# LEO STRAUSS

# PLATO'S *LAWS*

A course offered in 197l-72 at St. John's College, Annapolis

Edited by Lorraine Pangle

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# Editor's Introduction

## Plato's *Laws*: Two Courses by Leo Strauss

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It is a pleasure to be able to help make Strauss's two courses on the *Laws* available to a wider audience. This is a dialogue to which Strauss devoted great time and thought, beginning around 1930, continuing through the courses he taught in the fall of 1959 at the University of Chicago and of 1971 at St. John's College, and culminating in one of his last books, *The Argument and the Action of Plato's Laws*, published shortly after his death in 1973 by the University of Chicago Press and reissued in 1988. Strauss's encounter with the *Laws* was a key moment in his rediscovery of esoteric writing, provoked by his ponderings on Avicenna's strange statement that the *Laws* is *the* work of ancient philosophy on the subject of prophecy or revelation. Prophecy hardly seems to be a major theme of the *Laws*, but this comment of Avicenna's proved to be a golden thread that led Strauss through the labyrinth of that work and into its deepest recesses. All of his subsequent studies of political philosophy, both ancient and modern, owe a great deal to the hermeneutical skills that Strauss developed in studying the *Laws* in light of the illuminating comment of Avicenna's.

*The Argument and the Action of Plato's Laws* is a painstakingly close and detailed commentary. Full of trenchant observations and significant signposts, useful in drawing together many of the disparate threads of this longest and highly perplexing Platonic dialogue, *The Argument and the Action* is nonetheless a dense and difficult work in its own right, at times not easy to distinguish from a most careful summary. For anyone undertaking a study of the *Laws* and especially for those doing so for the first time, these course transcripts will provide a helpful supplement to that book and perhaps an even better beginning point. Of the two courses, the 1959 course gives a uniform treatment of all twelve books of the *Laws* as well as of the *Minos,* with interesting brief observations on every section. The 1971 course, by contrast, gives a much fuller treatment of the first six books of the *Laws*, with the exception of 690e-99d, which was apparently covered in a class session that was not recorded, followed by highlights of the last six books. The 1971 course also offers two extended sets of reflections, the first on the scope and central themes of the *Laws* and the second on the possibility of recovering a Platonic understanding of nature, which may be of special interest to readers seeking perspective on the whole of Strauss's thought.

First, through the first several classes of the 1971 course, Strauss gradually, layer by layer, builds up an intriguing introduction to this work and its place in the Platonic corpus. He begins with Avicenna's comment that the *Laws* is the work on prophecy and with Farabi's wonderful story of the hermit or pious ascetic who escapes persecution by

speaking the truth, but in such a way as to prevent the guard at the city gate from believing him. Planting these two seeds, Strauss then highlights the importance of the profound theme of divine inspiration in the opening of the dialogue, but he also draws striking contrasts between the *Laws* and Plato's Socratic dialogues in ways that suggest a limited scope and lower theme for the *Laws.* The *Laws* tells of what Socrates *might* have done if he had not gone to his death at age seventy but instead had fled Athens and had turned up incognito in another Greek city: it is a dialogue that Socrates never had time for in his lifetime, but might have had if he had had occasion to talk about laws with two Dorian strangers. The interlocutors of the dialogue are not only Dorians unacquainted with philosophy but are old men, and as such most unpromising students of philosophy, unlike Socrates's sophisticated, open-minded, passionate young interlocutors in such dialogues as the *Republic* and *Phaedrus*. Strauss thus stresses both the conservative character of the dialogue and its subphilosophic theme.

However, if the theme of the *Laws* is law, it is necessary to explore the question of what law is at its core and at its highest or best. Law is somehow that which "wishes to be knowledge of what is," or philosophy, but in this it does not succeed; law is also that which obviously and publicly proclaims itself to be binding on us and demands our unquestioning obedience. The very inquiry into what law is, therefore, is paradoxically subversive, even more so than the inquiry into what justice is. Understanding the relation of law or *nomos* to reason or *logos* leads us into the claim that law is of divine origin and thence into the whole problem of reason and revelation. Assessing the rationality of laws requires freedom of speech, but that freedom of speech must be made safe. To that end, the Athenian in Book 1 says that a healthy city will institute a law of laws, forbidding questioning the laws with the sole exception that citizens over the age of fifty who have an improvement to propose may do so privately to the magistrates. In such a spirit of cautious but dogged public-spiritedness, the three interlocutors then wade intrepidly into a dialogue with the gods about the aim of law. In the course of doing so the Athenian in Book 2 proclaims another and deeper law of laws, to which he allows no exceptions: the law that requires all to proclaim the convergence of virtue with happiness. Again, however, to point to the unquestionable status of this teaching is paradoxically to invite and even demand that the reader reflect on what makes this teaching so essential. It is at just this point in his analysis of the unfolding argument of the *Laws* that Strauss points out that the Athenian's two elderly interlocutors do not and cannot fathom the full meaning of all that the Athenian is saying. Reverence for the law thus leads the reader if not the interlocutors by a direct if dimly lit path into the deepest recesses of political philosophy. The *Laws* is a dialogue of the very highest order.

At the end of the twenty-third and beginning of the twenty-fourth sessions of the 1971 course, Strauss again takes up the question of the relation of the *nomos* to *logos* and the persistent, insuperable tension that Plato suggests exists between the city as such and philosophy as such. He points out that the *Republic*'s solution of philosopher kings and the modern project of reconceiving of science as a tool for the relief of man's estate both fall short of solving the problem, both in different ways in fact demonstrating its intractability. But then Strauss raises the interesting question of the status of this Platonic insight. How can the tension between the human political community and philosophy be

a necessary, permanent tension if humanity itself is not permanent? Did Plato, as Lucretius suggests, illegitimately assume the permanence of the human race, and if so—if indeed, as Strauss thinks, there almost certainly will *not* always be human beings—how great a problem does that present for Plato's philosophy? Is Plato still justified in speaking of necessities? Do necessary truths and forms not depend on the existence of a mind that can hold these truths and forms within it? But if there are no permanent necessities, can there really be nature or even a world? As Strauss asks, "Would a whole which does not harbor beings who can be aware of it . . . be a world? Would this be truly a whole?"

