAN: In that case, for us, won't any person who is indulgent, careless and idle be someone whom the poet described as "most like a stingless drone"?²

CLINIAS: And he was quite right to say so.

ATHENIAN: Therefore, it must never be said that God has such a disposition as this, a disposition He Himself detests, nor must we allow anyone to attempt to utter such an opinion.

CLINIAS: No, indeed. How could we?

901 b ATHENIAN: Consider someone who is responsible for acting and really caring for something, but whose mind cares for major issues while neglecting small ones. What grounds could we have for praising such a person without going completely awry? Think of the matter as follows. Doesn't the behaviour of such a person, be he god or man, who acts like this take one of two forms?

CLINIAS: What are they?

901 c ATHENIAN: Either he is of the view that neglect of the minor matters makes no difference to the whole, or, in spite of the difference it makes, he neglects them out of indifference and indulgence. Or does carelessness arise in any other way? For, presumably, when it is actually impossible to care for all of them, it will not in that case constitute carelessness for things small or great, when someone, be he a god or an ordinary person, neglects what he is unable to care for because it is impossible for him to do so.

CLINIAS: No, how could that be carelessness?

901 d ATHENIAN: At this stage, then, let the two parties respond to the three of us. They both accept that gods exist, but one says they can be appeased by entreaty, the other that they don't care about little things. You first assert, both of you, that the gods know and see and hear everything, and in any cases where there is knowledge or perception, nothing can escape their notice. Is this what you maintain, or something else?

CLINIAS: This.

ATHENIAN: Don't they also agree that gods are capable of anything that mortals and immortals are capable of?

CLINIAS: How could they fail to accept that this is also the case?

ATHENIAN: And the five of us have already agreed that gods are good and excellent.

901 e

CLINIAS: Very much so.

ATHENIAN: In that case, is it not completely impossible for us to accept that they do anything at all out of indifference and indulgence, given that they are as we agree that they are? Indeed, among ourselves at any rate, idleness is born of cowardice, and indifference of idleness and indulgence.

CLINIAS: Very true.

ATHENIAN: None of the gods, then, show a lack of care out of idleness and indifference, since they are not possessed of cowardice.

CLINIAS: Correct, indeed.

ATHENIAN: Therefore, we conclude that if they do indeed neglect the small and insignificant details of the All, they would do so either thinking that nothing of this sort should be cared for at all, or, alternatively, we can only conclude that they think the direct opposite.

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CLINIAS: There is no alternative.

ATHENIAN: So, my good and excellent man, what shall we presume your position to be? Are the gods ignorant? And although care is necessary, are they careless out of ignorance of this fact? Or do they know full well that care is necessary, but behave as the basest of us humans are said to behave? They know that another course of action is better, but don't act accordingly because they are somehow overpowered by pleasures or pains.

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CLINIAS: Impossible.

ATHENIAN: Now, don't human affairs have a share in the ensouled nature, and at the same time isn't a human being the most god-fearing of all creatures?

CLINIAS: So it seems.

ATHENIAN: And we maintain, indeed, that all beings that are mortal are possessions of the gods, and that the whole heaven belongs to them too.

CLINIAS: Of course.

ATHENIAN: At this stage, then, anyone may assert that these issues are small or large in the eyes of the gods. But that doesn't matter, since in neither case would it be proper for those who own us to show a lack of care, when they are supremely caring and good. Yes, and there is something else we should consider besides these.

902 c

CLINIAS: Which is?

ATHENIAN: When it comes to perception and power, aren't these two, by nature, direct opposites of one another in respect of ease and difficulty?

CLINIAS: In what way?

ATHENIAN: It is more difficult, I presume, to see and hear small things than large things, while on the other hand it is easier for everyone to move, control and care for the small and the few, than for their opposites.

CLINIAS: Very much so.

902 d

ATHENIAN: Consider a physician, given the task of treating a body as a whole. If he is willing and able to care for whatever is large, yet neglects the parts and anything small, will he ever have the entire body in good condition?

CLINIAS: Not at all.

ATHENIAN: No. Nor indeed will steersmen, generals, household managers, nor indeed certain

² Hesiod, *Works and Days* 304.

902 e statesmen, nor anyone else of this sort, succeed with the many and great, without the few and the small. In fact, even stonemasons say that without the small stones, the large ones don't sit well.

CLINIAS: No, how could they?

ATHENIAN: Let us never accuse God then of being inferior to mortal craftsmen, who the better they are at their own proper tasks, great or small, the more precisely and perfectly do they execute them in virtue of a single skill. No. Let us never presume that God, being perfectly wise, 903 a willing to care, and able to do so, does not care at all for small things that are easy to care for – just like some idle coward who shirks the work – but does care for the large things.

CLINIAS: We should never adopt an opinion of this sort about the gods, stranger, for the very notion would be unholy and untrue.

ATHENIAN: I think we have now, already, done very well in arguing against the person who likes to accuse the gods of not demonstrating care.

CLINIAS: Yes.

903 b ATHENIAN: Well, he has at least accepted, in virtue of the force of our arguments, that what he is saying is incorrect. And yet it seems to me that something further needs to be said to charm him.

CLINIAS: What sort of thing, my friend?

ATHENIAN: We should persuade the young man, with our arguments, that the one who cares for the All has organised everything with a view to the safety and excellence of the whole, and so each part of the entire, as best it can, experiences and enacts whatever is appropriate. And there are rulers of what's experienced or enacted allocated to these various parts, in each case down to the very smallest, who have attained perfection down to the last detail. Your 903 c own part too, tiny as it is, my stubborn friend, is one of these, ever intent upon the All, ever looking thereto. But you have overlooked this very point: that all generation is for the sake of the All, so that a blissful existence may be secured for the life of the world, which is not created for your sake. No, you are created for its sake. For every physician and skilled craftsman does all his work for the sake of the entire, fashioning the part to serve an overall purpose, the part being for the sake of the whole, rather than the whole for the sake of the part. But you are troubled because you don't recognise that in your own affairs what is best for the All turns out also to be best for you, based on the power of your common origin. And since soul is continually being united with body after body, undergoing multifarious changes of itself or because of another soul, no other role is left for the player of the game except to relocate the character that is becoming better to a better place, and the worse, to 903 d a worse place, based on what is appropriate in each case, so that each may be allotted its own proper destiny.

CLINIAS: In what way?

ATHENIAN: In the way that gods may exercise easy care of all things. I think I can describe it in this way. If someone with a constant eye upon the whole, whilst changing the forms of all things, were to fashion fire, for example, into ensouled water, rather than making lots of 904 a things from one or one from many, then once they had undergone their first, second or third generation, the variations in the changing arrangement would be unlimited in multiplicity. But as matters stand, the one who cares for the All has a wonderfully easy task.

CLINIAS: Again, in what way?

ATHENIAN: As follows. Our king has observed that all our actions involve soul, and that among these many are excellent while many too are evil, and that body and soul, once they have come into being, are indestructible but not eternal, just like the gods ordained by law. For 904 b there would never be any generation of living beings if either of these two were destroyed. He realised, too, that any soul that is good is always naturally beneficial, while the evil does

harm. So, being aware of all this, He devised a location where each of the parts might lie, to ensure the triumph of excellence and the defeat of evil in the All, in the best and easiest way. In fact, He has devised, in furtherance of this overall purpose, what sort of character, as it develops, should always occupy what sort of position, and in what precise regions it should dwell. The causes of generation of any particular sort he left to the will of each of us. For, in general, the manner of someone's desires in each case, and the nature of his soul, largely determines the sort of person every one of us becomes. 904 c

CLINIAS: Quite likely.

ATHENIAN: So, all things that partake of soul undergo change, having acquired within themselves the cause of change, and as they change they move in accordance with law and the ordinance of fate. The smaller the change of the characters, the less do they proceed on the surface of the region, while with the greater and the more unjust change, they descend into the depths and the so-called 'regions below', which go by the name Hades, and the like, filling people with fears and imaginings whilst alive, or when the body falls. Whenever the soul partakes of evil or excellence to a greater extent, of its own free will or because of the strength of the company it keeps, then, if it has had communion with divine excellence, it becomes pre-eminently divine, and moves to a special, completely holy region, borne to another better place. Under the opposite circumstances, it is transported to the opposite region to live out its life. 904 d 904 e

This is the just decree of the gods who inhabit Olympus.³ Take note, my impetuous child who believes that the gods care not, that the one who becomes more evil proceeds to the more evil souls, while the one who becomes better goes to the better, to experience and to enact there, in life and in various deaths, whatever it is appropriate for like to do to like. From this decree of the gods, neither you nor anyone else who has fallen into misfortune shall ever boast of having escaped. For gods who issue decrees have prescribed this one especially above all others, and it should be heeded without reservation. For you will never evade its care, neither by being so small as to dive beneath the depths of the earth, nor by becoming so exalted as to ascend to the very heaven. And you will pay them the proper price, either whilst remaining here, or, indeed, when you have proceeded to Hades, or even when you have been transported to a still more fearsome region than these. You will find that the same argument also applies to those people whom you have seen becoming great from insignificant beginnings, through unholy deeds or the like. You thought they had come out of misery into a blessed life, and that you had discerned in their actions, as though in a mirror, total neglect on the part of the gods, not realising how precisely their contribution fits into the entire. So, my most vigorous friend, this decree must be understood. How could you think otherwise? Someone who does not understand this would never have even an inkling about human life, nor be able to contribute a single word on what makes it happy or miserable. Now, if Clinias here, and the rest of our aged gathering, persuades you of all this, that when it comes to the gods you don't know what you are saying, then thank God for it. But if you require some further argument, then listen, if you are possessed at all of reason, as we address our third opponent. Indeed, I would claim that we have demonstrated to you, and made a fairly good job of it, that the gods exist and care about us humans. But the further proposition, that the gods are susceptible to being placated by wrongdoers provided they are given gifts, should not be accepted by anyone, and should furthermore be refuted by every possible means. 905 a 905 b 905 c 905 d

CLINIAS: Well said. We should do as you propose.

³ *Odyssey* xix.43, Bury.

905 e ATHENIAN: Come on then, by the gods themselves! In what way might they be placated by us, if they could actually be placated? And what would they be, and what sort of beings would they be? They must necessarily be rulers, I presume, since they manage the entire heaven to perfection.

CLINIAS: Quite so.

ATHENIAN: But what kind of rulers do they resemble? Or, comparing small with great, of all the rulers with whom we could compare them, which are they like? What about comparing them to drivers of competing teams, or steersmen on ships? Or perhaps they might be likened to commanders of armies, or indeed they might be like physicians looking after the
906 a body in a war against diseases, or like farmers fearfully anticipating seasons that tend to be difficult for the growth of plants, or even like herdsmen.

For since we have agreed among ourselves that the heaven is full of much that is good and also of the opposite, and that there is more of what is not good, the battle, according to us, is undying, and requires wondrous guardians. The gods are our allies, and so are the daimons, and we are, in fact, possessions of the gods and daimons. Injustice and wantonness, accompanied by ignorance, are our undoing, while justice and sound-mindedness,
906 b accompanied by wisdom, are our salvation. And these reside in the ensouled powers of the gods, but some trace of such powers may be clearly seen residing here within ourselves. But there are souls dwelling upon earth, and they have acquired unjust gain, akin of course to wild animals. They prostrate themselves before the souls of the guardians, be they watch-dogs, shepherds or supremely exalted masters, persuading them with flattering words and prayerful entreaties that, as the stories of the evildoers recount, they should be allowed to
906 c gain excessively at the expense of their fellow men, and suffer no grievous consequences. But we maintain that the transgression I have just named, the excessive gain, is called disease in the case of physical bodies, pestilence in the case of seasons and years, and in the case of cities and political systems this same transgression appears, through verbal transformation, as injustice.

CLINIAS: Entirely so.

906 d ATHENIAN: So, this argument really amounts to the claim that the gods are always forgiving towards unjust people and wrongdoers, provided they are given a share of the proceeds of the injustice. It's as if wolves were to give a share of their prey to the sheepdogs, who being appeased by the gifts would agree to the ravaging of the flocks. Isn't this, in effect, the argument of those who maintain that the gods can be placated?

CLINIAS: That's it, indeed.

ATHENIAN: Well then, to which of the guardians mentioned previously could anyone compare the
906 e gods without becoming a laughing stock? To steersmen, who, diverted themselves by the "flow and savour"⁴ of wine, overturn both ship and crew?

CLINIAS: Not at all.

ATHENIAN: Nor indeed to charioteers, all set for the contest, who are induced by gifts to give up their victory to another team.

CLINIAS: No, that would be a terrible verbal image to introduce into this argument.

ATHENIAN: Nor to generals either, nor to physicians, farmers or herdsmen, nor indeed to hounds who have been beguiled by wolves.

907 a CLINIAS: Mind your tongue. How could they?

ATHENIAN: Aren't the gods, all of them, the greatest of all guardians, concerned with what is most important to us?

CLINIAS: Very much so.

ATHENIAN: Shall we ever maintain then that those who guard the most precious things, and are

themselves excellent in their role as guardians, are inferior to dogs and ordinary people, who would never give up what is just because of some gifts offered by unjust men, in an unholy act.

CLINIAS: Not at all. The notion is intolerable. And of all those who are involved in any form of impiety, anyone who holds this opinion may well be adjudged, quite rightly, as utterly evil, and impious in the extreme. 907 b

ATHENIAN: May we assert then that our three propositions have presumably been adequately proved: that the gods exist, that they care about us, and that they are not at all susceptible to being placated when justice is at stake?

CLINIAS: Undeniably. Yes, we vote with you on these propositions.

ATHENIAN: And, indeed, they have been delivered with some vigour, in our thirst for victory over the evil folk, thirst for victory, my dear Clinias, in case the evil folk might prevail in their arguments, and presume that they are allowed to act as they wish, when they hold so many perverse ideas about the gods. It was our eagerness in the face of these issues that made us speak so assertively. And if we have made the least contribution towards persuading these men to hate their own character and somehow love its opposite, then we would have done well in delivering our preamble to the laws about impiety. 907 c

CLINIAS: Let us hope so. But if not, the nature of the argument will at least bring no discredit upon the lawgiver. 907 d

ATHENIAN: After the preamble, a statement that would act as a correct interpreter of the laws should follow, forewarning the impious folk to change their ways utterly in favour of pious behaviour. For those who disobey, let the law be as follows. If anyone acts impiously in word or deed, whoever comes across this should defend the laws by reporting the matter to the officials. The officials who first find out should bring the offender before the court appointed to judge such matters, according to the laws. And if any official is informed, but fails to act on this, let the official himself be liable to a charge of impiety by anyone who wishes to exact punishment on behalf of the laws. And if someone is convicted, the court is to impose a particular penalty for each particular impious act. 908 a

Now, although imprisonment is to be imposed in every case, there are to be three prisons in the city: a common one in the area of the market place for most offenders – a secure location for the majority of cases; another close to the meeting place of the Nocturnal Council,⁴ is called the house of sound-mindedness; and a third in the middle of the country, in the wildest, most isolated place imaginable, whose very name speaks of punishment. Now, since there are three causes of impiety which we have already described, and from each such cause two kinds of impiety arise, there would be six kinds of people who fall into error concerning divine matters. These need to be distinguished, as they do not deserve an equal or similar penalty. Indeed, a person who does not believe that the gods exist at all may naturally come to possess a just character, and develop a hatred of evildoers. Due to their detestation of injustice, such people would never attempt to perform such deeds, and would avoid unjust people and love the just. 908 b

Others, as well as believing that the universe is devoid of gods, are afflicted with a lack of control over pleasures and pains, but are endowed with powerful memories and keen understanding. Now, although they both suffer in common from a lack of belief in the gods, one would do less damage to people in general, and the other, more, for he would be completely outspoken about gods, sacrifices and oaths, and so, by ridiculing others, he 908 c

⁴ *Iliad* ix.500.

⁵ The details of this administrative body are discussed later. See 961 ff.

908 d would probably make others like himself, unless he meets with justice. The other fellow, although he holds the same views as this one, is referred to as ‘gifted’, full of trickery and contrivance. From these types we are supplied with prophets aplenty, skilled in all sorts of magic. Sometimes, from their number, tyrants emerge, populists and generals too, and people who devise private mysteries, and the devices of those who are referred to as ‘sophists’.

908 e There would be many forms of these, two of which require laws to be enacted. The ironical form falls into an error that deserves not one death but two, while the other deserves admonition and imprisonment. In like manner, the belief that the gods do not care about us gives rise to two different kinds of impiety, and the belief that they can be placated to another two.

Once these distinctions have been made in this way, those who have acted out of ignorance, without having an evil disposition or character, are to be placed by the judge, as

909 a the law decrees, in the house of sound-mindedness for at least five years. During this time, none of the other citizens may associate with them, except members of the Nocturnal Council, who shall visit them for the purposes of admonition and the salvation of their souls. When their term of imprisonment has run its course, any who are deemed to be sound-minded again may dwell among the sound-minded, but if not, and he is convicted once more of such a crime, let the penalty be death.

909 b But there are those who, in addition to their lack of belief in the gods, or their belief that they do not care for us, or can be appeased, have become like wild animals, and who, out of contempt for their fellow men, beguile the souls of many of the living, and claim to beguile the souls of the dead too, and promise to persuade the gods by enchanting them with sacrifices, prayers and hymns, and attempt, for the sake of money, to utterly ruin individuals, entire households and cities. Of these people, whoever is found guilty is to be sentenced by the court to imprisonment in the central prison, according to the law, where no free man shall ever visit them, and they shall receive a food ration from the attendants as decreed by the guardians of the law. When one of them dies, he is to be cast out beyond the borders, unburied. If some free citizen helps to bury him, anyone who wishes is allowed to prosecute him for impiety. If he leaves children behind, fit to be citizens, they are to be

909 c cared for by those who look after orphans, just as well as for any other orphans, from the day of their father’s conviction.

A law should be laid down, applicable in common to all these transgressors, which would make most of them offend less against the gods in word and in deed, and, what’s more, become less foolish by forbidding them from dealing in divine matters, in contravention of the law. Indeed, the following law applicable to all cases should be laid down without exception: no one is to have a shrine in his own home. If anyone is moved to perform a sacrifice, let him attend and do so at the public sacrifices, placing his offerings in

909 e the hands of the priests and priestesses who are responsible for their consecration. And he himself shall join in the prayers along with anyone else he wishes to pray with. The reasons for all this are as follows. To establish shrines and gods is no easy task, and to do this sort of thing in the right way requires some serious thought. It is the habit especially of all women, and of those who are sick in any way, and people in peril or deprivation regardless of the cause of the deprivation, and under the opposite circumstances when things go well, to dedicate whatever is to hand at the time, and swear to offer sacrifices and promise to found shrines to gods, to daimons, or to children of gods. And fears caused by apparitions whilst awake, or by dreams and likewise, as they recall numerous visions and are inclined to devise a remedy in each case, incline them to set up altars and shrines, and with these they fill every home and every village, and the open spaces too, and wherever it occurs to such people to place them. For all these reasons, it is necessary to act in accordance with

910 a

the law we have just described, so that the fraudulent behaviour of the impious people does not extend to these matters too by establishing shrines and altars in private households, believing that they are making the gods agreeable, in secret, through their sacrifices and prayers. They are multiplying their own level of injustice enormously, and so they render themselves, and the better people who trust them, guilty in the eyes of the gods, and the whole city thus reaps the harvest of impieties, and rightly so. 910 b

God, however, shall not blame the lawgiver. Indeed, let this law be set down: there is to be no possession of shrines in private households, and whoever is caught owning or worshipping at any shrines, except the public ones, regardless of whether the owner is a man or a woman, provided their wrongdoing is not enormously unholy and whoever notices this is to inform the guardians of the law, who in turn are to order that the private shrines be removed to the public areas, and if the owners do not co-operate, they are to impose penalties until the shrines are removed. But if someone is found to be acting impiously, not the trivial impieties of children but the serious impieties of mature adults, either by setting up shrines in private or while performing public sacrifices to any god whatsoever, he is to be sentenced to death for performing sacrifices when he is not in a pure state. The guardians of the law, having decided whether the offence is childish or not, shall bring the offenders before the court, and, accordingly, impose the penalty upon them, appropriate to their impiety. 910 c

910 d



Laws

— BOOK XI —

913 a ATHENIAN: What is needed after all this is proper regulation of our dealings with one another. The simple rule, I believe, is this: as far as possible, no one should touch my personal property, nor indeed disturb it in the slightest unless he has my full consent. And I, if I have any sense, would act on the same basis in relation to the property of others. Let us speak, in the first place, of treasure which someone who is not an ancestor of mine has set aside as a hoard for himself and his own people. I must never pray to the gods that I may discover such treasure, nor if I find it should I disturb it, nor indeed should I take advice from the so-called prophets who are certain to advise me to “take up what has been deposited in the earth”. For I would never gain as much benefit in terms of wealth by taking it up as I would increase the store of my soul’s virtue and justice by letting it lie. For by acquiring one possession instead of another, the better one in my better part, I prefer to acquire justice in my soul rather than riches in my estate. This is one of the many cases where it is well said that “the immovable is not to be moved”. And we should also heed the stories that are told about these matters whereby nothing of this sort is advantageous to future generations. And whoever pays no heed to children disregards the one who enacted the law, and takes up, without the permission of the person who put it there, what neither himself nor his ancestors put down. He thus subverts the most sublime of all laws, the simplest one, enacted by a truly noble man,¹ which states, “don’t take up what you have not put down.” But what should happen to someone who despises these two lawgivers² and takes up what he himself has not put down, a treasure of some significance, often quite enormous? What the gods will do to him, God knows, but the first person to become aware of the offence is to report it. If this sort of thing happens in the city, he informs the city police, or the market police if it happens in a city marketplace, and if it occurs elsewhere in the country, the rural police and those in charge of them are to be informed. Once they have been informed, the city is to send a delegation to Delphi, and whatever the god ordains in relation to the treasure or the person who disturbed it is to be enacted by the city in subservience of the pronouncements of the god. If the person who disclosed the offence be a free-born citizen, let him be famed for his excellence, or indeed for his depravity if he does not disclose the offence. If a slave discloses the crime, it would be right for the city to give him his freedom, having compensated his master, but he should be sentenced to death for failure to do so.

914 a Following on from this, there would be a related rule concerning major and minor matters alike. If someone leaves behind anything of his own, anywhere, either intentionally or unintentionally, whoever comes across the item should let it lie in the belief that anything of this sort is under the protection of the goddess of the wayside, the goddess to whom such items are consecrated by the law. If anyone, acting contrary to these precepts, takes the items up and takes them home, and the offender be a slave and the items of little value,

whoever comes across him shall, if over thirty years of age, whip the fellow thoroughly. If the offender be a free-born citizen, he is to be regarded as someone unworthy of freedom who has no involvement with the laws, and he should pay the owner ten times the value of whatever goods he disturbed. If one person accuses another of being in possession of some of his property and the accused admits that he has the property but denies that it belongs to the accuser, then, if the property be legally registered with the officials, the possessor is to be called before the court and he is to produce the item there. Once it is on display, if it has been duly recorded in the register and it is obvious which of the disputants it belongs to, let him take it and depart. If it belongs to someone else who is not present, whoever provides the most acceptable surety should take it away, by his legitimate right of removal on behalf of the absent person, in order to return the item to that person. If the disputed item has not been registered with the officials, let it remain with three of the oldest officials until the case is decided. And if the pledged item be a beast, whoever loses the relevant case shall compensate the officials for its upkeep. The officials shall decide the case within three days. 914 c 914 d

Anyone may handle his own slave as he pleases, provided he is sensible, using him as he wishes for any legitimate purposes. And he may also handle a runaway slave for safe-keeping on behalf of someone else from among his own family or friends. If someone is being led away as a slave and someone else removes him to freedom, whoever is leading him should let him go, while the person removing him should put three acceptable sureties in place and remove him to freedom on these terms, but not otherwise. And if anyone removes the person contrary to these conditions, he may be charged with assault, and, on conviction, shall pay double the registered damages to the deprived party. One may also lay hands upon a freed slave if he does not attend to those who freed him or does so inadequately. The attention involves visiting the home of those who freed him three times a month, and offering to do whatever needs to be done, provided it is fair and within his capacity. When it comes to marriage he should do whatever his former master consents to. He is not allowed to become more wealthy than the man who freed him, and any excess is to belong to the former master. The freed slave may not remain in the country for more than twenty years. Rather, just like the other foreigners, he too must depart, taking all of his own property unless he persuades the officials and the person who freed him, to let him stay. If the freed slave, or indeed any other foreigners, come to have more wealth than the size of the third property valuation, let them depart, taking their own property, within thirty days of the day on which this threshold is reached. And in this case no application to remain is to be granted by the officials. If some foreigner disobeys these precepts and is brought to court and convicted, let him be put to death and let all his wealth become public property. These cases are to be tried before the tribal courts unless the charges against one another have been resolved previously before their neighbours or specially selected jurors. 915 a 915 b

If anyone claims another person's animal as his own, or some other item of the person's property, the person who has the item should refer the matter to the person who, as its deserving and rightful owner, sold it to him or gave it to him or conveyed it to him in some other legitimate way. In the case of a citizen, or a foreigner residing in the city, this should happen within thirty days, or in the case of a foreign delivery, five months, the middle month of which is to include the summer solstice. Whatever one citizen exchanges with another through sale or purchase is to be handed over in the location specified for each item in the marketplace, and nowhere else. It must be paid for there and then, upon receipt, and 915 c 915 d 915 e

¹ The reference here is to Solon.

² The two are Solon and the lawgiver for the society they are establishing in Magnesia.

no purchase or sale is to be conducted on credit. This is the process of exchange. If someone carries out any exchange at all with someone else, in a different way or in a different place, because he trusts the person he is dealing with, let him do so on the understanding that no legal redress is available in relation to anything that is not sold in conformity with the regulations just described. In the case of private associations, anyone who wishes may subscribe as a friend to fellow friends, but if any dispute arises about the subscription payment, they must proceed on the basis that no legal redress is to be available in relation to these matters. Whoever sells something and receives a price of more than fifty drachmas must remain in the city for ten days, and the purchaser is to be told where the vendor lives because of the accusations that tend to be made in relation to such transactions and on account of legal rights to return goods. Let the legal rights to return goods or not be as follows. If someone sells a slave suffering from consumption or stone or strangury or the so-called ‘sacred disease’⁷³ or some other disease, physical or mental, that goes unnoticed by most people and is long-lasting and hard to cure, then if the sale is to a physician or to a trainer, let there be no right of return in such circumstances, nor if the purchaser was told the truth at the time of the sale. If such a practitioner makes such a sale to an ordinary person, the purchaser has a right of return for six months except in the case of the sacred disease, where he is allowed to return the sick slave within twelve months. The case is to be judged by a panel of physicians proposed and selected jointly by the two parties, and, on conviction, a seller shall pay double the selling price. If one private citizen sells to another, let there be a right of return and a procedure for trial as previously described, and let a vendor, on conviction, pay the mere selling price. If someone sells a murderer and both parties know this, let there be no right to return such a purchase. But if the buyer did not know, then he has a right of return once he becomes aware of the fact. The case is to be decided before five of the youngest guardians of the law, and if it is decided that the seller knew about the murder, let him purify the purchaser’s household according to the prescription of the interpreters of the divine law, and pay him three times the selling price.

When someone exchanges money in return for money or for anything else, animate or inanimate, then in conformity with the law, what is given or received must not be counterfeited in any way. And as we did with the other laws, let us also allow a prelude concerning this general malaise. Everyone needs to appreciate that counterfeiting, lying and deception, constitute a single kind, which most people are inclined, mistakenly, to regard as the right thing to do on many occasions, once the action is opportune, but the how and the when of what is opportune they leave unspecified and undefined. For this precept they themselves pay a high price and they impose the same upon others. But the lawgiver is not allowed to leave this matter undefined; rather, upper or lower limits should always be spelled out, and indeed these should be specified now. No one, calling upon the gods, is to engage in any falsehood, deceit, or counterfeiting either in word or in deed, if he is to avoid being detested by the gods as someone who swears false oaths, with no regard for the gods, or, less so, as someone who lies to those who are his own superiors. Now, the better people are superiors of the worse, the older are generally superiors of the younger, and so, parents are superiors of children, men of women and children, and rulers of those who are ruled. It would be appropriate for everyone to revere all these people, those who hold any position of authority, and especially those who hold office in the state, and this is what our present argument has been dealing with. For anyone who engages in counterfeiting of the commodities of the market place is lying and deceiving, and, calling upon the gods, he swears an oath in the face of the market police and their protections, showing neither reverence for his fellow man, nor piety towards the gods. It is certainly a good practice not to have free recourse to

the names of the gods, and hold to the purity and scrupulousness that most of us generally and consistently adhere to in anything concerning them. If this is not heeded, the law is as follows. Anyone selling anything in the marketplace should never state two prices for what he is selling; he is simply to state one price, and if he does not get this price, it is only right that he take the goods away again and not increase or decrease the price on the same day; and he is to refrain from singing the praises of wares, and swearing oaths about them. If anyone disobeys these regulations, any townsman over thirty years of age who comes across him is to punish the oath taker by beating him, with impunity, but if he ignores the offence and disregards this requirement, he is liable to censure for betraying the laws. Someone who sells anything counterfeit and is not amenable to influence by our present argument is to be challenged before the officials by whatever knowledgeable person comes across him and is able to mount a challenge, and if he be a slave or a resident foreigner, let him keep the counterfeit item. A citizen who does not challenge him is to be proclaimed a criminal for defrauding the gods, but if he does issue a challenge, he is to dedicate the item to the gods of the market place. Whoever is caught selling something of this sort, as well as being deprived of the counterfeit item, is to be scourged with one lash for each drachma of the selling price, and a herald is to proclaim in the market place the reason why the fellow is about to be beaten. The market police and the guardians of the law, having found out about the various counterfeits and malpractices from those who have the relevant experience of each craft, are to write up the details of what a seller should and should not do, and inscribe this on a tablet placed before the office of the market police as clear legal information for those doing business in the market place.

The duties of the market police have been sufficiently explained previously, but if anything more is thought necessary, they are to confer with the guardians of the law, write down the required details, and place on a tablet in front of the office of the city police the initial and subsequent regulations governing their responsibility.

After counterfeit activities, the business of retailing trade follows directly. We shall first offer advice and argument concerning this matter as a whole, and then put a law in place. Indeed, the natural purpose for which there is retailing within a city is not to do harm, but the very opposite. For how could someone who brings about a balanced and measured distribution of goods, which had previously been unbalanced and out of measure, be anything but a benefactor? The power of money, we must declare, brings this about, and we should say that this is also the role assigned to the merchant. And, indeed, the hireling, the innkeeper and others, some well regarded, some held in low esteem, all have the ability to provide satisfaction of everyone's needs and an even distribution of wealth. So, why exactly is this regarded as ignoble and unseemly, and why has it come to be disparaged? Let us look at this so that we provide a legal remedy, for parts of it at least, if not for all of it. This, it seems, is no ordinary undertaking and requires a significant degree of excellence.

CLINIAS: How so?