Strauss acknowledges that one can remain "more or less" close to Plato's thought by replacing the idea of permanent necessities with that of permanent possibilities. In this direction Allan Bloom makes the suggestion that if the beings are not permanent perhaps the "seeds of beings" are, and Walter Berns makes the related suggestion that the ideas or forms exist as "fundamental potentialities that can be realized when the material is there." Yet Strauss insists that this step does not altogether solve the problem. It was, he points out, indeed already taken as early as the medieval period, as scholars who believed in a world with a beginning and ending began to speak of permanent essences rather than permanent beings, thus already ceasing to understand Plato on his own terms. But, Strauss asks, "are not the essences in need of support by beings—say, by the divine mind?" Thus as faith in an eternal divine being waned in the modern period, history came to take the place of nature as the evidently most important context and determinant of human life, and what is highest—consciousness, thought, culture, morality—comes to sight as "essentially short-lived." Thus late modern philosophy would seem to be on strong ground in arguing that Plato was seriously limited by his ignorance that "the highest principles themselves are historical." Yet from Plato's perspective the conclusion that "the *eternal* verities are borne, supported by, the mortal human race" is, Strauss says, "essentially upside down" or "absolutely against Plato." Thus the essential nerve of Platonic thought would seem to rest on an unwarranted assumption.

Nor is it possible to jettison Platonic metaphysics and maintain his political philosophy intact. "We cannot leave it at picking out, as it were, some golden sentences from Plato which may serve us as a vehicle to sail through life because they are so evidently sound," such as "The unexamined life is not worth living," or "Death is not the greatest evil." For if the modern understanding of humanity's contingent, accidental emergence is right, if the highest principles are themselves historical, and, Strauss says: "if this is so, philosophy changes its meaning radically. It can no longer be what it was from Plato's point of view, ascent from the cave to the sun, for the simple reason that there is nothing without the cave. And therefore one cannot strictly speak of the cave. And in particular the Platonic view of the tension between philosophy and the city, which is implied in the simile of the cave, becomes untenable. This is, I think, the difficulty which I believe we must face: that it is very hard to discern a principle which would permit us to distinguish—in an expression used by a famous philosopher of history—between the living and the dead in Plato, if we call the living his moral political doctrine, and the dead his metaphysical one."

Strauss does not offer a solution to this grave problem or even make clear the degree to

which he thought it could be solved. Instead, quoting the saying of Pascal that “we know too little to be dogmatists, and too much to be skeptics,” he leaves it at gently suggesting to his students that we are all falling into a dangerous complacency if we are not seriously troubled by the problem. Such was the vigilant spirit of Strauss, ever watchful to plow up the seeds of dogmatism that he found sprouting around his own feet.

**The Leo Strauss Transcript Project**

Leo Strauss is well known as a thinker and writer, but he also had tremendous impact as a teacher. In the transcripts of his courses one can see Strauss comment on texts, including many he wrote little or nothing about, and respond generously to student questions and objections. The transcripts, amounting to more than twice the volume of Strauss's published work, will add immensely to the material available to scholars and students of Strauss's work.

In the early 1950s mimeographed typescripts of student notes of Strauss's courses were distributed among his students. In winter 1954, the first recording, of his course on Natural Right, was transcribed and distributed to students. Professor Herbert J. Storing obtained a grant from the Relm Foundation to support the taping and transcription, which resumed on a regular basis in the winter of 1956 with Strauss's course "Historicism and Modern Relativism." Of the 39 courses Strauss taught at the University of Chicago from 1958 until his departure in 1968, 34 were recorded and transcribed. After he retired from Chicago, recording of his courses continued at Claremont Men's College in the spring of 1968 and the fall and spring of 1969 (although the tapes for his last two courses there have not been located), and at St. John's College for the four years until his death in October 1973.

The surviving original audio recordings vary widely in quality and completeness, and after they had been transcribed, the audiotapes were sometimes reused, leaving the audio record very incomplete. Beginning in the late 1990s, Stephen Gregory, then the administrator of the University's John M. Olin Center for Inquiry into the Theory and Practice of Democracy funded by the John M. Olin Foundation, initiated the digital remastering of the surviving tapes by Craig Harding of September Media to ensure their preservation, improve their audibility, and make possible their eventual publication. This remastering received financial support from the Olin Center and from the Division of Preservation and Access of the National Endowment for the Humanities. The remastered audiofiles are available at the Strauss Center website: https://leostrausscenter.uchicago.edu/courses.

Strauss permitted the taping and transcribing to go forward, but he did not check the transcripts or otherwise participate in the project. Accordingly, Strauss's close associate and colleague Joseph Cropsey originally put the copyright in his own name, though he assigned copyright to the Estate of Leo Strauss in 2008. Beginning in 1958 a headnote was placed at the beginning of each transcript, which read: "This transcription is a written record of essentially oral material, much of which developed spontaneously in the classroom and none of which was prepared with publication in mind. The transcription is made available to a limited number of interested persons, with the understanding that no use will be made of it that is inconsistent with the private and partly informal origin of the material. Recipients are emphatically requested not to seek to increase the circulation of the transcription. This transcription has not been checked, seen, or passed on by the lecturer." In 2008, Strauss's heir, his daughter Jenny Strauss, asked Nathan Tarcov to succeed Joseph Cropsey as Strauss's literary executor. They agreed that because of the widespread circulation of the old, often inaccurate and incomplete transcripts and the continuing interest in Strauss's thought and teaching, it would be a service to interested scholars and students to proceed with publication of the remastered audiofiles and transcripts. They were encouraged by the fact that Strauss himself signed a contract with Bantam Books to publish four

of the transcripts although in the end none were published.

The University's Leo Strauss Center, established in 2008, launched a project, presided over by its director Nathan Tarcov, and managed by Stephen Gregory, to correct the old transcripts on the basis of the remastered audiofiles as they became available, transcribe those audiofiles not previously transcribed, and annotate and edit for readability all the transcripts including those for which no audiofiles survived. This project was supported by grants from the Winiarski Family Foundation, Mr. Richard S. Shiffrin and Mrs. Barbara Z. Schiffrin, Earhart Foundation, and the Hertog Foundation, and contributions from numerous other donors. The Strauss Center was ably assisted in its fundraising efforts by Nina Botting-Herbst and Patrick McCusker, staff in the Office of the Dean of the Division of the Social Sciences at the University.

Senior scholars familiar with both Strauss's work and the texts he taught were commissioned as editors, with preliminary work done in most cases by student editorial assistants. The goal in editing the transcripts has been to preserve Strauss's original words as much as possible while making the transcripts easier to read. Strauss's impact (and indeed his charm) as a teacher is revealed in the sometimes informal character of his remarks. Readers should make allowance for the oral character of the transcripts. There are careless phrases, slips of the tongue, repetitions, and possible mistranscriptions. However enlightening the transcripts are, they cannot be regarded as the equivalent of works that Strauss himself wrote for publication.

Nathan Tarcov, Editor-in-Chief
Gayle McKeen, Managing Editor

August 2014

**Editorial Headnote**

This transcript is based upon remastered audio files of the course. Audiofiles for 26 sessions have survived. From internal evidence, it is possible that the course had 27 sessions: the editor notes at the start of session 11 that evidently there was an intervening session in which Strauss discussed 690e-99d. If so, the audiofile, if there was one, is not extent.