ATHENIAN: Dear Clinias, some small section of humanity, naturally few in number, trained to the utmost, is able to hold fast to measure whenever they are afflicted by various needs and desires, and are sober when they are in a position to acquire great wealth, choosing measure in preference to excess. The broad mass of humanity is in the opposite situation to these people: when they have needs they know no bounds, and when they are able to make measured gains, they choose greed instead. That is why all those involved in retailing, merchant trading and inn-keeping are disparaged and subject to shameful criticism. But there

³ Epilepsy was known as the 'sacred disease' on account of its presumed connection with the divine.

is something which I pray may never happen and surely never will, something which sounds ridiculous and which I propose to speak of nevertheless. What if someone were to compel the very best men, for a time, to do inn-keeping or retailing or engage in some other activity of that sort, or indeed compel the women by force of necessity to get involved in some such occupation? We would then realise that each of these occupations is a welcome friend, and provided they are conducted on incorruptible principles, all such occupations are to be respected as a mother and a nurse. But nowadays someone sets up his dwelling in an isolated place, a long way from anywhere, in order to conduct retail trade. There he receives into his welcoming abode the distressed travellers and refugees from fierce and violent storms, providing them with quiet shelter or cool respite from extreme heat. But then, rather than receiving them as companions and providing them with friendly hospitality as well as entertainment, he treats them as captured enemies to be released in return for an enormous, unjust and heinous ransom. These transgressions and the like, in all occupations of this sort, provide proper grounds for criticism of this care for the distressed. For these the lawgiver must consistently find a remedy. Indeed, it has rightly been said of old that it is hard to fight against two foes and from opposite sides, as is the case with various diseases and in many other situations too. And now, in particular, our battle against these transgressions is a battle against twin foes, poverty and wealth. One corrupts the soul of humanity with luxury, while the other drives it to shamelessness out of sheer pain. What remedy might there be for this disease in a city possessed of reason? The remedy is, firstly, to make the least possible use of retailers as a class; secondly, to assign the role to those whose corruption would not constitute a major outrage for the city; and thirdly, some means must be found whereby those involved in these roles do not end up too easily with a character possessed of unchecked shamelessness and meanness of soul. After these preliminaries, by good fortune we may have a law as follows. Of the Magnesians whom the god is restoring and settling anew, none of the 5,040 landholders who belong to the associated households shall become a retailer, either intentionally or under compulsion, nor a trader either, nor shall he provide a service of any kind to private individuals who do not render an equal service to himself, except to his father and mother, to prior generations, and to all his elders, free citizens whom he freely serves. It is not easy to determine precisely by law what constitutes free service and its opposite, so this should be decided by those who have acquired a peerless reputation for their detestation of the one and their love of the other. Whoever gets involved, by any device, in retailing that is not free, may be prosecuted by anyone who wishes before those with the foremost reputation for excellence. And if he is adjudged to have sullied his own ancestral hearth by an unworthy occupation, he is to be imprisoned for one year to discourage such activity. If he repeats the offence he is to be imprisoned for two years, and the term of imprisonment is to be doubled for each repetition thereafter. There is to be a second law whereby the person who intends to engage in retailing must be a resident alien or a foreigner, and thirdly, let there be a third law to ensure that such a person, dwelling among us in our city shall be as good as possible, or evil to the least possible extent. To this end, the guardians of the law should bear in mind that they are guardians not only of those people whom it is easy to guard from lawlessness and evil ways, of those who have been well educated by their family and upbringing; rather they should exercise even more guardianship of those who are not like this and engage in activities which have a strong tendency to turn people to evil ways. Accordingly, retailing, which is quite extensive, and the numerous debasing activities it includes, those whose continuance in the city is regarded as absolutely necessary, shall be the subject of a meeting of the guardians of the law with those who are experienced in the particulars of the relevant area of retailing. This is similar to the proce-

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dures prescribed earlier in the case of counterfeiting – a closely related matter. When they meet, they are to see what rate of income and expenditure makes a moderate profit for the retailer, and the resulting rates of income and expenditure are to be set down in writing and enforced by the police of the market, the city and the country. In this way, retailing might be of benefit to everyone, while doing the least harm to those who practise it in our cities. 920 d

If someone agrees to a contract and fails to act in accordance with the agreement, except in cases where the laws or a decree prevent its fulfilment, or an agreement is made under unfair compulsion or force, or when someone is hindered, despite his intentions, by unforeseen circumstances, let there be for all other unfulfilled agreements a trial before the tribal courts, unless they are able to settle the matter in advance before arbitrators or their neighbours. The class of craftsmen who help in providing for our daily life with their skills are sacred to Hephaestus and Athena, while others who safeguard the products of the craftsmen using different, defensive skills are sacred to Ares and Athena, and it is only right that these people as a class are also sacred to these gods. Indeed, they all continuously look after the country and its people, one group by taking charge of military conflicts, while the others produce, for a wage, various tools and wares. And out of reverence for their ancestral gods, it would be improper for such people to be deceitful in respect of such activities. So, if any craftsman malevolently fails to complete his work within a specified time because he does not revere the god who provides his livelihood, and believes, blindly, that the god is forgiving because of their kinship, he shall firstly pay a penalty to the god, and secondly an associated law is to be put in place. He is to owe the value of the works which were the subject of his falsehood towards his employer, and he must do the work again, from the beginning, within the specified time, free of charge. The law will advise the contractor undertaking the work in the same way as it directed the vendors. They were told not to take advantage by setting a higher price, but to ask simply for what the item is worth, and the contractor is told to do the same since a craftsman is aware of the real value. So, in a city of the free, the craftsman should never use his skill, which, by nature, is pure and free of deception, to impose craftily upon private individuals, and there is to be a legal remedy available for the victim against the wrongdoer in such cases. If, on the other hand, someone engages a craftsman and does not pay him his due wages according to their legal agreement – all for love of petty profit, dishonouring Zeus, protector of the city, and Athena, and their joint role in civic affairs – he thereby weakens our vital communal spirit. So, let there be a law to preserve this divinely ordained civic bond, as follows. Someone who has received goods and has not paid the contractor within the agreed time shall be liable for double the amount. And if a year should elapse, although all other money lending is to be interest-free, this person shall pay one obol on the drachma for each month of arrears.⁴ Actions in such cases are to be heard before the tribal courts. 920 e 921 a 921 b 921 c 921 d

As we have dealt with craftsmen in general, it is only right to speak in passing of the craftsmen responsible for our safety in war, such as generals and those possessed of skills in the area. Whatever applies to these also applies to those who are craftsmen of a different sort. So if any of them undertakes public service, either as a volunteer or as a conscript, and he does a good job, the law will never tire in its praise of the citizen who recompenses him with the soldiers' wages, namely honour. But if he receives some noble military service but offers no recompense, the law will censure him. So, let there be a law associated with our praise of these people which gives advice to the broad mass of citizens rather than 921 e

⁴ One drachma was equivalent to six obols, thus making the interest on the arrears in a case such as this equal to 200% per year.

922 a compelling them. They are to honour, in second place, those good men who act as saviours of the entire city, either by their courageous deeds or military exploits, for the greatest respect is due to those in the first rank, those who are pre-eminently capable of honouring the enactments of the good lawgivers.

We have now, more or less, made regulations concerning the most important contracts that people enter into, except for those relating to orphans and the care of orphans by their guardians. So after all we have said so far, we need somehow or other to regulate these matters too. The origins of all these contracts lie in the desires of those who are about to die to put their affairs in order and the vagaries of those who make no such arrangements at all. And I used the word ‘need’, Clinias, because I had noted the complexity and difficulty of such situations. We cannot leave this area unregulated either. Indeed, if unquestioned authority were granted to any will that anyone makes, regardless of his disposition as his life draws to a close, people might make arrangements that were self-contradictory, or contrary to the laws, or to the ways of their fellow men, or to their own ways prior to the making of their will. For most of us, when we believe that our end is nigh, become unreasonable or broken in spirit.

CLINIAS: What of it, stranger?

ATHENIAN: A person who is about to die presents a challenge and is gripped by an alarming notion, difficult for the lawgiver to deal with.

CLINIAS: In what way?

922 d ATHENIAN: In seeking supreme authority over everything, he is inclined to speak in anger.

CLINIAS: What sort of things does he say?

ATHENIAN: Ye Gods! He will say, “What a terrible thing it is if I am not allowed to bestow or withhold my own property from whomsoever I please, giving more to one and less to another who has proven to be good to me, or not so good, when sufficiently tested in sickness, old age, and the various other circumstances of life.”

CLINIAS: Yes, stranger, but don’t you think they have a point?

922 e ATHENIAN: I think that the ancient lawgivers were too soft, Clinias, and passed laws based upon a narrow view of human affairs and a partial understanding.

CLINIAS: How so?

ATHENIAN: For fear of this argument, my good man, they enacted the law allowing anyone to make any arrangement he pleases in relation to his own property, without restriction. But you and I will respond more suitably to those in your city who are about to die. “Friends,” we shall say, “veritable creatures of a day, it is difficult for you now to know your own possessions, and also, in accord with the Delphic maxim, to know your own selves too. So I, as your lawgiver, decree that neither yourselves nor this property belongs to you, but to your kinfolk as a whole that was and will be hereafter, and, even more so, that all of your kindred and its property belong to the city. And this being the case, I shall not willingly give my consent if someone persuades you, when you are distressed by sickness or old age, to make a will that is contrary to what’s best by stealing upon you with flatteries. I shall legislate from the overall perspective of what is best for the city and the people, justly assigning less importance to a single individual. So you should proceed with us in tranquillity and goodwill, continuing along this journey, the natural course of mankind. Everything else of yours will be looked after by ourselves, exercising the very best care, without any exceptions or omissions. These shall be our consolations and preliminaries, Clinias, addressed to the living and to those who are about to die, and let the law be as follows: Whoever is making a will disposing of his own property should, if he is the father of children, first indicate which of his sons he deems worthy to be his heir, and he should also include the name of any of his

other children whom he gives in adoption to someone else. If there is, besides, any other son who has not been adopted as heir to some holding who hopes to be sent legally to a colony, the father is allowed to give him as much as he wishes from the rest of his wealth, apart from the family holding and its associated provision. If there are a number of them, the father may allocate to them anything he owns, over and above the holding, in any proportion he wishes. Nothing is to be allocated to a son who already owns a house, and likewise he shall make no allocation to a daughter who is already betrothed to a man, but he is to make an allocation if she is not betrothed. If it turns out, after the will has been made, that a son or a daughter has come into possession of a local holding, they are to leave it in the hands of the heir of the person who made the will. If there is no male issue but there is female issue, the testator is to bequeath a man as husband to any daughter he chooses, and as a son to himself as his designated heir. In case a son, begotten or adopted, dies as a child before he can attain manhood, a provision is to be included to meet such a situation whereby the will is to specify the child who is to succeed this son, with better fortune. If someone completely childless makes a will, he may set aside one tenth of his excess wealth, and if he wishes to gift it to anyone, he may do so, having given everything else over to the adopted heir whom he shall make his son, legally, with integrity on one side and acceptance on the other.

When the children require guardians and the person dies having made a will specifying whom he wants as guardians and their number, and they willingly agree to act in that capacity, the choice of guardians, documented in this way, shall be final. If someone dies without having made any will at all, or the selection of guardians is omitted, the official guardians are to be the closest relatives on the father's and mother's side, two from each side, plus one friend of the deceased person, and these are to be appointed by the guardians of the law for any orphan who needs them. All aspects of guardianship and orphans should always be looked after by fifteen guardians of the law, the most senior of all, who are to divide themselves into three groups according to their age. Three are to act for one year, and another three for the next, until five periods of office have completed their cycle, and as far as possible there are to be no exceptions to this procedure.

If anyone dies without having made a will at all, and he leaves children requiring guardians, his needy children shall avail themselves of these same laws. If a man meets with an unexpected misfortune, leaving daughters behind him, he must be forgiving towards the lawgiver who arranges the betrothal of the daughters if he observes only two of three important precepts – namely, close family kinship and the preservation of the family holding – and neglects the third one which a father would look to, which is to find, by assessing the entire citizen body, someone suited in character and manners as a son to himself and a bridegroom to his daughter. This the lawgiver abandons as an impossible task.

Let's do our best, then, to have the following law enacted in relation to such matters. If someone with no will dies, leaving daughters behind, a brother of the deceased, having the same father or the same mother, who does not have a holding, shall take responsibility for the daughter and the holding of the deceased. If there is no brother but there is a brother's child, the same arrangement applies, provided they are the right age for one another. If neither of these is available but there is a sister's child, then the same arrangement applies. The fourth option is a father's brother, fifth is his child, and sixth the offspring of his father's sister. And so, the line always proceeds, based upon proximity of kinship, through brothers, brothers' children, first the males then the females, in a single family, whenever someone leaves female children behind. A judge is to decide, by inspection, upon the match or mismatch of their ages for marriage, by looking at the males naked and the females naked from

the waist up. If there is a deficit of relatives within the family as far as brothers' grandchildren on the one hand, or grandfather's children on the other, then whichever willing citizen the girl with her guardians willingly chooses from among the citizen body shall become the heir of the deceased and the bridegroom of his daughter.

But circumstances vary, and there may come a time when there are even fewer eligible males in the city itself. If a young lady, at a loss for a husband locally, sees someone who had been previously sent to a colony and has in mind that the man become heir to her father's property, then if he is related to her he may proceed to the holding in accordance with the direction of the law. If he is from outside her family, and no one in the city is her near relative, then based upon the selection of the deceased's daughter and her guardians, he is authorised to marry her and return home to take over the holding of the intestate man. If someone dies without issue, male or female, and without a will, let the law in such a situation be, in general, the same as the previous one, and let a male and female family member occupy the deserted home as consorts, so to speak, in each case, and let their claim to the lot be ratified. The order of succession shall be sister first, brother's daughter second, a sister's child third, a father's sister fourth, the daughter of a father's brother fifth, and the daughter of a father's sister sixth. These shall reside with the male kinsmen according to their closeness of kinship and their right as decreed in our earlier legislation. Now, we should not overlook the burden associated with laws of this sort since they sometimes harshly direct a relative of the deceased to marry a close relation, while seeming to take no account of countless impediments which make someone reluctant to comply with such commands, and prefer to suffer any other fate at all. This happens when there are physical or mental diseases or defects in either of the parties to the proposed marriage. The lawgiver might seem to show no regard for these factors, but this is not the case. So, let there be a statement in the interests of the lawgiver and whoever is subject to the law, a sort of general preamble, asking those who are given directions to be forgiving towards the lawgiver, because in his care for public interests he may not always be able, at the same time, to manage the particular difficulties of private individuals. And those who are subject to the laws should, in turn, be forgiven if they are sometimes naturally unable to fulfil the directions of the lawgiver, directions he gave in ignorance of those difficulties.

CLINIAS: Well, stranger, what would be the most reasonable course of action under such circumstances?

ATHENIAN: Arbitrators need to be selected, Clinias, for these laws, and for those who are subject to them.

CLINIAS: How do you mean?

ATHENIAN: Sometimes a nephew with a rich father might be unwilling to take his uncle's daughter in marriage, giving himself airs, with his mind set upon a more significant match. There are times, too, when the lawgiver gives a direction that presents enormous difficulty, and a person is compelled to disobey the law because, for instance, he is being forced to marry into a family where there is madness or various other terrible difficulties of body or soul which make life unbearable. So let our statement on the matters be a law, as follows. If anyone finds fault with the laws in place concerning a will or anything else at all, especially if it concerns marriages, and insists that the lawgiver himself, were he alive and present, would never have insisted upon such a course of action and forced the couple to marry, as is now proposed, while some relative or guardian, on the other hand, says otherwise, then we declare that the lawgiver has left the fifteen guardians of the law as arbitrators and fathers to the orphans, male and female, and the disputants are to go to these people and submit to their judgement, and their pronouncements are to be final. If someone believes that too

much power has been entrusted to these guardians of the law, he may take them to court, the court of selected judges, and submit to their judgement regarding the points in dispute. If he loses the case, he must accept censure and disgrace from the lawgiver, a penalty more grievous to a man of reason than any large fine.

So the orphaned children would now undergo a kind of second birth. How they are all to be reared and educated after their first birth has already been described. After their second birth, being bereft of parents, some means must be devised by which their orphan plight will give the least cause for pity at the misfortune of those who have been orphaned. Firstly, we say that they are to be given, by law, guardians of the law in place of their natural fathers, and every bit as good, and, what is more, we direct these people to look after them, year by year, as if they were their own. And we now add a preamble on the rearing of orphans, appropriate to these people themselves and to the guardians. I now see that there was something opportune in what we mentioned earlier about the souls of the departed, even after death, possessing a certain power whereby they still care about human affairs. Although the accounts dealing with this are true, they are quite lengthy, but we should believe the general tradition concerning these matters, varied and most ancient as they are. What is more, we should also believe the lawgivers who maintain that this is the case, unless we see them as utter fools. If this is the natural state of affairs, there should be fear, first and foremost, of the gods above, who are aware of the loneliness of orphans; secondly of the souls of the departed, which naturally care greatly for their own offspring, honour those who are kind to them and have no respect for those who are unkind. Finally, there should be fear of those who are still alive but well advanced in years and much respected. Where a city flourishes and has good laws, our children's children live happily in tender love for such people who have sharp eyes and keen ears for these matters and are kind to those who act justly in this area, while they get exceedingly angry with those who mistreat a lonely orphan whom they regard as a mighty and sacred responsibility. A guardian or official with any sense should pay attention to all these people and take care of the upbringing and education of orphans as if he were providing sustenance to himself and his own kindred, and do his very best to benefit them in every possible way. Whoever heeds the message of our preamble to the law and does not mistreat a single orphan shall not unleash the unbridled wrath of the lawgiver against such crimes, but whoever heeds it not and wrongs someone who has no father or mother, shall pay twice the total compensation payable by a person who behaves badly towards someone with two living parents.

When it comes to general legislation for guardians in relation to orphans, and for officials in relation to their responsibility for guardians, if, on the one hand, they had never come across a model for the rearing of free-born children themselves in rearing their own children and looking after their own property, and if they did not have laws setting out the relevant details properly, it would make sense to have a law of guardianship framed specifically for this purpose, distinguishing the life of orphans from that of others by certain specific features. But nowadays, among ourselves, although the status of an orphan is not much different in all these respects from someone under paternal care, they do tend to differ greatly in terms of the level of respect they are shown and the level of care they bestow. For this very reason our law has been quite serious about encouragement and threats in its legislation concerning orphans. But a threat of the following kind would still be most timely. Whoever acts as a guardian to a girl or a boy, and any guardian of the law who has been put in charge of a guardian, is to be just as affectionate to an orphan as to his own offspring, and shall look after the property of someone under his care just as zealously as he looks after his own property, or even better. Anyone acting as a guardian shall adhere to this single

law about orphans. If anyone acts otherwise in such matters, contrary to the law, then in the case of a guardian, the official is to fine him, and in the case of an official, the guardian is to take him before the court of selected judges and fine him twice the penalty adjudged by the court. If a guardian is deemed by the child's relatives, or any of the other citizens, to have neglected his duty or acted badly, he is to be brought to the same court. And on conviction, he is to pay four times the assessed damages, one half being payable to the child and the other half to whoever brought the case. Once an orphan has come of age, he may take legal action in relation to his guardianship within a five-year period from its termination, if he believes the guardian behaved badly. And if the guardian is found guilty, the court is to impose the appropriate penalty or fine. If, however, one of the officials is deemed to have harmed an orphan through neglect, the court is to decide the amount he is to pay to the child, but if he harmed him through an unjust act, then in addition to the fine, he is to be removed from office as a guardian of the law, and the civic authority is to appoint another in his place for the country and the city.

Disputes can arise between fathers and their own sons, and between sons and their fathers, that are more serious than they should be. In such cases, the fathers are inclined to the view that the lawgiver should grant them the legal right, if they wish, to proclaim publicly through the herald that their son is no longer legally their son, while sons, in turn, expect to be allowed to take legal action claiming insanity on the part of their fathers because they are laid low by sickness or old age. Such situations tend to arise from the thoroughly bad characters of the people involved, since if the badness was on one side only, the son being bad but not the father, or vice versa, the difficulties would not give rise to such a degree of hostility. Now, under another civic arrangement, a disinherited child would not necessarily lose the right of citizenship, but in our society, for which these laws are proposed, someone who has been disowned by his father needs to resettle in another country, for the addition of one more household to our 5,040 holdings is not permitted. Therefore, whoever is to suffer this fate legally must be disowned, not alone by his father, but by the entire family. Such matters should be dealt with based upon a law, somewhat, as follows. If anyone, with justification or without, beset by accursed anger, wishes to expel from his own family someone whom he has begotten and reared, he should not be allowed to do so there and then without due process. He shall first gather his own kindred together, as far as cousins and his son's kindred on his mother's side in like manner, and lay his accusation before these people, explaining that his son deserves formal expulsion from the family by everyone. The son is to be given equal speaking time to argue that he does not deserve to suffer such a fate at all. If the father prevails and secures the votes of more than half of all the family members, excluding the votes of the father himself, the mother, the defendant, and any male or female who has not yet come of age, then in this way and upon these terms the father is permitted to disown his son, but not otherwise. If some citizen wants to adopt the disowned son as his own, no law should stand in the way, for the characters of the young naturally undergo numerous changes during their lives. But if within ten years no one offers to adopt the dispossessed son, those responsible for excess offspring who are about to be resettled elsewhere shall be responsible for such cases too, so that they may be duly included in the same resettlement. It may happen that sickness, old age, difficult behaviour, or indeed a combination of them all, makes someone exceptionally deranged and this goes unnoticed by everyone except those who live with him, and he squanders his own wealth as he has the authority to do so. His son, too, may be at a loss and be reluctant to take legal proceedings on grounds of insanity. In this case, let there be a law that decrees that the son should first go to the most senior guardians of the law and describe the father's affliction. Having

looked into the matter sufficiently, they are to advise him either to take legal action or not. If they advise him to proceed, they shall act both as witnesses and advocates for the prosecution, and if the father loses the case he is no longer to have the slightest authority to administer his own property, and he shall live out the rest of his life just like a child.

If a husband and wife are no longer getting along with one another at all because their behaviour is so bad, ten of the guardians of the law, in middle age, should take constant charge of such people, along with ten of the women responsible for marriages. If they are able to bring about a reconciliation, such arrangements shall be binding, but if feelings are running too high, they shall do their best to find suitable alternative partners for each of them. Such people are unlikely to have gentle dispositions, and so they should try to match them with partners of a more sedate and gentle character. Disputants who are childless or who have very few children are to make the fresh match with a view to producing children, while those who have sufficient children should separate and form fresh unions for the sake of companionship and mutual care in their old age.

If a wife dies leaving behind both male and female children, there shall be a law, advisory rather than prescriptive, that the father is to bring up the existing children without introducing a stepmother. If there are no children, the widower must remarry until such time as he has begotten sufficient children for his household and the city. If the husband dies leaving sufficient children behind, the mother of the children is to remain there and bring them up. But if she seems too youthful to live healthily without a husband, the relatives shall confer with the women responsible for marriage and do whatever seems best to themselves and the women. If there are not enough children, then children should be considered, and, by law, one boy and one girl shall constitute a specified minimum. When the question of parentage is undisputed but a decision is required as to which parent a child should cleave to, the law is to be as follows; if a female slave lies with another slave or with a free man or a freedman, the offspring shall belong in every case to her master. If a free woman lies with a slave, the offspring is to belong to the slave's master; if a man has a child by his own slave or a woman by hers, and the facts are beyond dispute, then the women are to send the woman's child away to another country, along with its father, while the guardians of the law are to send the man's child away, along with the woman who bore it.

No god or man with any sense would ever advise anyone to neglect parents, and we need to recognise that the following preamble concerning the worship of the gods would fit well with the subject of parental respect and disrespect. The ancient laws concerning the gods are, in every case, twofold. Some of the gods whom we honour are in plain sight, whereas we set up statues of others as images which we worship even though they are lifeless, believing that those living gods, because of these images, are well disposed to us and grateful. So if anyone has a father or mother, or fathers and mothers, of such people, laid up like treasures in his home, infirm with old age, he should never presume that any statue could be more potent when he has a living image like this at home by his hearth, provided its possessor worships it in the right way.

CLINIAS: What do you mean by the right way?

ATHENIAN: I shall tell you, for this sort of thing, my friends, deserves to be heard.

CLINIAS: Speak on.

ATHENIAN: Oedipus, we say, having been dishonoured, called down curses upon his own children which by all accounts were heard by the gods, and fulfilled. Amyntor, in a fit of anger, cursed his own son Phoenix, Theseus cursed Hippolytus, and countless other fathers cursed just as many sons. These curses of parents upon their children are obviously heard by the gods, for it is only right that a parent's curse upon their offspring be unlike any other curse

upon anyone else. Let's not suppose then that it is natural for a god to give a special hearing to the imprecations of a father or mother when they have been dishonoured by their children, yet when they are actually honoured and are very pleased about this and pray earnestly to the gods that good will befall their children, let's not believe that they do not pay just as much heed to prayers like these, and respond accordingly. No, if that were the case they would never be just in dispensing their blessings, and for gods that would really be most inappropriate.

CLINIAS: Indeed.

ATHENIAN: And so, we should be of the view, as we said a little earlier, that we can possess no statue that is more honourable in the eyes of the gods than a father or grandfather laid low by old age, or a mother with the same capacity. When these people are exalted with honours, God rejoices, otherwise he would not hear their prayers. Indeed, for us, an ancestor is a wondrous image, more so than anything lifeless. For those that are alive always join in our prayers when we serve them, and pray against us when we do not, whereas the lifeless images do neither. And so, provided we treat fathers, grandfathers and anyone else of that sort in the right way, we would have images that are unsurpassed in securing a portion of divine favour.

CLINIAS: You expressed that very well.

ATHENIAN: Anyone with any intelligence, then, fears and honours the prayers of parents, knowing that in many cases these have so often proved effective. And since this is the natural order of things, to good people aged ancestors are a boon to the very end of their lives and are deeply mourned by the young when they depart, while they are truly a source of fear to bad people. So, let everyone, in obedience to these precepts, honour their own parents with all the honours ordained by law, but in case someone is, by all accounts, deaf to such preliminaries, it is only right the following law should apply. If anyone in this city does not care for his parents as much as he should, and does not look after all their interests and comply with their wishes more so than his own sons, his own offspring and even himself, whoever suffers such neglect is to report this in person to the three most senior guardians of the law, and similarly to the three eldest women responsible for marriages. They shall take charge and punish the offenders with beating and imprisonment if they are young, up to the age of thirty for men and up to forty for women, who are to receive the same punishment. If they persist in this parental abuse or mistreatment when they are older than this, they should be brought before a court of 101 citizens, the most senior of all, and, if convicted, the court shall assess what the fine or punishment should be, without restriction, up to the limit of what a person is able to suffer or pay. If a victim is unable to speak on his own behalf, any free-born citizen who discovers the neglect is to report the matter to the officials or else be regarded as an evildoer and be liable to an action for damages by anyone who wishes. If a slave informs them, let him be set free. If the slave belongs to the victim or the perpetrator, he is to be freed by the court. If he belongs to some other citizen, the public treasury shall pay compensation for the slave to the owner, and the officials are to take care that no one wrongs the slave in revenge for acting as an informer.

Cases where one person harms another with poison with fatal consequences have already been dealt with, but other cases of injury where someone does harm using potions, foodstuffs or ointments, intentionally with premeditation, have not been dealt with so far. The fact that poisonings are of two kinds because of the nature of human beings is something we must pause to consider. One kind has just been described explicitly where bodies naturally injure other bodies. The other uses magic, enchantments and spells, not only to convince those who are intent upon doing harm that these measures are effective, but to

convince their victims, above all, that they really are being harmed by these people who are able to bewitch others. Now, in relation to all such matters, in general it is not easy to understand what precisely the natural state of affairs actually is, nor, having understood this, is it easy to convince others. But when people are suspicious of one another in their souls, there is no value in trying to convince them about this sort of thing and encourage 933 b them to think nothing of it if they behold some imitation moulded in wax in a doorway, or where three roads meet, or on a parent's grave, because they have no clear appreciation of these matters. So, having made a twofold division in our law about poisoning depending upon how the person attempts to do it, we shall first request, exhort and counsel that such a deed never be attempted. Nor should anyone scare the general population like frightened 933 c children, nor indeed compel the lawgiver and judge to cure our people of such fears, because to begin with, the person trying to administer poison does not know what he is doing in the case of the body, unless he happens to be a knowledgeable physician, nor indeed in the case of magic, unless he happens to be a prophet or diviner. So, let the law about poisoning be 933 d stated as follows: whoever poisons someone so as to do harm, not fatally, either to that person himself or to his people, or harms his cattle or his hives, with or without fatal consequences, shall, if found guilty of poisoning, be put to death if he happens to be a physician, or if he be an ordinary citizen, the court shall impose the appropriate fine or penalty. If it is suspected that someone is apparently causing injury using spells, enchantments or charms, 933 e or any other poisonings of this sort, he is to be executed if he happens to be a prophet or diviner, but if he is convicted of poisoning with no knowledge of magic, then, as in the previous case, the court shall impose in this case too whatever fine or penalty it thinks he should suffer.

In cases where one person injures another through theft or violence, the greater the injury, the greater the compensation payable to the injured party, and the smaller the injury, the lesser the compensation, but, above all, the compensation payable in every case is to be sufficient to make good the harm done. In addition, each offender shall pay the penalty associated with that particular crime to teach him self-control. When someone acts badly 934 a because of the folly of another person, being unduly influenced because of his youth or for some other reason, then the penalty should be lighter. However, when that bad deed is due to the person's own folly because of a lack of control over pleasure and pain, or due to incurable desires, envy or anger, then the penalty should be heavier. The penalty is not imposed because of the wrongdoing, for what has been done will never be undone, but with an eye to the future so that the wrongdoer himself, and those who see him being punished, 934 b will utterly detest the injustice, or at least recover to a large extent from such a dreadful affliction. For all these reasons, and with a view to everything of this sort, the laws, like a good archer, should aim to estimate the extent of the punishment in each case, and, above all, the amount of the compensation. The judge must lend assistance to the lawgiver whenever, in executing the same task, the law entrusts him with assessing the punishment the defendant is to suffer or the compensation he is to pay. The lawgiver, on the other hand, is 934 c to outline some actions that illustrate conformity to the written law. That, indeed, is what we must do now, Megillus and Clinias, as best and beautifully as we can. We should state what the penalty should be for any acts of theft or violence, insofar as the gods or their children allow us to enact such laws.