The original transcript can be consulted in the Leo Strauss archive in Special Collections at the University of Chicago Library.

When the text was read aloud in class, the transcript reproduces the original Loeb version, not the text as it was read by the student. The reader occasionally corrected the Greek and those corrections have been preserved.

The text assigned in the course was Plato, *The Laws*, vols. 1 and 2, trans. R. G. Bury (Loeb Classical Library, nos. 187, 192) (Cambridge, MA: Harvard University Press, 1926).

This transcript was edited by Lorraine Pangle, with assistance from Stephanie Ahrens, Jeremy Bell, John Ellison, Matthew Giaba, Peter Walford, and Austin Walker.

**The Transcript**

**Session 1: no date**

**Leo Strauss:** A few introductory words. When I gave this seminar on the *Laws* at the University of Chicago, I had to show first the relevance of the *Laws* to students of political science or generally social science, and to justify[1] [its study] before the tribunal of social science. The gist of the justification was this—I borrow now a phrase from Marx, meaning of course Groucho [laughter]: I had to show somehow that not to read Talcott Parsons and similar people is to have a liberal education. Now here in St. John's such justifications are not necessary, and therefore I can turn immediately or almost immediately to the *Laws*, deploring that you have not yet copies. Some of you have, I see.

Now my attention was attracted to the *Laws* in particular about forty years ago when I was a student of Jewish medieval philosophy and therefore also of Islamic philosophy, because at that time their relation was slightly different from what it is now. And there I read in Avicenna that Plato's *Laws* is the standard work on the subject of prophecy, which means in that context on revelation.[i] Perhaps you will see soon that this is not altogether farfetched. And then I saw that prior to Avicenna, who lived in the eleventh century, a man who was regarded as superior to Avicenna, called Farabi, had written a paraphrase of Plato's *Laws*, a work which by now is accessible in publication together with a Latin translation. Now in the introduction Farabi tells the following story, which I will read to you:

"It has been related that a certain hermit was well known for his goodness, righteousness, asceticism and piety. He became so famous that he feared harm might befall him from the despotic ruler of the city, and so he decided to flee. The sultan issued an order for his arrest wherever he might be found. The hermit could not leave by any of the city gates, and was afraid to fall into the hands of the sultan's men. He finally, disguised as an idler, obtained a cymbal, pretended to be drunk, and early in the evening came singing to the city gate. A guard asked who he was. He answered, I am so-and-so, the hermit. The guard thought that he was joking, and so did not stop him. So he escaped without telling a lie."[ii]

Now this[2] hermit is a kind of foil for Plato. For Plato was not a hermit, and Plato was not so much concerned with never telling a lie, to put it mildly, as Farabi makes clear in the same context.[iii] But[3] I will not go into the differences between Plato and that hermit. I thought the story itself is not uninteresting. Now let us forget about the after-history of the *Laws* and turn to the *Laws* itself.

Now one word about another Platonic writing. In the Platonic dialogues, in the traditional order of them, the *Laws* is preceded by a dialogue called *Minos*. This is *the* Socratic dialogue devoted to the question, What is a law? It appears that not all laws are good, and it seems that the best

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[i] Avicenna, "On the Divisions of the Rational Sciences," in *Medieval Political Philosophy: A Sourcebook*, ed. Ralph Lerner and Muhsin Mahdi (New York: Free Press, 1963), 97.

[ii] Strauss is quoting from the first section of Al Farabi's introduction to *Compendium Legum Platonis*.

[iii] Strauss is referencing Al Farabi, *Compendium Legum*, section 2.

laws are the laws of Crete, which were given by Minos, a son of Zeus and the only one ever instructed by Zeus, the highest god. But Minos was very unjust, so it was said. To which Socrates replies: "That is an Athenian myth."[iv] The Athenians said he was an unjust man because he had defeated the Athenians in war. The net result of the dialogue seems to be this, that an Athenian looking for the best laws must go beyond the Athenian laws; he must disregard them [and] sit at the feet of Minos, who was an enemy of Athens.

Now let us come to the *Laws* itself. The *Laws* is Plato's most political book; one can say it is his only political book. The chief character in the *Laws*, called the Athenian Stranger, elaborates there a code for a city to be founded, which means he engages in political activity. In Plato's *Republic* they found a city, but only in speech, not in deed. Socrates was prevented from political activity by his *daimonion*, as he tells us in the *Apology*.[v] So that Socrates is absent from the *Laws* is not only due to the fact that the dialogue is located in Crete, and yet when reading the dialogue and watching the Athenian Stranger, we are constantly reminded of Socrates himself. When Aristotle in his *Politics* speaks of the *Laws*, he takes it for granted that these speeches here are speeches of Socrates. Now Aristotle knew the *Laws* at least as well as we do and did know that Socrates does not appear there. We can understand that perhaps as follows. In the *Crito*, Socrates answers to Crito's proposal that he should escape from prison, and he uses various arguments, one to this effect: Where should he go? If he would go to a lawabiding city nearby, he would be recognized as a fugitive from justice, and then the contrast between his speeches and his deed would discredit him completely.[vi] Or he could go to Thessaly, far away, a most lawless place, and there he would suffer from the consequences of lawlessness.[vii] The disjunction which he makes is obviously incomplete: What about lawabiding cities far away? Two were mentioned by Socrates in the *Crito*[4] in that context: Sparta and Crete.[viii] The most remote from Athens is of course Crete. So if, *per impossibile*, Socrates had followed Crito's advice, he would have gone to Crete. Now I said *per impossibile*. It's impossible, but the question is: Was Plato bound by possibility? I give you a single example to show that he was not. There is a dialogue called *Menexenus* where Socrates rehearses a funeral speech on the fallen soldiers, which was allegedly elaborated by Aspasia, the famous Aspasia. And in this funeral speech, the whole history of Athens, as we call it, was told from the beginning, from the mythical beginnings up to twelve years after Socrates's death. Now if this is not impossible, I do not know what is, and therefore[5] I think I have proved my point that Plato was not limited by the possible.

The *Laws* then take place on the island of Crete, far away from Athens. There is only one [other] Platonic dialogue which takes place outside of the walls of Athens, although in the very closest neighborhood, and that is the *Phaedrus*. The *Phaedrus* deals, we can say, with writings as writings. The laws elaborated in Plato's *Laws* are written. Perhaps that is not the only connection [between these two dialogues]. And then, a last point which I would like to make: the *Laws* is the only Platonic work which begin with the word "god" or "a god." There is one and only one Platonic work which ends with the word "god" or "a god": that is the *Apology* of Socrates. In the

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[iv] Plato *Minos* 318d.

[v] Plato *Apology* 31c-32b.

[vi] Plato *Crito* 51d-52d.

[vii] Plato *Crito* 53d-e.