Someone who is insane is not to be at large in the city, and the relatives of such people are to keep them indoors by any means at their disposal, or else be subject to a fine, 934 d which, for the highest property class, shall be one hundred drachmas whether it is a slave or a free citizen that is being supervised. A member of the second class shall pay four fifths

of a mina, the third class shall pay three fifths and the fourth class two fifths. Now, many people are insane and in many different ways. In the cases we are referring to now, the madness is due to diseases, but there are other cases where there is a bad innate tendency to anger which is actually fostered. Such people, in minor disputes, raise their voices to speak abusively and slanderously to one another, behaviour that is completely and utterly inappropriate in a well-regulated city. So, let there be a single law applicable to all cases of abusive speech, as follows: no one is to verbally abuse anyone else. Any party to a verbal dispute is to instruct and learn from his adversary and the company, refraining entirely from all verbal abuse. Indeed, when people call down curses upon one another and employ disgraceful language in a shrewish tone, firstly, although the words are as light as air, from these spring deeds that are heavy with hatred and hostility. For the speaker is embracing anger, an unkind trait, feeding this urge to the full with a noxious banquet, and his soul, once made gentle through education, is made wild again, and he becomes a beast who lives in discontent, reaping the bitter harvest of his anger. What's more, all those involved in such encounters are inclined all too often to resort, somehow or other, to mocking their opponent. And no one has ever adopted this habit without completely failing to retain their own dignity or, in large part, losing their mental power. For these reasons, no one in a sacred place is to express themselves in this way at all, nor at a public sacrifice, at the games, in the marketplace, in court, or at any public gathering. And every transgression is to be punished by the official in charge on pain of being debarred from all public distinctions, as someone who neither cares about the laws nor heeds the injunctions of the lawgiver. In other situations, if someone either initiating the criticism or retaliating does not refrain from such language, anyone older who comes across him is to defend the law by driving out with blows those who are so fond of that evil companion, anger, or else be liable himself to the appointed penalty. So, we are now saying that when someone is involved in criticism, he cannot help attempting to resort to mockery, and this, when it is born of anger, is what we are criticising.

But what about the comic writers who are keen on mocking people? Are we to accept this provided they resort to this sort of mockery of our citizens without any anger? Or are we to make a distinction between mockery in jest and mockery that is serious, and allow anyone to mock anyone else without anger, but not allow them, as we have said, to do so in earnest and in anger? This stipulation must not be retracted, but we must pass laws stating who may do this and who may not. No composer of a comedy or any iambic or lyric song should be allowed to mock any of our citizens, either in word or through imitation, whether or not this is done in anger. If any of them disobeys this law, the officials in charge of the competition are to expel him from the area entirely, on that very day, or be fined three minae, dedicated to the god in whose honour the competition is being held. Those with permission, as we said earlier, to compose works about one another are allowed to engage in mockery in jest, but not in earnest or in a spirit of anger. Determination in this matter is to be left to the person responsible for the overall education of the young, and the composer shall be allowed to publicly present whatever that person approves, but whatever he rejects must not be shown to anyone else, nor should he ever be found teaching it to any other person, slave or free born, on pain of being regarded as a rogue who does not heed the laws.

It is not the person who is hungry or who suffers a similar misfortune who deserves to be pitied, but the person who is sound-minded or possessed of some excellence, even in part, who comes by misfortune in addition. So it would be surprising if someone like this, slave or free, were to be totally neglected and reduced to utter beggary in a society or city that was even moderately well managed. Therefore, there will be no threat to such people

if the lawgiver enacts a law somewhat as follows. There is to be no begging in our city, and if someone attempts to engage in such behaviour, scraping a life together through incessant entreaties, the market police are to expel him from the marketplace, and the board of city police are to expel him from the city, and the rural police from the rest of the country, driving him beyond the border so that our land may be entirely purged of such creatures. 936 c

If a slave, male or female, damages anything at all that belongs to other people, and the injured party himself is not partly responsible through ineptitude or some other irresponsible actions, the owner of the slave that did the damage shall either make good the damage in full, or hand that slave over to the victim. But if the slave's owner issues a counter claim that the charge involves collusion between the injured party and the culprit slave in order to deprive him of that slave, he may take an action for conspiracy against the person who claims to have suffered the damage, and if he is successful he is to receive twice the value that the court sets upon the slave, but if he loses he is to pay for the damage and hand over the slave. And if a draught animal, a horse or a dog, or some other beast, damages anything belonging to a neighbour, compensation is to be paid on the same basis. If someone won't of his own volition act as a witness, the person who needs his evidence shall summon him as a witness, and once summoned he shall appear in court, and if he has information and is willing to give evidence, he should do so. But if he claims to have no information, let him swear an oath to Zeus, Apollo and Themis, denying any knowledge, and be excused from the case. But a person called as a witness who does not show up in court in response is liable by law to an action for damages. If someone calls one of the judges at this trial to act as a witness, then, having given evidence, the judge must not vote in that case. A free woman is allowed to act as a witness or to support someone's case provided she is over forty, and she may initiate a legal action herself if she has no husband, but if she has a husband who is alive, she may only act as a witness. A slave, male or female, or a child, is permitted to act as a witness or a support only in a murder trial, provided that individual furnishes a trustworthy guarantor to ensure that the witness will remain and await trial in case the evidence is challenged as false. Either side in a case may challenge all or part of the evidence before the verdict has been decided if he maintains that he is a victim of false witness. The officials shall keep the challenges by both parties safely sealed up, and shall produce them at the trial for false witness. If a person is twice convicted of false witness, no law shall compel him to act as a witness thereafter. If it happens three times, he shall no longer be permitted to act as a witness, and if he dares to give evidence having been convicted three times, anyone who wishes may report him to the authorities, who shall bring him to court, and, if convicted, he shall be sentenced to death. In cases where evidence is condemned by a court and it is adjudged that someone gave false evidence and ensured that the victorious party won the case, then if more than half his evidence is condemned, the case that was lost on that basis should be subject to review, and there should be argument and an adjudication as to whether or not the original case was decided by the false evidence, and this adjudication, whatever the outcome, shall determine how the previous cases conclude. 936 d 936 e 937 a 937 b 937 c 937 d

Although there are many fine things in human life, most of them are beset by a sort of plague that pollutes and defiles them. And, indeed, justice among us humans is undeniably something fine which has civilised the life of man, and since this is fine, how could judicial advocacy not be fine too? But a pernicious skill hiding behind a noble name brings these fine things into disrepute. It begins by claiming that there is a certain contrivance for dealing with judicial proceedings, which itself constitutes a means of conducting a case and advocating on behalf of someone else, being capable of ensuring victory regardless of 937 e

938 a whether the behaviour of the defendant in the case had been just or not. It also claims that this skill and the arguments it produces may be had as a gift to anyone who hands over money. Now, regardless of whether this skill is indeed a skill or just a knack based upon practice devoid of skill, it should never, if possible, take root in our city. The lawgiver asks for obedience, that they don't speak contrary to justice, or that they depart to another country, and if they comply, he has no more to say. If they do not comply, then the voice of the law is as follows. Anyone suspected of attempting to turn the force of justice in the souls of the jurors to the very opposite course, or of taking multiple legal actions opportunistically, or advocating for others in such actions, is liable to prosecution by anyone who wishes, for perversion of justice or supporting others in such perversion. The case should be tried by the court of selected judges, and, on conviction, the court is to determine whether the defendant was acting out of greed or out of ambition. If ambition was the motive, the court is to decide for how long such a person is to be debarred from taking a legal action against anyone else, or from advocacy in a legal action. If the motive was greed, a foreigner is to be banished from the country, never to return, on pain of death, while a native, because he was motivated by such out and out greed, is to be put to death. Someone who is convicted of doing this sort of thing out of ambition, for a second time, is to be put to death.

938 b

938 c



Laws

— BOOK XII —

ATHENIAN: If someone acting as an ambassador or envoy executes his embassy unfaithfully by 941 a
 lying about his city to another city, or by failing to convey the actual representations he was
 sent to convey, or he obviously misreports the message from hostile or friendly cities in his
 role as ambassador or envoy, let the offender be charged with unlawful impiety against the
 messages and edicts of Zeus and Hermes. If he is convicted, there should be an assessment
 of the fine he should pay or the punishment he should suffer. Theft of property is unworthy 941 b
 of a free person, while open robbery is a disgrace. No son of Zeus, taking delight in fraud or
 violence, has ever engaged in either of these. So, let no one who commits such offences be
 misled or deceived, by the poets or any other perverse storytellers, and come to believe that
 thieving and violence is the very behaviour of the gods themselves, rather than a shameful
 act. Indeed, this is neither true nor plausible, and whoever does this sort of thing in contra-
 vention of the law is no god, nor indeed a child of a god. And it belongs to the lawgiver to 941 c
 be more aware of this than all the poets put together. Now, whoever heeds our precept is
 fortunate and endures in good fortune, while whoever heeds it not shall come thereafter
 into conflict with the following law. The penalty is to be the same whether theft of public
 property be on a large scale or a small scale. For when someone steals something minor, he
 does so with the same desire but with less capacity, while the person who takes up something 941 d
 major, something he himself has not put down, is wholly unjust. So the law sees fit to impose
 a lesser penalty on one than on the other, not because of the scale of the theft, but on the
 grounds that one is perhaps curable while the other is beyond cure. Accordingly, if someone
 secures a conviction in court against a slave or foreigner for theft of public property, the
 court is to decide what fine should be paid or what punishment should be suffered since the 942 a
 person is in all probability curable, while a citizen, brought up as our citizens will be brought
 up, once convicted of plundering or doing violence to his fatherland, whether he is caught
 in the act or not, is to be put to death as someone who is more or less beyond cure.

When it comes to military organisation, much deliberation and many laws are in
 order, but what's most important is that everyone, male or female, should always be under
 authority. Nor should anyone develop in soul the habit of acting autonomously, just by
 themselves, either in serious matters or in play. Rather, both in time of war and in time of 942 b
 peace, they should live looking always to and following an authority, and be guided thereby
 even in the slightest details such as halting when ordered to do so, advancing, exercising,
 washing, eating, awakening at night for guard duty or to act as a messenger, and, in the face
 of danger, neither pursuing nor retreating without the commander's signal. In a word, he is 942 c
 to teach his soul, by habituation, to have no awareness or appreciation whatsoever of per-
 forming any action separately from other people, so that life is lived as much as possible
 together, collectively, in a community of all with all. For there is not, nor shall there ever

be, a means of ensuring our safety and victory in war that is as powerful, as good, or as effective as this. So, in peacetime, the practice of ruling others and being under someone else's authority should be encouraged from earliest childhood, while absence of authority should be eradicated entirely from human life, and indeed from the life of all animals under human control. Furthermore, all choral dances should be performed with an eye to military excellence, and all training in dexterity and fortitude should be for the same purpose, as well as the patient toleration of the pangs of hunger and thirst, of heat and cold, and of hard beds. But what is most important is not to destroy the capacity of the head and feet to produce and grow their own felt and footwear by swathing them in unnatural coverings. For these extremities, when kept safe, preserve the power of the entire body at its utmost, while their neglect has the opposite effect. One is the body's greatest servant, while the other is its supreme ruler, naturally holding all of its dominant sense organs.

Such is the praise of the military life to which the young should have decided to listen. The laws, on the other hand, are as follows: whoever is enlisted or assigned any role is to perform military service. If anyone, out of cowardice, is absent without the permission of the generals, he is to be tried for desertion before the army officers when they return from the campaign, and each division that served on the campaign is to judge the cases separately. Hoplites, cavalry, and the various other divisions of the military are all to follow the same procedure – hoplites being brought before hoplites, cavalrymen before cavalrymen, and so on for all the others, each appearing before their own colleagues. Whoever is convicted is to be debarred from ever competing for any distinctions, from prosecuting another for desertion, or from being an accuser in such cases. Furthermore, the court is to determine what additional penalty he is to suffer or what fine he is to pay. After this, once the trials for desertion have been decided, the officers of each division are to meet again, and whoever so wishes may be judged by his own peers in relation to his military distinctions, furnishing no evidence or supporting witness statements from any previous wars, apart from the campaign they have just concluded. The victory prize in such cases shall be an olive wreath, which he may hang with an inscription in any temple of the gods of war he chooses, to bear witness for the rest of his life that he has been awarded the highest of military distinctions, or the second or third highest as the case may be. If someone involved in a military campaign goes home before the appointed time without permission of his officers, he is to stand trial for leaving the field, before the same people who try the cases of desertion, and, on conviction, the same penalties as prescribed previously are to be imposed. Anyone bringing a legal action against another should of course be as fearful as he can of the imposition of an undeserved penalty, whether intended or unintended. For justice is indeed, and has been truly called, the virgin daughter of reverence. And by their very nature, reverence and justice abhor falsehood. So, we should in general be careful of transgressions against justice, especially in the case of loss of weapons in battle, lest we completely misjudge cases where loss of weapons was unavoidable, censure such losses as shameful, and visit undeserved retribution upon an innocent man.

Now, it is not at all easy to distinguish between these various cases. Nevertheless, the law must somehow attempt to differentiate one from the other. We may use a story to illustrate the point. Suppose Patroclus, having been brought to his tent without his armour, had revived there, as has happened to countless others, it would have been possible for the base folk of the time to censure the son of Menoetios for losing the weapons, which according to the poet had been given to Peleus by the gods as a dowry with his wife, Thetis.¹ There are people, too, who lose their weaponry when they are thrown from a height, or at sea, or from the sudden impact received from a great gush of water in a storm. Or one could come

up with an endless variety of similar excuses to gloss over a suspicious misfortune. It is necessary then to distinguish, as best we can, the more significant and problematic misfortune from its opposite. Now, the application of these epithets as a criticism does involve a distinction of sorts. For it would not be justifiable, in all cases, to refer to such a person as a ‘shield-thrower’ rather than as someone who had merely lost his weapons. For the person who loses his weapons under duress would not be a shield-thrower in the same way as someone who discards them willingly. The two cases are completely and entirely different. So let the law state the following: if someone, in possession of weapons, is overtaken by the enemy combatants and does not turn around and defend himself, but deliberately drops his weapons or throws them away – winning a life of shame through his cowardice, rather than a noble and blessed death through sheer courage – there shall be punishment for such loss of weapons that are thrown away. But in the other case we mentioned, the judge is to ensure that an investigation is carried out. Indeed, the coward should always be punished in order to make him a better man, but there is no point in punishing the unfortunate. But what penalty would be appropriate for someone who throws away such powerful defensive weaponry in an act of cowardice? Now, it is said that a god once transformed Caeneus of Thessaly,² a woman, into a man, and although no human can do the opposite and turn a man into a woman, if this penalty had been inflicted upon the fellow who threw away his shield, and he had been turned into a woman, that would in a way have been the most fitting penalty of all. But as matters stand, to get as close to this arrangement as possible because of the man’s attachment to life, let the following law apply to such a person so that he may live on without peril for as long as possible, and put up with being reviled as a coward. A man who is convicted of shamefully throwing away his weapons of war shall not, thereafter, be employed as a soldier by any general or any other army officer, nor may he be assigned any other military position whatsoever. Otherwise, whoever gives the coward a posting is to be fined one thousand drachmas by the auditor if he belongs to the highest property class, five hundred if he belongs to the second, three hundred if he belongs to the third and one hundred if he belongs to the fourth. The convicted soldier, besides being excluded by nature from perilous manly exploits, shall also pay a fine of one thousand drachmas if he belongs to the highest property class, five hundred if he belongs to the second, three hundred if he belongs to the third, and one hundred as before if he belongs to the fourth.

What do we have to say that is appropriate to the auditors, some of whom are appointed by lot for one year, while others are appointed from a panel for a number of years? Who will be competent to audit such people if one of them somehow acts awry, weighed down by the burden of his office and his own inability to give the role what it deserves? Now, although it is not at all easy to find an overseer for overseers, someone who is pre-eminent in excellence, we should nevertheless make the effort to find some auditors who are divine. This is how matters stand. There are many critical factors involved in the dissolution of a political system, just as there are in the case of a ship or a living organism, with their stays and braces and tendons and sinews, a single nature dispersed multifariously and referred to by a variety of names. One significant factor critical in the preservation of a political system, or its dissolution and ruination, are auditors. For if those who audit the officials are better than them, and this role is exercised irreproachably with blameless justice, then the entire country and city thrives and is happy. But if the auditing of the officials

¹ In the *Iliad*, Patroclus was killed by Hector while wearing the armour of his companion, Achilles. *Iliad* xvii.125 ff, xviii.78 ff.