[viii] Plato *Crito* 52e-53a.

*Apology*, Socrates defends himself against the charge that he was impious, that he did not worship or believe in the gods worshipped by the city. A crucial part of the *Laws* is the sketch of a new law regarding impiety, a law which would have been much more favorable to Socrates, and men of his kind, than the Athenian law was.

This much as an introduction. Now let us turn to the text, unless there is someone who would like to raise some other point. Good. Now the dialogue begins as follows (I will ask you later to read, but let me read only the very beginning): "Has a god, or some human being, strangers, taken the responsibility for the disposition of your laws?" "Strangers": there are two people, a Cretan called Clinias and a Spartan called Megillus. And the question is: Are your laws of divine or of human origin? And Clinias, the Cretan, says: "A god, stranger, a god: to say what is at any rate most just. For with us, Zeus; with the Spartans, from where this one comes, I believe they say it is Apollo." Namely, it is Apollo who gave them their laws. "Is it not so?" And the Spartan says: "Yes."[ix]

Now this is the opening. The question of the origin of the laws, of these laws. We can call both legislations, if we take them together, the Dorian laws, for convenience. Now the Dorian laws are of divine origin. How do we know this, that this assertion is true? And then the Athenian continues. Will you read? Perhaps you turn a bit to the class.

**Reader:**
ATH. Do you then, like Homer, say that Minos[x] used to go every ninth year to hold converse with his father Zeus, and that he was guided by his divine oracles in laying down the laws for your cities?
CLIN. So our people say. And they say also that his brother Rhadamanthys—no doubt you have heard his name—was exceedingly just. And certainly we Cretans would maintain that he won this title owing to his righteous administration of justice in those days.[xi]

**LS:** Ya, now let us stop here for one moment. So the Athenian asks him, and that is a kind of check on what the Cretan said: "Is the basis of what you say merely that you Cretans say it?" The Cretans were at least in later times famous as liars. I do not know at the moment whether they enjoyed that reputation already in Plato's time, but at any rate, the fact that the Cretans say it would not make it certain. Here we have some evidence from a non-Cretan source, Homer. Homer spoke of Minos being together with his father from time to time, and so on. So Homer is surely a much more ancient authority than the Cretans; whether that is a much better authority, we do not know. We learn also that according to Homer Rhadamanthys, Minos's brother, was most just. Homer does not say anything about the justice of Minos, which we must take into consideration, because if a law should be given by a legislator of questionable justice, this would cause some difficulty. Yes. Now let us go on.

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[ix] Plato *Laws* 624a. Strauss translates directly from the Greek.

[x] A mythical king of Crete.

[xi] Plato, *Laws*, trans. R. G. Bury (Cambridge: Harvard University Press, Loeb Classical Library, 1926), 3, 624a-b. The reader, Mr. Gary, uses this edition throughout.

**Reader:**
[ATH.]: Yes, his renown is indeed glorious and well befitting a son of Zeus. And, since you and our friend Megillus were both brought up in legal institutions of so noble a kind, you would, I imagine, have no aversion to our occupying ourselves as we go along in discussion on the subject of government and laws. Certainly, as I am told, the road from Cnosus to the cave and temple of Zeus is a long one, and we are sure to find, in this sultry weather, shady resting-places among the high trees along the road: in them we can rest ofttimes, as befits our age, beguiling the time with discourse, and thus complete our journey in comfort. (624b-25b )

**LS:** Ya. Now they go from Cnosus, a famous Cretan city, to the cave and sanctuary of Zeus, to the place where Minos had received his laws. They repeat what Minos had done ages ago. But on the other hand they, in contradistinction to Minos, will converse on their way, converse about government and laws. The word translated "government" is in Greek *politeia*, which, when it is used in contradistinction to "laws," means the regime, the political order proper from which the laws emanate. Yes?

**Reader:**
CLIN. True, Stranger; and as one proceeds further one finds in the groves cypress-trees of wonderful height and beauty, and meadows too, where we may rest ourselves and talk.
ATH. You say well.
CN. Yes, indeed: and when we set eyes on them we shall say so still more emphatically. So let us be going; and good luck attend us!
ATH. Amen! And tell me now, for what reason—

**LS:** Yes, "Amen" is of course a Hebrew biblical word: "So be it," yes?

**Reader:**
ATH. So be it. And tell me now, for what reason did your law ordain the common meals you have, and your gymnastic schools and military equipment?
CLIN. Our Cretan customs, Stranger, are as I think, such as anyone may grasp easily. As you may notice, Crete, as a whole, is not a level country, like Thessaly: consequently, whereas the Thessalians mostly go on horseback, we Cretans are runners, since this land of ours is rugged and more suitable for the practice of foot-running. Under these conditions we are obliged to have light armour for running and to avoid heavy equipment; so bows and arrows are adopted as suitable because of their lightness. Thus all these customs of ours are adapted for war, and, in my opinion, this was the object which the lawgiver had in view when he ordained them all. Probably this was his reason also for instituting common meals: he saw how soldiers, all the time they are on campaign, are obliged by force of circumstance to mess in common, for the sake of their own security. And herein, as I think, he condemned the stupidity of the mass of men in failing to perceive that all are involved ceaselessly in a lifelong war against all States. If, then, these practices are necessary in war,—namely, messing in common for safety's sake, and the appointment of relays of officers and privates to act as guards,—they must be carried out equally in time of peace. For (as he would say) "peace," as the term is

commonly employed, is nothing more than a name, the truth being that every State is, by a law of nature, engaged perpetually in an informal war with every other State. And if you look at the matter from this point of view you will find it practically true that our Cretan lawgiver ordained all our legal usages, both public and private, with an eye to war, and that he therefore charged us with the task of guarding our laws safely, in the conviction that without victory in war, nothing else, whether possession or institution, is of the least value, but all the goods of the vanquished fall into the hands of the victors. (625b-26b)

**LS:** One point[6] I must correct: "law of nature" or "natural law": he simply says "according to nature." There is nothing here of "law." Now what does the Athenian do? He has now been informed about the origin of the Dorian laws. Whether he has been satisfied with what was said about it, he does not say; instead he turns to a different subject. We can say he turns from the question of the origin of the laws to the question of their end or purpose. And we must see whether the two questions are wholly unrelated, as they seem to be at first, or not. Now what does he learn about them? That the Cretan legislator considered of course the nature of the territory, that goes without saying. But the overriding point of view is war, because as he puts it, there is continuous lifelong war of all cities against all other cities: a war not of everybody against everybody, as Hobbes has it, but of every city against every other city. And that is in both cases by nature. Peace is only a name; what is in fact, what is in nature is war, even if the war is slightly disguised from time to time by armistices and peace treaties. And the proof which Clinias gives of the soundness of[7] [this] view is that whatever the vanquished possess, whatever good things they possess, becomes the possessions of the victors. Victory in war is the condition, the sufficient condition, of all good things. Well, I suppose although you have been brought up in this country, you have heard of such views,[8] which were quite powerful in many countries at many times. Some of you have read the dialogue between the Athenian ambassadors and the Melians in Thucydides where a similar view is expressed, although there not at the beginning and [not] as abruptly expressed as it is expressed here. And we must now see what the Athenian has to say about this understanding of the proper end of laws.