² According to legend, Caeneus was originally a woman, Caenis, who was transformed into an invincible man by Poseidon at her request.

is conducted improperly, then justice, which holds all civic functions together, is subverted, every public office is torn apart from every other, and they are no longer inclined in the same direction, thus turning the city into many cities rather than one, so full of faction that it is soon destroyed. That's why auditors need to be totally exemplary in all forms of excellence.

Let's arrange, then, to produce these people in some such manner as this. Each year after the summer solstice, the entire city should assemble in the common precinct of Helios and Apollo to present to the god, from among themselves, three men over fifty years of age, apart from themselves, whom each of them regards as the best in every respect. They shall choose half of those who have been nominated, those who obtain the most votes if their number is even. If their number is odd, the person with the least votes shall be eliminated, retaining half the nominees as determined by the number of votes cast. If some receive an equal number of votes, thus making the half too large, the excess is to be eliminated by removing the youngest, while the rest are to be carried forward to another vote. And the process is to be repeated until three people with an unequal number of votes remain. If all three, or two of them, get the same vote, they shall entrust the outcome to benign fate and to fortune by deciding first, second and third place by lot, and crown them with olive wreaths. Once the appointments have been made, they are to proclaim to everyone that the city of the Magnesians, safe once more under God, is presenting its three foremost person-ages to Helios, and according to the ancient law it dedicates the pick of its manhood as a joint offering to Apollo and Helios for as long as they hold judicial office. Twelve such auditors shall be appointed in the first year, each to hold office until they turn seventy-five, and thereafter three new members are to be added each year. The auditors, having divided the officials into twelve groups, are to scrutinise them by applying every test worthy of free people. For as long as they are serving as auditors, they should reside in the very precinct of Apollo and Helios, in which they were elected. Once they have passed judgement upon the city officials, whilst acting sometimes on their own, sometimes in consultation with one another, they are to display a written record in the marketplace stating what punishment or fine each official is to incur according to the decision of the auditors. Any official who believes he has been judged unjustly may bring the auditors before the court of selected judges, and, if he is acquitted of the auditors' charges, he may, if he wishes, take an action against the auditors themselves. But if he is convicted, and he has already been sentenced to death by the auditors, then he need simply be executed, while in the case of other penalties that are capable of being doubled, let him pay double the penalty.

It is necessary to hear about audits of these auditors themselves, and how they are to be conducted. These people, who have been deemed worthy of the highest distinctions by the entire city, are to have seats of honour for life at all the festivals. From this group of people, official representatives are to be sent out to any sacrifices common to all Greeks, to any spectacles, or to any other sacred gatherings. They alone, of all the city's inhabitants, are to be adorned with a laurel wreath. All are to be priests of Apollo and Helios, and the chief priest for the year is to be the one who comes first in that year's election, and the year shall be recorded under his name as a means of reckoning the date for as long as the city survives. When they die, their lying in state, funeral procession and burial are to be different from those of the other citizens. The raiment shall be all white, and there shall be no dirges or laments. A chorus of fifteen maidens and another of fifteen youths, each standing about the bier, shall in turn chant a sort of hymn of praise to the priests celebrating them in song throughout the entire day. At dawn the next day, the bier itself is to be escorted to the tomb by one hundred youths belonging to the gymnasia, as chosen by the relatives of the deceased, led by the unwed soldiers with their military accompaniments – cavalymen with

their horses, hoplites with their armour, and so on for all the others. Around the bier, the boys, being in front, shall sing the national chant, with the maidens following behind, while the women past childbearing come next. After this shall come the priests and priestesses, even though they are excluded from other burials, as if they were going to an undefiled tomb, provided the voice of the Pythian prophetess lends it support. Their tomb is to be constructed beneath the earth, oblong, made of porous stone, as ageless as can be, fitted with stone benches placed side by side. Once the blessed dead have been laid there, earth shall be piled up in a circle, and they shall plant a grove of trees round about, except at one end so that the tomb may be extended in that direction, with no mound covering those who are placed there. Every year they shall hold a contest in music, gymnastics and horse-racing in their honour. 947 d 947 e

These are the honours due to those who have passed scrutiny at their audit. But if any of them, relying upon the fact of their election, proves himself all too human by turning bad after they have been appointed, the law shall ordain that anyone who wishes may prosecute them, and the trial shall be conducted in a court constituted as follows. Its first members shall be the guardians of the law, then the auditors themselves who are still alive, and finally the court of selected judges. Whoever brings a charge against someone else is to state that such and such a person is unworthy of those distinctions, and of the office he holds. And if he is found guilty as charged, he is to be deprived of his office, of that burial, and of the other honours bestowed upon him. But if the prosecutor fails to obtain one fifth of the votes, he is to be fined twelve minae if he belongs to the highest property class, eight if he belongs to the second highest, six minae for the third and three for the fourth. 948 a 948 b

Rhadamanthus is worthy of our admiration for the way he is said to have judged legal cases, because he discerned that human beings at the time were quite certain of the existence of the gods, as well they might be, since most people in those days were the offspring of gods, himself included, as the story goes. He seems then to have concluded that he should place his trust, not in any human judges, but in the gods, and so he arrived at simple, quick judgements. For he administered an oath to the contending parties regarding each issue under dispute, and thus secured a rapid, secure resolution. But nowadays, we say, a portion of the human race does not believe in the gods at all, while others are of the view that they don't concern themselves with us humans, while the opinion of the worst people, who are the most numerous, is that in return for some paltry sacrifices and flatteries, the gods help them to commit fraud on a vast scale and to evade all sorts of grievous penalties. Therefore, the skill of Rhadamanthus would no longer be appropriate in legal proceedings for people of this era. Since people's beliefs about the gods have changed, the laws must change too. Indeed, a lawgiver possessed of reason should abolish the oaths of both adversaries in legal proceedings, and whoever is taking an action against another should simply write out the charges without swearing an oath, and the defendant, similarly, should write out his denial and hand it over to the officials without swearing an oath. Indeed, with so much legal activity taking place in a city, it is surely terrible to know full well that although close to half of those involved are perjurers, they have no compunction about associating with one another at common meals, or at other public gatherings or private meetings. Let the law then decree that a judge who is about to give judgement is to swear an oath. Someone appointing a public official is always to do so under oath or using a voting pebble taken from a sacred place, as should a judge of choruses or musical performances and any umpires or adjudicators of gymnastic or equestrian competitions, or of any matters where the outcome confers no advantage upon someone who breaks his oath, as far as we can humanly see. But in situations where there is an obvious and significant advantage in deny- 948 c 948 d 948 e 949 a

ing the truth, and doing so under oath, then the various accusers and counter-accusers should be judged through judicial proceedings without any oaths being sworn. And, in general, during the trial the presiding judges should not allow anyone to speak under oath in order to make his case more persuasive, or to lend solemnity to his curses upon himself and his clan, and they should prohibit any recourse to grovelling appeals or emotional outpourings. They are to ensure that everyone always explains the justice of their case in respectful language, and hears the other side. Otherwise, those in charge shall bring them back to the point at issue, the point from which they had digressed. In cases of one foreigner against another, exchanges of oaths are to be accepted if desired, just as they are nowadays, and they may be granted legal authority, since these people, for the most part, shall not grow old and build homesteads in our city, thus producing others like themselves with legal status in our country, and similar habits. Their private legal actions against one another are also to be decided in the same manner.

There may be situations where a free citizen is disobedient to the city, cases that do not merit whipping or imprisonment or execution, relating perhaps to attendance at choruses or processions or involvement in other public ceremonies, or services such as sacrifices in time of peace or special impositions in time of war. In all such cases, the first requirement is to make good the harm done, and for the offenders to give security to those whom the city and the law authorise to demand it, and if they disregard their pledges, there is to be a sale of the securities and the funds are to go to the city. If further penalties are required, the relevant officials, having imposed the appropriate penalties on the offenders, are to bring them before the court until they are prepared to do as they are bidden.

A city whose sole source of wealth is the produce of the earth, and which does not engage in commercial activity, needs to decide what to do about foreign travel by its own citizens, and the admission of foreigners from elsewhere. Now, the lawgiver should begin by giving advice on these matters as persuasively as he can. This intermingling of cities with cities naturally combines a whole variety of customs, as strangers introduce novel behaviour to citizens, and citizens do the same to strangers. This does the greatest harm to cities that are well governed under proper laws, although in most cases, since the cities are not at all well governed, the intermingling makes no difference, whether it occurs by receiving strangers into their midst, or when they themselves travel for fun to other cities out of a desire for foreign travel of some sort, either when young or in their later years. Then again, it is not feasible to impose a total ban on the admission of strangers and on foreign travel by our own people. And what's more, this might appear like aggressive, rough treatment to the world at large, and we might get a reputation for using the harsh language of the so-called 'alien expulsions', and for behaving in an inflexible and cruel manner. Indeed, we should never make light of our good or bad reputation in the eyes of others, for although most people fall far short of true excellence, that does not prevent them from judging the extent to which others are good or evil. There is a divine intuition present even in the bad people, so that the vast majority, even of extreme evildoers, do a good job of distinguishing, in their views and in how they express them, between the better people and the worse. So, the exhortation to set a high value upon a good reputation in the eyes of the world is sound advice for most cities. In fact, what's most important and most correct is truly being good, and seeking a good reputation in this way, not, if we mean to be complete, by omitting the actual goodness. And, indeed, it would be fitting for the city we are founding in Crete to attain a most glorious and exalted reputation for excellence in the eyes of the world. For there is every reasonable hope, provided our plan is followed, that it will be among the few well-governed cities and regions under the gaze of the sun and the other gods.

Now, what should be done about travels abroad to other regions and places, and the admission of foreigners, is as follows. Firstly, no one under the age of forty is to be allowed to travel abroad under any circumstances whatsoever. No one may ever do so for personal reasons, but such travel is to be permitted on public business as an envoy or ambassador, or to attend certain ceremonies. We should send representatives to Apollo at Delphi, to Zeus at Olympia, Nemea and the Isthmus to partake in the sacrifices and competitions in honour of those gods, doing our best to send delegations that are as noble, as distinguished and as large as possible, thus promoting the good reputation of the city at those sacred, peaceful gatherings, conferring a renown comparable to their military prestige. On returning home, they shall teach the younger folk that the customs of other cities are in second place compared to their own civic arrangements. There are other envoys who may, with the permission of the guardians of the law, be sent abroad. They are as follows. If any citizens wish to study the manners of other peoples, and have sufficient leisure to do so, no law shall stand in their way. For a city with no experience of people, both good and bad, would never, in its isolation, be able to become sufficiently civilised or perfect, nor indeed would it ever be able to safeguard its own laws without appreciating them intelligently rather than through mere habit. In fact, there are always, among the broad mass of humanity, some few divine personages whose company is of the utmost value, and they spring up just as much in badly governed cities as in those that are well governed. The inhabitant of a well-governed city, who is incorruptible, should constantly seek out the traces of such people, going by land and by sea, with the aim of developing a confidence in any practices of his own people that are in good order, and of introducing corrections where there are any defects. For without this scrutiny and enquiry, or if this is badly conducted, no city ever remains perfect.

CLINIAS: How may we achieve both objectives?

ATHENIAN: As follows. Firstly, an envoy of this sort is to be over fifty years of age and to have secured a good reputation in general, and in military affairs too, if he is to be sent abroad to other cities as proof of what the guardians of the law can produce. Once he turns sixty he may no longer act as an envoy. Having served in this role for as much of the ten years as he wishes, and then returned home, he is to report to the council that has oversight of the laws. This is to be a body composed of younger and older members, which has to meet every day from daybreak until the sun has risen.³ It shall consist firstly of priests who have achieved high distinction, secondly of the ten most senior guardians of the law, and finally of whoever is currently responsible for all education, and those who have retired from this role. Each of these shall attend not on his own, but accompanied by a young man of his own choosing, aged between thirty and forty. Their meeting and discussions shall always deal with the laws of their own city, and anything they may learn about such matters from some other places, and, indeed, any subjects that may seem beneficial to learn for their enquiry, because such studies bring clarity to the consideration of the laws, while their neglect clouds the matter in darkness and obscurity. The young folk shall, with all eagerness, study any of the subjects that the elders approve, but if any of those who are encouraged to undertake this study prove unworthy, the entire council is to censure the person who invited them. The rest of the city is to take responsibility for those young people who have a good reputation by keeping a special eye on them, and taking care of them, honouring them when they act aright, and dishonouring them more than their fellows if their behaviour falls below the general standard.

The person who has surveyed the customs of other peoples is to proceed to this coun-

³ This is a reference to the Nocturnal Council. For further details, see 960b ff.

cil as soon as he gets back home, and if he has come across people who are able to state some principle concerning legislation, education or the rearing of children, or he has brought back some reflections of his own, he is to share these with the entire council. If he seems to have returned neither better off nor worse off, he should be praised nevertheless for his eager enthusiasm. If he has returned in a better position, he is to receive much more praise in his lifetime, and when he dies, the authority of the council shall honour him with fitting tributes. If it turns out on his return that he has been corrupted, he should never gain the company of anyone else, old or young, by pretending to be wise, and if he manages to reassure the officials, he may live a private life. Otherwise, if he is convicted in court of busying himself in the field of education or laws, he is to be put to death. If he deserves to be brought to court, but none of the officials brings him to trial, this shall count to their discredit in the decision about awards of distinction.

So much for the sort of people who may travel abroad, and how they may do so. Our next concern is the visitor from abroad and how he should be welcomed. There are four kinds of visitors for whom we should make provision. First is a relentless, perpetual arrival who usually makes his repeated visits in summer, after the manner of migratory birds. Most of these cross the sea as if they had wings, flying all summer long to various cities to conduct trade and make money. The officials who have been put in charge of these matters should receive this visitor at marketplaces, harbours and public buildings close to the city, but outside its walls, ensuring that no visitors of this sort introduce any innovations. They shall administer justice to them and interact with them as much as necessary, but as little as possible. The second visitor is a true observer, who sees various sights with his eyes and hears musical displays with his ears. All such arrivals must be accommodated at the temples and provided with generous hospitality by the priests and wardens who are to look after them carefully. They may remain for a reasonable period of time, seeing and hearing whatever they came for, and they should then depart with no harm done or suffered. Should anyone do an injustice to them, or they to another, the priests are to act as their judges provided the sum involved is less than fifty drachmas. If the claim exceeds that amount, the case is to be tried before the rural commissioners. The third visitor who should be received by the state is one who arrives on public business from another region. They are to be received only by generals, cavalry commanders and infantry commanders, and their care should be the sole responsibility, in consultation with the prytanes, of whichever commander the visitor is residing with as a guest. The fourth kind of visitor arrives rarely, if ever. But if someone from another region ever does arrive who is the counterpart of our own observers, he is firstly required to be over fifty years of age, and, what's more, he is to be here in the expectation either of seeing something fine, something superior in beauty to what is found in other cities, or of showing something of the same sort to another city. Now, any such visitor may go uninvited to the doors of the wealthy and the wise, since he himself is a person of that sort. Indeed, he may go to the home of the person in charge of all education, confident in the propriety of being the guest of such a host, or to the home of someone who has received official recognition for his excellence. Having spent time with these people, teaching and being taught, let him depart as a friend taking his leave of friends, bestowing suitable gifts and marks of honour. By these laws, all visitors, both male and female, are to be received from other regions, and our own people are to be sent abroad, honouring Zeus, the god of strangers, not driving visitors away with our eating habits and rituals, as the people of the Nile do nowadays, or by issuing harsh edicts.