**Reader:**
ATH. Your training, Stranger, has certainly, as it seems to me, given you an excellent understanding of the legal practices of Crete.

**LS:** The word which he uses, "training," is *gymnastai*, the same word as in *gymnasia*, you know? Gymnasia. "Stripping" is the root of the word. You strip for bodily exercize and there is also a kind of stripping going on in intellectual pursuits. The best known form of that stripping is of course an examination, where students are stripped of all pretences to knowledge which are not borne out by fact. Yes?

**Reader:**
ATH. But tell me this more clearly still: by the definition you have given of the well-constituted State, you appear to me to imply that it ought to be organized in such a way as to be victorious over all other States. Is that so?
CLIN. Certainly it is, and I think that our friend here shares my opinion.
MEG. No Lacedaemonian, my good sir, could possibly say otherwise.

**LS:** So you see, he is in a way a very modest man. He is just one Spartan among many; he doesn't say anything which could not be said by every other Spartan. Yes?

**Reader:**
ATH. If this, then, is the right attitude for a State to adopt toward a State, is the right attitude for a village towards a village different?
CLIN. By no means.
ATH. It is the same, you say?
CLIN. Yes.
ATH. Well then, is the same attitude right also for one house in the village towards another, and for each man towards every other?
CLIN. It is. (626b-c)

**LS:** Yes, now let us stop here for one moment. Is there not something strange in the way in which the Athenian takes issue with the Cretan's assertion that the proper end of the city is superiority in war? He says if this is so, then the proper end for the individual too must be war, i.e., superiority in battle to every fellow citizen. Ordinarily the people who are in favor of war would of course say you must have internal peace in order to be able to wage war successfully against the outsiders. This apparently was not recognized by the Greek thinkers. What is good for the city, for the community, what is the end for the city or the community, must also be the end for the individual. In modern times, the people who wrote about this do not accept this view. By the nature of things, there is a different end possible and necessary for the state, as they say, than for the individual. I think we must think a bit about that. But here at any rate, the Athenian has no difficulty because the Cretan fully agrees with him in this respect: that the end for the city is the end for the individual. And therefore war of everybody against everybody, of every individual as against every other individual, is as natural as a war of every city against every other city. Now let us see how he goes on from here.

**Reader:**
ATH. And must each individual man regard himself as his own enemy? Or what do we say when we come to this point?

**LS:** Ya, now he goes further: since the individual is not simply an individual, indivisible, but has parts, must there not also be war within each individual and therefore the possibility of victory? Yes?

**Reader:**
CLIN. O Stranger of Athens,—for I should be loth to call you a man of Attica, since methinks you deserve rather to be named after the goddess Athena, seeing that you have made the argument more clear by taking it back to its starting-point; whereby you will the more easily discover the justice of our recent statement that, in the mass, all men are both publicly and privately the enemies of all, and individually also each man is his own enemy. (626d)

**LS:** Yes. Now he says the Athenian has brought back the argument "to the beginning,"[9] meaning

here [that] he has brought it back from the city to the individual. Yes?

**Reader:**
ATH. What is your meaning, my admirable sir?

**LS:** No, I think one must take this more literally: "Oh, most strange." Yes? The Athenian is somewhat surprised by this conclusion, the last one, of the Cretan. He does not quite mean what the Cretan has in mind. That becomes clear from the sequel.

**Reader:**
CLIN. It is just in this war, my friend, that the victory over self is of all victories the first and best, while self-defeat is of all defeats at once the worst and the most shameful. For these phrases signify that a war against self exists within each of us.

**LS:** He brings an argument from general usage: self-superiority and self-inferiority; victory over oneself or defeat in oneself; self-control or lack of self-control. Self-control is praised; self-rule is praised, as he says, as the first and most beautiful victory. And if victory, then war. There must be war within the individual, and therefore the rule of war is truly universal. [There is] no individual, no association of any kind, which is not torn by war.

**Reader:**
ATH. Now let us take the argument back in the reverse direction. Seeing that individually each of us is partly superior to himself and partly inferior, are we to affirm that the same condition of things exists in house and village and state, or are we to deny it?
CLIN. Do you mean the condition of being partly self-superior and partly self-inferior?
ATH. Yes. (626e-27a)

**LS:** Do you understand the question? Because the phrases are not so common to us in English as they[10] were in Greek. If there is such a thing as superiority over oneself, in the case of the individual, would this not be true also of the associations, and especially of the *polis*? Yes—

**Reader:**
CLIN. That, too, is a proper question; for such a condition does most certainly exist, and in States above all. Every State in which the better class is victorious over the populace and the lower classes would rightly be termed "self-superior," and would be praised most justly for a victory of this kind; and conversely, when the reverse is the case. (627a)

**LS:** So in other words, this fact, which goes together very easily in the mind of the Cretan: a warlike society which claims to be an aristocracy, where the better people keep down the inferior people. These two things, these are different points of view but they are not contradictory. Yes?

**Reader:**
ATH. Well then, leaving aside the question as to whether the worse element is ever superior to the better (a question which would demand a more lengthy discussion),

what you assert, as I now perceive, is this,—that sometimes citizens of one stock and of one State who are unjust and numerous may combine together and try to enslave by force those who are just but fewer in number, and wherever they prevail such a State would rightly be termed "self-inferior" and bad, but "self-superior" and good wherever they are worsted.
CLIN. This statement is indeed most extraordinary—

**LS:** This is what the Cretan says, ya? Yes?

**Reader:**
CLIN. This statement is indeed most extraordinary, Stranger; none the less we cannot possibly reject it. (627b-c)

**LS:** Why is it strange, that statement? I believe because it implies that there can be victories which are *bad*. The previous assumption was [that] victory as such is good. But now we learn that victory of the wrong people is bad. Therefore victory as such cannot be good.

**Reader:**
ATH. Stay a moment: here too is a case we must further consider. Suppose there there were a number of brothers, all sons of the same parents.

**LS:** Of the same parents, ya.

**Reader:**
ATH. It would not be at all surprising if most of them were unjust and but few just.
CLIN. It would not.
ATH. And, moreover, it would ill beseem you and me to go a-chasing after this form of expression, that if the bad ones conquered the whole of this family and house should be called "self-inferior" but "self-superior" if they were defeated; for our present reference to the usage of ordinary speech is not concerned with the propriety or impropriety of verbal phrases but with the essential rightness or wrongness of laws.