If anyone gives a guarantee, let him do so explicitly, agreeing the entire transaction in a written contract in front of witnesses, at least three for a contract under one thousand

drachmas, and at least five if it exceeds that sum. A broker in any sale is to act as a guarantor for a seller without legal title to the goods, or one who is generally untrustworthy, and he is to be just as liable to prosecution as the seller. Someone who wishes to search someone else's property for stolen goods is to strip to his shirt and wear no belt, and swear an oath to the legally prescribed gods that he really expects to find something. He may then conduct his search. The other party shall allow him to search his house, including whatever is sealed or unsealed. But if one party wishes to conduct a search while the other refuses to allow this, the one who has been refused access may take legal action, specifying the value of the item he is looking for, and the other party, if convicted, shall pay double its value in damages. If the master of the house happens to be away at the time, the members of the household shall hand over whatever is unsealed to be searched, and whatever has been sealed is to receive a second seal from the searcher, who is to appoint someone of his own choosing to stand guard for five days. And if the master is away for a longer period of time, the city police are to be brought in, and the search conducted accordingly by breaking the seals and resealing them again as before, in the presence of the household members and the city police.

In cases of disputes over property, there is to be a time limit as follows, after which someone who has acquired the item shall no longer be open to challenge. In our city there is no such thing as a dispute over land or houses. In the case of any other possessions that someone has acquired, if he has been using the item openly in the city, the marketplace and the temples, with no one making a claim, and someone asserts that he has been looking for the item all this time, although its possessor was obviously not hiding it, and this goes on for a year with one person in possession of the item and the other seeking it, then once the year has elapsed no one is to be allowed to lay claim to the item. If the item is used openly in a rural area but not in the city or the marketplace, and no one challenges its possession for five years, then once the five years have elapsed no one shall be allowed to lay claim to such an item. If someone uses the item at his home in the city, the prescribed time period is to be three years. For undisclosed use in a rural area the period shall be ten years, but when the item was being used in a foreign country there is to be no time limit for a claim, regardless of when it is found. If anyone forcibly prevents a person or his witnesses from appearing in court, and the person hindered is a slave, either his own or someone else's, the case shall be declared null and void. But if the person hindered is a free citizen, then, in addition to the nullification of the case, the offender is to be imprisoned for one year, and is to be liable to prosecution for kidnapping by anyone who wishes. If anyone forcibly prevents a rival in a gymnastic or musical or other competition from making an appearance, whoever wishes may inform the competition presidents, who are to grant the person who wished to compete the freedom to enter the contest. But if they are unable to do so, and victory goes to the entrant who hindered his rival, they shall award the prize to the hindered party, and commemorate the victory in whatever temples he chooses, while the offender is to be barred from setting up an offering or inscription relating to such a competition, and he shall be liable to pay damages whether he was victorious or not.

If anyone knowingly receives any stolen item, he is to be liable to the same penalty as the thief, and for receiving someone who has been exiled the penalty shall be death. Everyone is to regard the city's friend or enemy as his own. And anyone who makes peace or war privately with others, without common consent, is also to be liable to the death penalty. If part of the city makes peace or war with any for itself, the generals are to bring those responsible for this action to court, and on conviction the penalty shall be death.

Those who serve the nation are to render such service without accepting gifts, and there is to be no excusing this, or praise for the argument that "good deeds deserve gifts

while foul deeds do not”. For it is not easy to know what to do and then stand by what you know, and it is safest to heed and obey the law that no service be done in return for gifts. Whoever disobeys, shall, on conviction in court, simply be put to death. In relation to financial contributions to the common fund, not only must the property of each citizen be valued for various reasons, but a tribal official shall also present a written record of the annual production to the rural commissioners so that the treasury may decide which of the two kinds of contributions it wishes to employ, choosing year by year either to take part of the overall valuation or a portion of the annual income in that particular year, after the deduction of the costs of the common meals.

The reasonable man should present moderate offerings to the gods. Now, land and the household hearth are always sacred to all gods, so let no one consecrate to the gods for a second time that which is already sacred. Gold and silver, possessions that are used in other cities both in private and in the temples, are a source of jealousy, while ivory, coming from a body that came to be devoid of soul, is an unclean offering, and iron and bronze are instruments of war. Anyone may present at the public temples any wooden or stone offerings he wishes, made from a single piece, or a woven item no larger than what a woman can weave in a single month. White is the colour appropriate to the gods, both in woven items and in general, while dyes should only be used for the trappings of war. The most divine gifts are birds, and pictures that a single painter can complete in one day, and any other offerings should be modelled on offerings of this sort.

Since the subdivisions of the city – their number, and what they should be – have been described, and laws relating to business transactions in all of the important matters have been stated as best we can, what remains is to deal with judicial procedures. The first of our law courts should consist of chosen judges, jointly chosen by the defendant and the prosecutor together, and more appropriately referred to as arbitrators rather than judges. The second shall consist of fellow villagers and tribesmen based upon a twelvefold division, before whom cases are to be argued if no decision was reached in the first court. Here the penalty is to be greater, and if the defendant loses at this second trial he is to pay one fifth more than what was specified in the written action. And if someone challenges the judges and wishes to contest the issue for a third time, he is to bring the case before the selected judges. And if he loses once again, he is to pay one-and-a-half times the assessed penalty. If the prosecutor, having lost the case in the first court, is dissatisfied and goes to the second, he shall receive an additional fifth if he wins the case, and pay the same fraction of the assessed penalty if he loses. And if the parties go to the third court because they don’t accept the previous judgements, the defendant, as we said, is to pay one-and-a-half times the penalty if he loses, while the prosecutor is to pay half.

The allocation of courts and their composition, and the appointment of staff to support the various boards of officials, the intervals at which each court must sit, the voting procedures and associated adjournments, and any other requirements of this sort relating to judicial practice, such as the prioritisation of cases, compulsory response to questions and attendance at court, and any related matters, have all been dealt with previously, but it is good to repeat what’s right two or even three times. However, all of these minor regulations that are easy to devise may be set aside by the older lawgivers, and the young lawgiver should fill in such details. Now, it would be reasonable for courts dealing with private matters to conduct their business in this way. But for those dealing with communal or public matters, and for those which the various officials make use of in managing the business of their own office, numerous sound regulations produced by reasonable men are already in existence in many cities. Drawing on these, our guardian of the law should provide our

fledgling constitution with what it requires by making comparisons and corrections, and testing them in experience, until they decide that each of them is adequate for its purpose. Only then, having concluded the process so that they are quite immutable, should they implement them on a permanent basis.

The matter of respectful silence on the part of judges, and its opposite too, and any divergences from general standards of justice, goodness and nobility in other cities, has to an extent been dealt with, although more will be said towards the end. Anyone who intends to be a fair and just judge must look to these matters and study any writings he possesses on the subject. Indeed, of all subjects, the very best at improving the person who learns them are those dealing with laws, provided they are rightly enacted. Were this not the case, our divine and wondrous law would bear its name in vain, a name that is akin to reason.⁴ Furthermore, when it comes to other utterances such as praise or censure of people, delivered in verse or in prose, either in writing or in daily conversation in all our various interactions, with their contentious disputes, or agreements that are often quite futile, the clear test of all these would be the writings of the lawgiver. Possessing their content within himself as a sort of antidote to the other words, the good judge should regulate himself and the city by ensuring the establishment and growth of justice in good people and doing his best to change the ways of the bad people from ignorance, licence, cowardice, and, in short, from any kind of wrongdoing, provided their habit is curable. But in the case of those who are fated to have such habits, then, as has rightly been said so many times before, those judges and their superiors who impose the death penalty as a cure for souls in this condition deserve the praise of the entire city. Once legal cases for the year have finally been adjudicated, laws are required for their implementation as follows. Firstly, the official deciding the case is to assign to whomever wins the case, all of the property of the person who loses, apart from possessions that he needs to retain. This should be done in each case immediately after the voting, through proclamation by the herald within the hearing of the judges. And if someone fails to settle with the victorious party to their mutual satisfaction by the end of the month following the month of the trial, the judge who decided the case shall, at the behest of the successful party, hand over the property of the person who lost. But if he does not have the resources, and the shortfall is one drachma or more, the person who lost is not to be allowed to take a legal action against anyone else until he has fully paid off his debt to the successful party. Others, however, are fully entitled to take legal action against this debtor. If anyone who has been convicted obstructs the court that convicted him, the judges who have been unjustly obstructed are to bring the offender before the court of the guardians of the law, and, if a person is found guilty, he is to be sentenced to death as a subverter of our city and its laws.

To proceed. When a man has been born and reared and has begotten and reared his own children, has engaged reasonably in business affairs, paying compensation when he has wronged another and accepting the same from someone else, and has duly grown old abiding by the laws, the end comes to him in the course of nature. In the case of the dead, male or female, the interpreters are to have the authority to prescribe the appropriate divine observances, to be performed for the gods beneath the earth and those of our realm. There are to be no graves on any land that can be cultivated, whether the tombs be large or small. They are to fill up places where the land is naturally suited for this sole purpose alone, that of receiving and concealing the bodies of the dead, while causing the least disturbance to the living. Where earth, a true mother in these matters, is naturally inclined to provide sustenance to humanity, no one alive or dead is to deprive us living beings of this. They are

⁴ A connection is made here between the words *nomos* (law) and *nous* (reason).

not to build up a burial mound higher than what five men can complete in five days, nor erect a standing stone larger than what is needed to accommodate a eulogy on the life of the deceased in four lines of heroic verse. The laying out of the corpse in the house shall, in the first place, be for long enough to establish that the person really is dead, and not just in a swoon. So in general, for most people, the third day would be a reasonable one for carrying out the burial. We need to listen to the lawgiver, especially when he declares that soul is superior to body in every respect, and that, in this very life, what makes each of us what we are is nothing else but soul, while the body is just an apparition that follows each of us around. And it is well said that the bodies of the dead are images of the departed, while the real being of each of us, which is called the immortal soul, departs to render an account to the other gods, as the ancestral law declares – a fearful prospect for the bad, and a heartening one for the good. But not much help can be given to a deceased person. In fact, all of his kindred should have helped him while he was alive to ensure that he lived as just and as holy a life as possible throughout, thus being free after death from retribution in the life that follows this one for any foul misdeeds. Since this is how matters stand, we should never squander our wealth in the belief that this lump of flesh that is being buried is related to ourselves, rather than believing that the real person, the son or brother or whoever else we imagine we are burying amidst great mourning, has left us to journey on and fulfil his own destiny, while we do our duty through measured expenditure upon this, as it were, soulless altar to the gods of the underworld. And it is the lawgiver who would best divine what that appropriate measure is. So let the law be as follows. For someone of the highest property valuation, the measure of expenditure on the entire burial shall not exceed five minae, three minae for the second highest valuation, two for the third and one for the fourth. There are many other duties that the guardian of the law must perform, and much that he must look after. Not least of these responsibilities is to spend their lives looking after children and adults, and indeed any age group, and, in particular, at anyone's death, a single guardian of the law is to act as a supervisor, whom the relatives of the deceased are to bring in as an overseer. And if the arrangements relating to the deceased are conducted with dignity and measure, this shall count to the guardian's credit, or indeed to his shame if they fall below these standards. The laying out and the other arrangements are to be conducted in accordance with custom concerning such matters, but we should allow freedom to the statesman when he is legislating, as follows. It would be unseemly for him either to enjoin or prohibit weeping for the dead, but laments and loud displays outside the house are to be forbidden. Bearing the corpse along the public roads and crying aloud as they proceed is to be prohibited, and they must be outside the city walls before daybreak. So let these be the regulations concerning matters of this sort, and whoever complies shall incur no penalty, while anyone who disobeys one of the guardians is to be penalised by all of them with a penalty jointly decided by them all. Any further rituals of burial of the dead, and those deeds that bar one from the right of burial for parricide, robbing temples, and everything of that sort, have been dealt with previously through specific laws, and so our legislative task is almost complete. But the completion of anything never consists merely in doing something or acquiring something or establishing something. Only when we have discovered a means of making our production completely safe for all time may we then believe that we have done all that we should have done. Until then, our overall task is incomplete.

960 c CLINIAS: Yes, you put that very nicely, stranger. But could you please explain the additional point you are now making more clearly?

ATHENIAN: Dear Clinias, many of our ancient utterances have rightly been praised, not least of these are the names we give to the Fates.

CLINIAS: Specifically?

ATHENIAN: The first of them is Lachesis, the second is Clotho, then Atropos the third saviour of what has been spoken, making the process irreversible. These should provide a city and a constitution not only with health and soundness of its citizens' bodies, but also with lawfulness of their souls, or, more to the point, security for its laws. And it seems evident to me that this is what our laws are still lacking. They require some natural means of engendering this quality of irreversibility. 960 d

CLINIAS: If it really proves impossible to find some means of imparting this quality to every law, that is no small matter.

ATHENIAN: But it is indeed possible, as I can now see quite plainly. 960 e

CLINIAS: Well, we mustn't let up at all until we have provided the laws we have formulated with this very quality. For it is ridiculous to labour in vain at any task by not building upon secure foundations.

ATHENIAN: You are right to encourage me, and you will find me of the same mind as yourself.

CLINIAS: Well said. So, what, according to you, would be the salvation of our constitution and our laws, and how would this operate?

ATHENIAN: Well, didn't we say there should be a council in our city, constituted as follows. The ten most senior current guardians of the law, and all those who have been awarded civic distinctions, are to meet together in council. Furthermore, those who had travelled abroad to seek out anything worth hearing for the guardianship of the law, and had returned safely home, were to be scrutinised by the members, and on approval deemed worthy to join the council. In addition to these, each member was to bring along one young person over the age of thirty, having first decided for himself that the person was worthy in terms of his nature and upbringing. He was to present him to the other members, and take him on if he was approved by the others. If not, the fact of his nomination was to be kept secret from everyone, and especially from the young person who was rejected. The council was to meet before daybreak when everyone would have most freedom from other responsibilities, private or public. This, I believe, was the sort of description we gave in our previous discussions. 961 a 961 b

CLINIAS: It was indeed.

ATHENIAN: Having taken up the discussion of this council once more, I would maintain that if someone were to use this, with all it has to offer, as a sort of anchor of the entire city, it would preserve everything we wish to preserve.

CLINIAS: How so?

ATHENIAN: Now would be the time for us to display the utmost eagerness in explaining matters correctly.

CLINIAS: Yes, very much so. Please proceed as you propose.

ATHENIAN: Well, Clinias, we need to discern in everything an appropriate saviour in its various activities. So, in the case of a living creature, for instance, soul and the head are naturally most important in this respect. 961 d

CLINIAS: Again, how so?

ATHENIAN: Surely the excellence of these two ensures the saviour of every creature.

CLINIAS: In what way?

ATHENIAN: By reason being present in the soul in addition to everything else, and sight and hearing being present in the head as well as everything else. In short, reason, and the most sublime senses, combined into a unity, may rightly be called the saviour of any creature.

CLINIAS: Quite likely.

ATHENIAN: Likely, indeed. But in what respect would reason, combined with the senses, be the 961 e

saviour of ships in storms or on calm seas? On board ship it is the pilot and the sailors who save themselves and the ship's company by combining their senses with the reason of the pilot. Is this not so?

CLINIAS: Quite so.

962 a ATHENIAN: Not many examples of this sort are needed then. We might consider for instance military expeditions, or any medical care, and the objective the generals or the physicians should rightly aim at in each case to ensure salvation. For the generals, wouldn't it be victory and domination over the enemy? And for the physicians and their assistants, the provision of health to people's bodies?

CLINIAS: Of course.

ATHENIAN: Now, if the physician had no understanding of the bodily condition we have just called health, or a general had no understanding of victory, wouldn't it be obvious that they did not possess reason in relation to any of these matters?

CLINIAS: Indeed, how could they?

962 b ATHENIAN: And what about the city? If someone proved ignorant of the objective at which a statesman should aim, would he, in the first place, deserve to be called a ruler? And secondly, would he be able to save something when he is totally ignorant of its objective?

CLINIAS: No, how could he?

962 c ATHENIAN: So, if the settlement of this region of ours is now to be concluded, there must, it seems, be some thing within it that first understands the objective we are referring to, the one at which we, as statesmen, are aiming, and secondly how this may be attained, capable too of understanding first and foremost which of the laws give the best advice, and which give the worst, and indeed which people do the same. If any city is bereft of something of this sort, it would hardly be surprising if its lack of reason and awareness led it to act every time in a random manner in all of its affairs.

CLINIAS: That's true.

ATHENIAN: So in our case, in which particular part of the city or in which of its institutions has provision been made for an adequate safeguard of this sort? Can we say?

CLINIAS: Not really, stranger, not with any certainty anyway. However, if I were to hazard a guess, this argument of yours seems to me to be indicating the council which you said meets at night.

962 d ATHENIAN: Nicely anticipated, Clinias. This council, as our recent argument indicates, should be possessed of all virtue, the first being a refusal to wander and aim at multiple objectives. It should, rather, focus upon one objective, and direct everything to that as if it were firing darts.

CLINIAS: Entirely so.

962 e ATHENIAN: So, we are now in a position to understand, not surprisingly, that the laws of various cities are so divergent because the legislators in each city look to all sorts of different objectives. It is no wonder, then, that in many cases the definition of what's just, for some of them, is designed to ensure that certain people rule in the city, whether they happen to be good or bad. For others, it is designed to make themselves wealthy, even if they end up being slaves, while some others are intent upon the free lifestyle. But there are others again who legislate for two objectives together, with an eye to both – freedom for themselves, and dominion over other cities. But the wisest – or so they imagine – pursue all of these objectives, and others like them, with no special respect for any one of them, being unable to say which one the others should look to.

963 a CLINIAS: In that case, stranger, wasn't the position we adopted some time ago correct? For we said, I believe, that all our laws would look to one objective, and we agreed that this is most correctly called excellence.

ATHENIAN: Yes, we did.

CLINIAS: And we also stated, I recall, that excellence is fourfold.

ATHENIAN: Very much so.

CLINIAS: And reason is the leader of all these, to which the other three, and everything else, should look.

ATHENIAN: You are following this admirably, Clinias, so pay attention to what remains. In the case of a pilot, a physician or a general, that single objective to which reason should look has been stated. And now at this stage we are examining the reason of the statesman. So, as if we were putting a question to some person, we might ask, “I wonder, my friend, what your gaze is fixed upon. What precisely is that one objective? The reason of the physician is able to provide a clear answer, so what about you, who might claim to be superior? Are you unable to answer?” Well, Megillus and Clinias, can you speak on his behalf, providing a definition, just as I have given you definitions so often on behalf of others, and tell me what precisely you say this objective is? 963 b

CLINIAS: Not at all, stranger.

ATHENIAN: What is it that we should be eager to discern, both in itself and in what forms?

CLINIAS: What do you mean by its forms?

ATHENIAN: For instance, when we say that there are four forms of excellence, it is obvious that we must be stating that each, individually, is one.

CLINIAS: Indeed.

ATHENIAN: And, indeed, we refer to them all as one, as though they were in reality not many but just this one thing, excellence. For we say that courage is excellence, and wisdom is excellence, and so are the other two. 963 d

CLINIAS: Very much so.

ATHENIAN: Well, it is not difficult to say how these two differ from one another and have acquired two names, as have the others. However, it is still no easy matter to explain why we call them both, and the others too, by one name, excellence.

CLINIAS: How do you mean?

ATHENIAN: It is not difficult to explain my meaning. Let’s divide the roles of questioner and answerer between us.

CLINIAS: Again, what do you mean?

ATHENIAN: You are to ask me why exactly we refer to them both as one thing, excellence, and then again say that there are two things, courage and wisdom. I shall tell you the reason. It is because one of them, namely courage, involves fear, and even wild beasts have a share in this one, and so does the behaviour even of very young children. For the soul can become courageous in the course of nature without reasoning. However, in the absence of reasoning, no soul ever is, has been, or will be wise and possessed of reason. That’s the difference. 963 e

CLINIAS: True.

ATHENIAN: Well, you have now received an account from me explaining the way in which they differ and are two. You should now give me an account, in return, of the way in which they are the same and are one. Bear in mind that you will also have to tell me how, although they are four, they are also one. And once you have shown how they are one, you must ask me in turn how they are four. After that, we should consider someone who has an adequate knowledge of anything at all which has a name, and, what’s more, also possesses an account. Could he possess knowledge only of the name while being ignorant of the account? Or would it be a disgrace for anyone of any consequence to be ignorant of everything of this sort when dealing with the most important and exalted matters? 964 a

CLINIAS: Apparently so.

ATHENIAN: For a legislator or guardian of the law, or someone who thinks that he is superior to everyone else in terms of excellence, and has been rewarded for such achievements, is there anything of greater importance than these very qualities we are now discussing – courage, sound-mindedness, justice and wisdom?

CLINIAS: No, how could there be?

964 c ATHENIAN: Then, consider the interpreters, teachers and lawgivers, the very guardians of everyone else in relation to these matters. What if someone lacked understanding and knowledge, or needed to be punished or rebuked for certain transgressions? Shouldn't the one who can teach him the power of evil and excellence, and who can explain this comprehensively, be preferred to anyone else? Or could some poet who has just arrived in the city, or someone claiming to be an educator of the young, prove himself superior to a person who has triumphed in all excellence? Tell me this, then. In a city like that, where there are no guardians competent in word and deed, with an adequate understanding of excellence, would it be surprising if such a city, devoid of guardianship, suffered the fate experienced by so many cities nowadays?

964 d CLINIAS: No, probably not.

ATHENIAN: Well then, are we to do what we are now suggesting, or what? Are we to provide our guardians, in word and in deed, with a greater perfection in excellence than everyone else? Or how else will our city resemble the head and the senses of wise folk who have acquired an internal guardianship of this sort?

CLINIAS: How, stranger, are we to understand this likeness, and in what does this consist?

964 e ATHENIAN: The city itself is, of course, the torso of the body, and at the very top, so to speak, are the young guardians who have been selected because they are especially gifted. And being thoroughly quickwitted, they survey the entire city, and as they watch they commit whatever they observe to memory and act as sources of information for the elders on every aspect of civic affairs. These elders, who are likened to reason for their exceptional wisdom in so many matters of importance, are to deliberate, and using the younger members as assistants and advisers, they co-operate together, acting as true saviours of the whole city. Is this how we say things should be, or should we make some other arrangements? Are all our citizens to have a similar upbringing and education, with no one receiving a more exacting education than anyone else?

CLINIAS: Heavens, no. That's impossible.

965 b ATHENIAN: Then we should move on to an education that is more rigorous than previously described.

CLINIAS: Probably.

ATHENIAN: Could the education we began to touch upon just now turn out to be the one we have need of?

CLINIAS: Yes, indeed.

ATHENIAN: Didn't we say that the supreme craftsman or guardian in any sphere must have the ability not alone to look towards multiplicity, but also to press on to recognise the one, and, having recognised that, to arrange everything else while keeping the one in view?

CLINIAS: And we were right to say so.

965 c ATHENIAN: Now, could anyone get a more exact vision and perspective in relation to anything, without being able to look from multiplicity and dissimilarity towards one form?

CLINIAS: Probably not.

ATHENIAN: It is not probable, my friend. It really is the case that no method more certain than this is available to any of us humans.

CLINIAS: I believe you, stranger, and I do agree. So, we should proceed to discuss the matter in these terms.

ATHENIAN: So, it seems that we must compel the guardians of our divine constitution too, first and foremost, to discern with precision whatever is the same through all four of these, being one and the same in courage, in sound-mindedness, in justice and in wisdom, and rightly called according to us by one name, excellence. To this, my friends, we must if you please hold fast, and not let go until we have stated adequately what precisely it is that we should look to. Is it one, is it a whole, is it both? Or what exactly is it by nature? Or if this evades us, do we think we shall ever properly understand anything about excellence, when we will be unable to say whether it is multiple or fourfold or one? So, if we are to heed our own advice, we shall arrange somehow or other that this knowledge is present in our city. But we also need to decide whether or not to abandon the entire consideration. 965 d 965 e

CLINIAS: By the god of strangers, stranger, the last thing we should do is to abandon such a consideration, since you seem to us to be making perfect sense. But how might all this be arranged?

ATHENIAN: We are not yet in a position to say how we should arrange this. We should first ascertain, by agreement among ourselves, whether this consideration is necessary or not. 966 a

CLINIAS: Why, yes it is, provided this can actually be done.

ATHENIAN: Well then, what about the fair and the good? Are we to adopt the same view? Should our guardians recognise only that each of these is multiple, or should they also know how and in what respect each is one?

CLINIAS: It seems more or less essential that they should also understand how each is one.

ATHENIAN: Well, although they understand this, might they be incapable of demonstrating their understanding verbally? 966 b

CLINIAS: Impossible. You are describing the condition of some slave.

ATHENIAN: And does the same argument of ours apply to all matters of importance? Must those who really are to act as guardians set over the laws really understand the truth about them and be capable of expounding them verbally, and adhering to them in practice, judging what actions are noble by nature, and what actions are not?

CLINIAS: Of course.

ATHENIAN: Now, one of the most exalted matters, one that we dealt with seriously already, is the subject of the gods. It is important to know, as far as humanly possible, that the gods exist, and the obvious extent of their supreme power. And although we may forgive most of our population if they adhere merely to the letter of the law, we should exclude, even from candidacy as a guardian, anyone who does not work hard at acquiring total faith in the existence of the gods. And this exclusion involves never selecting someone as a guardian of the law who is not divine and who has not worked hard in that direction, and is not even included among those who are recognised for their excellence. 966 c 966 d

CLINIAS: Yes, as you say, it is only right that someone who is reluctant or unable to engage with such matters should be kept well away from the ranks of the good.

ATHENIAN: Now, do we know of two factors leading to belief in the gods, among those we described previously?

CLINIAS: Which two?

ATHENIAN: One was our statement about the soul, when we said that soul is the most ancient and most divine of all things, whose motion once it gets underway provides ever-flowing existence. The other one concerns the regular movement of the stars and other bodies under the control of reason, which has brought order to the universe. For no one, beholding all this with an attentive and trained eye, has ever turned out to be an ungodly person, affected in 966 e

967 a the way that most people expect. Quite the contrary. In fact, it is commonly believed that those who study such matters are rendered ungodly by astronomy and the other related sciences, through observing events that occur by strict necessity rather than by the intention of a will concerned with accomplishing good.

CLINIAS: And what is the actual situation?

967 b ATHENIAN: Well, as I said, the situation nowadays is the reverse of what it was when those who consider these bodies thought that they were soulless. Yet, even in those days a sense of wonder crept in, and people who studied them in detail suspected the truth of the view, now held, that if these were devoid of soul they could never have employed such wonderfully accurate calculations, since they would not have possessed reason. And some people, even then, dared to suggest this very doctrine, and say that it is reason that brings order to every-
967 c thing in the heavens.⁵ But these same thinkers fell into error once again by thinking that soul, which is older than body, is in fact younger, and they, so to speak, overthrow everything again, and more to the point, overthrow themselves. For based upon the evidence of their eyes, everything moving in the heavens seemed to them to be composed of earth and stone and many other soulless bodies, even though these constitute the causes of the entire universe. These views led at the time to constant charges of atheism against such thinkers,
967 d and great unpopularity too, and indeed the poets took to slandering those who engage in philosophy by comparing them to dogs howling at the moon and saying other silly things. But nowadays, as I said, the situation is the complete opposite.

CLINIAS: In what way?

ATHENIAN: It is not possible for any of us mortal humans ever to attain constant reverence for the gods, unless the person understands these two statements: that in the realm of things that come to birth, soul is the oldest, is immortal, and is indeed the ruler of all material bodies. Furthermore, he should understand the statement repeated so often, that reason, belonging
967 e to things that are, is present among the heavenly bodies. And he should also understand the necessary subjects that precede these, and having observed their connection with music, apply this in a fitting manner to the practical regulation of human behaviour. And in cases
968 a where an explanation is possible, he should be able to give the appropriate account. But whoever is unable to master all this, in addition to the commonplace excellences of the populace, would never be up to the task of ruling the whole city, and should instead assist others in that function. Well, Megillus and Clinias, we should now consider whether, in addition to all the laws we have described already, we should also add this law making legal provi-
968 b sion for the Nocturnal Council of rulers, with the special education we have described, to act as a guardian and protector. Or how should we proceed?

CLINIAS: Of course we must make this addition, my friend, if we are up to the task of doing so at all.

ATHENIAN: In that case, let us, one and all, strive towards this objective. I shall be your eager assistant because of my considerable experience in such matters, and extensive study, although I may find other collaborators.

CLINIAS: Well, stranger, this is the way that the god is leading us, so this certainly is how we should proceed. But we should now discuss and explore the correct approach to be adopted here.
968 c

ATHENIAN: It is not yet possible, Megillus and Clinias, to legislate on such matters. Only when the council has been set up should we pass laws concerning the extent of their authority. At this stage, these arrangements can only be made, if they are to be made correctly, through instruction combined with constant application.

CLINIAS: In what way? What do you mean by this?

968 d ATHENIAN: First, of course, a list of names is to be drawn up of those who are of a suitable age, learning ability, character and habits for the role of guardian. Subsequent to this it is not

easy to discover what subjects should be learned, or to become a pupil of someone else who has discovered them. What's more, it would be futile to specify in writing the sequence in which the various subjects should be taken up, or the duration of the study. Indeed, it would not become evident, even to the very people who are learning them, what it is appropriate to learn until knowledge of what is being learned somehow arises within the soul of each. Accordingly, while it would hardly be right to say that none of these matters is capable of verbal expression, they certainly cannot be formulated in advance, since advance formulation clarifies nothing of what they contain. 968 e

CLINIAS: In that case, stranger, since this is how matters stand, how should we proceed?

ATHENIAN: Well, my friends, we are, it seems, in the middle with the crowd, as the saying goes, and since we are prepared to take risks with the entire constitution – that the dice may, as they say, turn up a triple six or three ones – that's what we should do. I shall share the danger with you by stating and elaborating my own views on education and upbringing, which have now been set in train once more by our discussion. But the danger is quite significant and quite beyond comparison. So I encourage you, Clinias, to attend to this at least. For once you have established the city of the Magnesians, or whoever else the god names it after, fame will be yours if you establish this in the right way, or at the very least you shall inevitably get a reputation for courage, unparalleled among subsequent generations. 969 a

If this divine council of ours comes into existence, my dear companions, the city must be entrusted to its care, and there will be hardly any dispute at all on this matter from any modern lawgiver. Then we shall attain the finished waking reality of the dream we dealt with a while ago in our discussion, when we somehow constructed an image depicting the co-operation of reason and the head. For once our members have been meticulously selected, educated as they should be, and then installed in the National Acropolis, they would prove to be guardians like none we have ever seen before in our lives for their excellence as protectors. 969 b

MEGILLUS: My dear Clinias, based upon all that has been said, we must either bid farewell to the idea of founding the city, or else retain the services of this stranger here, by entreaty or any means at our disposal, and make him co-operate with us in the foundation of the city. 969 c

CLINIAS: Very true, Megillus. I shall do as you ask and you should assist me.

MEGILLUS: Assist you I will.

⁵ This is likely to be a reference to the preSocratic philosopher Anaxagoras, whose influence upon Socrates is described in Plato's *Phaedo*.