**LS:** Ya, literally, "but with the rightness or wrongness of the laws," "wrongness or rightness according to nature." So in other words, we[11] are not concerned with, as they say now, semantics but with laws and their natural rightness or wrongness. Clinias—

**Reader:**
CLIN. Very true, Stranger.
MEG. And finely spoken, too, up to this point, as I agree. (627c-d)

**LS:** Ya, the Spartan now speaks again. He speaks very rarely. With this point he agrees, that the concern with words is negligible in importance compared with the concern with the rightness of the laws. Athenian—[12]since they don't have the books, you must always say who is the speaker. Ya? Well, they are indicated, Clinias or Megillus. Yes?

**Reader:**

ATH. Let us also look at this point: the brothers we have just described would have, I suppose, a judge?
CLIN. Certainly.
ATH. Which of the two would be the better—a judge who destroyed all the wicked among them and charged the good to govern themselves, or one who made the good members govern and, while allowing the bad to live, made them submit willingly to be governed? And there is a third judge we must mention (third and the best in point of merit)—

**LS:** No, that is a wrong translation; "the third in regard to virtue," to goodness.

**Reader:**
ATH. third in regard to virtue,[xii] if indeed such a judge can be found, who in dealing with a single divided family will destroy none of them but reconcile them and succeed, by enacting laws for them, in securing amongst them thenceforward permanent friendliness.
CLIN. A judge and lawgiver of that kind would be by far the best. (627d-28a )

**LS:** We have first to consider more carefully the Athenian's last speech. He takes a family, a group of brothers, who live in a state of dissension and asks who would be the best arbiter, the best judge of them. And he mentions three kinds of arbiter. The first would kill the unjust, that is to say the majority of these brothers,[13] and would tell the better ones to rule themselves; that is to say they don't rule over anyone[14] because they have no one to rule over, the potential subjects having been killed. The second[15] says the better ones should rule, but the inferior ones should live, yet obey the better ones; and the third[16] would take the whole kingship and not destroy anyone, and make peace among them for the rest of the time, giving them laws. The question is [this]. He says the third with regard to virtue, and Clinias[17] [takes] it that the third one would be by far the best; and he calls him not only a judge or arbiter but also a legislator. The Athenian had not spoken of a legislator. What does this mean? The first two of these judges are concerned with the difference between the good and bad, between the just and unjust; and [they] either exterminate the unjust, or make them subservient to the just.

Now one could say the one who permits the unjust to live, if in subjection, is better than the one who exterminates them because, as Socrates occasionally says, who would not rather have someone as his obedient follower rather than kill him? The third of these three does not make any distinction between the just and unjust; he is guided exclusively by the fact that they are kindred, we can say, by fraternity; and he is the only one who gives laws. Now from the Athenian's point of view, I believe, the second one is the best. From the Cretan's point of view, or from most people's point of view, the third one would naturally be the best. And this is in a way the theme of the whole work: What is the status of laws? [Is the best order the rule of law, in which] the laws[18] are applied equally to all regardless of whether they are good or bad, or [the] one[19] in which the good rule and the inferior ones are kept in subjection? So the important point for the argument is this: that the Cretan has now seen (which is not too difficult to see) that if one wants to have a city strong in war, you must first have internal peace; and therefore the legislator

[xii] In the Loeb: "third and best in point of merit;" the reader adopts Strauss's correction of the translation here.

must first establish internal peace. That comes out in the next remark.

**Reader:**
ATH. But mark this: his aim, in the laws he enacted for them, would be the opposite of war.
CLIN. That is true.
ATH. And what of him who brings the State into harmony? In ordering its life, would he have regard to external warfare rather than to the internal war, whenever it occurs, which goes by the name of "civil" strife? For this is a war as to which it would be the desire of every man that, if possible, it should never occur in his own State, and that, if it did occur, it should come to as speedy an end as possible.
CLIN. Evidently he would have regard to civil war.
ATH. And would anyone prefer that the citizens should be obliged to devote their attention to external enemies after internal concord had been secured by the destruction of one section and the victory of their opponents rather than after the establishment of friendship and peace by terms of conciliation? (628a-c)

**LS:** You see, that is a simple and commonsensical point. You must first have harmony within and then you can turn against the enemies without.

**Reader:**
CLIN. Everyone would prefer the latter alternative for his own state rather than the former.
ATH. And would not the lawgiver do the same?
CLIN. Of course.

**LS:** There is a slight difference here. It does not absolutely follow that the same applies to the legislator, for the reason that the legislator may be a foreigner. You know? And then the city is not his city. Therefore it is important to make this explicit, that the same would apply also to the legislator.

**Reader:**
ATH. Would not every lawgiver in all his legislation aim at the highest good?
CLIN. Assuredly.

**LS:** At "the best"[20]. Yes?

**Reader:**
ATH. The highest good, however is neither—

**LS:** "The best." The best.

**Reader:**
ATH. The best, however, is neither war nor civil strife—which things we should pray rather to be saved from—but peace one with another and friendly feeling. Moreover, it would seem that the victory we mentioned of a State over itself is not one of the best

things but one of those which are necessary. For imagine a man supposing that a human body was best off when it was sick and purged with physic, while never giving a thought to the case of the body that needs no physic at all! Similarly, with regard to the well-being of a State or an individual, that man will never make a genuine statesman who pays attention primarily and solely to the needs of foreign warfare, nor will he make a finished lawgiver unless he designs his war legislation for peace rather than his peace legislation for war. (628c-e)

**LS:** You see, he makes here a distinction between the statesman, the *politikos*, and the lawgiver, the *nomothetēs*:[xiii] [the statesman is not] necessarily a legislator and may rule in a way not fettered by laws. This we must always keep in mind. Now the Athenian admits that in a way victory and superiority in war is preferable, but he says it does not belong to the best things but only to the necessary ones. Is this distinction clear? Why do you smile? Do you understand it?

**Student:** Because[21] no matter how good a thing might be, it can only become better by what is necessary, and—

**LS:** Ya, but what about the example of illnesses[22] and cure from illnesses, by which he illustrates the distinction between the necessary and the best? A cure from illness is not the best thing. What would be the best?

**Student:** That is if it is necessary to impose control in the case of a . . . disease which would not be necessary otherwise.

**LS:** No, may I come back to my question? Why does cure from disease not belong to the best things? What would be the best in this matter?

**Student:** Health.

**LS:** Ya, not to be sick in the first place. Yes. And the same would apply to war or civil war. Not to have civil war is the best, but if there is such a condition, then a proper solution for that is necessary. It is only a conditional good, and not in itself good.

Now the Cretan becomes aware of a difficulty which has been unspoken hitherto; as it were, only simmering. What does he say?

**Reader:**
CLIN. This statement, Stranger, is apparently true; yet, unless I am much mistaken, our legal usages in Crete, and in Lacedaemon too, are wholly directed towards war. (628e )

**LS:** Yes. So in other words, they are directed toward the wrong end. Now if this is so,[23] how would we have to judge about these Dorian laws, if they are directed toward the wrong end? Pardon?

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[xiii] There is a break in the tape at this point.

**Reader:** That they are bad.

**LS:** Yes, sure, but if they are bad, what would then follow? What is the claim raised on their behalf?

**Student:** They come from the gods.

**LS:** That they are divine. Ya, but if these laws are bad, can they be divine? That's a difficult question. But the simple solution surely would be[24] [that] they cannot be divine if they are bad. Is this not simple? Because it would really be awkward if they were divine but bad: life would be wholly miserable[25] if the gods would command certain things and yet that is bad, what they command.

So in other words, the Athenian does discuss still the question of the origin of the Dorian laws while apparently discussing only their intrinsic goodness or badness, I mean, arguing on this premise: what is bad cannot be of divine origin. Ya? And this is more manageable, this discussion, than the one regarding the origins, because in the question of the origins you would have to go through all kinds of stories told, you know, and the many contradictions, and you would have to become a kind of historical critic and that is an infinite business, whereas this question seems to be capable of being handled without historical criticism, at any rate. But this comes now gradually to the fore, the conflict between the Athenian and the Dorians regarding the quality of the Dorian laws. And this will be solved in the course of the first book, but it has not yet come to the fore clearly. Now?

**Reader:**
ATH. Very possibly; but we must not now attack them violently, but mildly interrogate them, since both we and your legislators are earnestly interested in these matters.

**LS:** Yes. So this admonition to be gentle is necessary because such discussions are likely to lead to the opposite of gentleness. If the venerable institutions of one's community are challenged, the first reaction of decent people is to condemn the critic, and especially if he is a foreigner in addition, as is here the case. Yes?

**Reader:**
ATH. Pray follow the argument closely. Let us take the opinion of Tyrtaeus (an Athenian by birth and afterwards a citizen of Lacedaemon), who above all men, was keenly interested in our subject. This is what he says: "Though a man were the richest of men, though a man possessed goods in plenty (and he specifies nearly every good there is), if he failed to prove himself at all times most valiant in war, no mention should I make of him, nor take account of him at all." No doubt you also have heard these poems; while our friend Megillus is, I imagine, surfeited with them.
MEG. I certainly am. [Laughter]
CLIN. And I can assure you they have reached Crete also, shipped over from Lacedaemon. (629a-b)

**LS:** So here we have this order: first, he was[26] by birth an Athenian; so Athens, then Sparta, then

Crete. Regarding the laws, it is just the reverse order. The old[est] is the Cretan, then the Spartan, and then the Athenian. This throws some light on the whole situation here. The reflection comes later and that has something to do with Athens. Now Tyrtaeus: he is an Athenian expatriate; he became a Spartan citizen, and[27] wrote poems in the Spartan spirit. Now what he does now is this: he must[28] reach some form of decision, but a decision explicitly directed against the Dorian legislators is not yet in place, and so he takes a defensible substitute: a private citizen who was not[29] even by birth a Dorian, a mere poet. He does something similar to Socrates, who likes to criticize the poets rather than the stories embodied in Athenian worship, the poets being private men, men without true authority. Yes?

**Reader:**
ATH. Come now, let us jointly interrogate this poet, somehow on this wise: "O Tyrtaeus, most inspired of poets (for assuredly you seem to us both wise and good in that you have eulogised excellently those who excel in war), concerning this matter we three—Megillus, Clinias of Cnosus and myself—are already in entire accord with you, as we suppose; but we wish to be assured that both we and you are alluding to the same persons. Tell us then: do you clearly recognise, as we do, two distinct kinds of war?" In reply to this I suppose that even a much less able man than Tyrtaeus would state the truth, that there are two kinds, the one being that which we all call "civil," which is of all wars the most bitter, as we just said now, while the other kind, as I suppose we shall all agree, is that which we engage in when we quarrel with foreigners and aliens—a kind much milder than the former.
CLIN. Certainly.
ATH. "Come then, which kind of warriors, fighting in which kind of war, did you praise so highly, while blaming others? Warriors, apparently, who fight in war abroad. At any rate, in your poems, you have said that you cannot abide men who dare not 'face the gory fray and smite the foe in close combat.'" Then we should proceed to say, "It appears, O Tyrteaus, that you are chiefly praising those who achieve distinction in foreign and external warfare." To this, I presume, he would agree, and say "Yes"?
CLIN. Of course.
ATH. Yet, brave though these men are, we still maintain that they are far surpassed in bravery by those who are conspicuously brave in the greatest of wars; and we also have a poet for witness—Theognis (a citizen of Sicilian Megara), who says: "In the day of grievous feud, O Cyrnus, the loyal warrior is worth his weight in silver and gold." Such a man, in a war much more grievous, is, we say, ever so much better than the other—nearly as much better, in fact, as the union of justice, prudence and wisdom with courage is better than courage by itself alone. For a man would never prove himself loyal and sound in civil war if devoid of goodness in its entirety; whereas in the war of which Tyrtaeus speaks there are vast numbers of mercenaries ready to die fighting "with well-planted feet apart," of whom the majority, with but few exceptions, prove themselves reckless, unjust, violent, and pre-eminently foolish. What, then, is the conclusion to which our present discourse is tending, and what point is it trying to make clear by these statements? Plainly it is this: both the Heaven-taught legislator of Crete and every—

**LS:** Yes, "from Zeus"; "the legislator sent from Zeus," you could say. Yes?

**Reader:**
both the legislator sent from Zeus of Crete and every legislator who is worth his salt will most assuredly legislate with a single eye to the highest goodness and to that alone; and this (to quote Theognis) consists in "loyalty in danger," and one might term it "complete righteousness." But that goodness which Tyrtaeus specially praised, fair though it be and fitly glorified by the poet, deserves nevertheless to be placed no higher than fourth in order and estimation. (629b-30b)

**LS:** Yes, let us stop there for a moment. So what the Athenian has done is this: he has brought forth Tyrtaeus, the Spartan poet who praises the brave in foreign war, and has opposed to him Theognis, a colonial from Sicily who has praised still more highly the man who shows his mettle in civil war, in civil strife. And[30] civil war is much more war than external war; it is the greatest war, as is said. And therefore it requires the greatest virtue. What happens is that with the bringing in of the poets, the question is no longer war and peace simply, as it was before, but virtue, of which the Spartan and Cretan have not spoken at all. But the poets praise and blame, and that means their chief concern is with virtue and vice. And here you see [that] Tyrtaeus, the Spartan, as it were praise courage most highly and forgets about the other virtues.[31] [Theognis] praises most highly the greatest virtue, which he calls also complete justice, and which consists of four virtues combined: justice, moderation, good sense, and courage. Courage is the lowest of the four, and that is to some extent proven by the fact that in a way mercenaries are very courageous men, and they lack every virtue, even courage proper. All four virtues are mentioned here, in the negative way: overbold, unjust, insolent and unreasonable, in 630b6 to 7. And[32] so the legislator—any legislator who deserves the name and of course the legislator sent from Zeus in particular—will have given his laws with a view to[33] complete virtue, rather than to the least significant one. So the Athenian has shown by this remark about Zeus again that he is not taking issue with the divine legislators; he is taking issue only with Tyrtaeus, or with Clinias, to whom he turns. But Clinias sees that this is not so. What does he say?

**Reader:**
CLIN. We are degrading our own lawgiver, Stranger, to a very low level!

**LS:** Yes. "We throw him away to the far-out"—legislators. Yes? To Outer Mongolia, as it were. So he sees that this is a criticism of the allegedly divine lawgivers. The Athenian replies?

**Reader:**
ATH. Nay, my good Sir, it is ourselves we are degrading, insofar as we imagine that it was with a special view to war that Lycurgus and Minos laid down all the legal usages here and in Lacedaemon.

**LS:** You see, the Athenian denies that he criticizes the legislators: he criticizes only a wrong interpretation of the legislation, the accepted interpretation. He appeals as it were from the tradition to the scripture, scripture in this case being what Zeus[34] or Minos and Lycurgus said. On the other hand, he speaks here only of Lycurgus and Minos and does not speak here of Zeus and Apollo. Yes. So hitherto the Athenian has avoided the unpleasantness[35] [of having] to criticize the laws themselves. He has criticized an unauthoritative poet, and he has criticized an accepted interpretation[36] of the legislation, which of course is not the legislation itself. Now[37]

Clinias is very eager to hear how he should have spoken about the Cretan legislators, how he should have[38] [replied] to the Athenian's initial question, and the Athenian will give him a very detailed, if not easy, reply. But before we come to that, is there any point any one of you would like to take up? So?

**Reader:**
CLIN. How, then, ought we to have stated the matter?
ATH. In the way that is, as I think, true and proper when talking of a divine hero. (630d)

**LS:** Yes, "true and just." At the beginning Clinias had given an answer regarding the origin of the Cretan legislation, an answer which was "most just," which did not even claim to be true. We will later on get a full explanation of what that means, "most just." But the Athenian would wish him to have given an answer which was both true and just. Yes?

**Reader:**
ATH. That is to say, we should state that he enacted laws with an eye not to some one fraction, and that the most paltry, of goodness, but to goodness as a whole, and that he devised the laws themselves according to classes, though not the classes which the present devisers propound. For everyone now brings forward and devises just the class which he needs: one man deals with inheritances, and heiresses, another with cases of battery, and so on in endless variety. But what we assert is that the devising of laws, when rightly conducted, follows the procedure which we have now commenced. Indeed, I greatly admire the way you opened your exposition of the laws; for to make a start with goodness and say that that was the aim of the lawgiver is the right way. But in your further statement—

**LS:** You see, now Clinias of course never did such a thing.[39] The Athenian educates him by praising him lyingly, yes? That's easier to accept for him, obviously. Yes?

**Reader:**
ATH. But in your further statement that he legislated wholly with reference to a fraction of goodness, and that the smallest fraction, you seemed to me to be in error, and all this latter part of my discourse was because of that. What then is the manner of exposition I should have liked to have heard from you? Shall I tell you? (630d-31b)

**LS:** Yes, now he gives him an example of how one should answer such questions. Yes?

**Reader:**
CLIN. Yes, by all means.
ATH. "O Stranger," (thus you ought to have said), "it is not for nothing that the laws of the Cretans are held in superlatively high repute among all the Hellenes. For they are true laws inasmuch as they effect the well-being of those who use them by supplying all things that are good. Now goods are of two kinds, human and divine; and the human goods are dependent on the divine, and he who receives the greater acquires also the less, or else he is bereft of both. The lesser goods are those of which health ranks first, beauty

second; the third is strength, in running and all other bodily exercises; and the fourth is pwealth—no blind god Plutus, but keen of sight, provided that he has wisdom for companion. And wisdom, in turn, has first place among the goods that are divine, and rational temperance of soul comes second; from these two, when united with courage, there issues justice, as the third; and the fourth is courage. Now all these are by nature ranked before the human goods, and verily the lawgiver also must so rank them." (631b-d)

**LS:** Yes. Now let us stop here for one moment. So[40] one has to start from the true end of legislation, from the true order of the goods, an order established by nature. We cannot start, the Athenian suggests, from what the legislator is believed to have thought; we must go back to the natural order which the legislator, if he was of any worth, must have followed. In other words, we must go back behind the legislator to something more ancient than the most ancient legislator. And[41] what does he say here? There are two kinds of good, the human and the divine; and the divine are the necessary and sufficient condition for the human goods. According to the reading of the text, he says this only of the city, not of the individual. But that is a hard question, at any rate, because it is hard to see [why], if someone has all virtues, he should necessarily[42] also have health, beauty, and the other goods of these[43] [kinds]. This is a certain difficulty. But the most difficult thing is what he says about the divine goods. The[44] first of the divine goods, the leading among them, is *phronēsis*. I translate it now by "good sense." One should not translate it by "wisdom." The second, after intelligence with a capital I, is moderation. From these, mixed with courage, the third would be justice; and the fourth is courage. That's a strange arrangement. Good sense, or *phronēsis*—first, that is easy to understand. But justice appears to be something very complicated, a mixture of three virtues. And one[45] could think that because it has all these virtues in itself, it should be perhaps superior to moderation—which is simple, to say nothing of good sense, but that is not so.

Why is justice so relatively low in the scale? That would be a question. Perhaps this has something to do with the presence in it of courage, the lowest virtue as it is here described. What this[46] could mean is of course a question.[47] Later in this same speech some light will be thrown on it. I will state it provisionally as follows: the justice which he has here in mind has as its primary object mine and thine. And the posture of men toward mine and thine is one of assertion, as we say, of their rights. The Greek word for courage, *andreia*, means, more literally translated, "manliness," and it is of course manly to assert[48] [one's] rights. We remember the comic story told in Plato's *Republic* about the destruction of the best regime.[xiv] In the case of the individual, there was a good man, and this good man was indifferent to property and to distinctions and all these kinds of things. And then his wife didn't like it, because she was correspondingly treated by the other women whose husbands were go-getters or[49] however you might call it. And in addition,[50] the servants and the mother talk to the boy: Don't become like your father. And then the boy becomes a man of an inferior kind. That's the first stage in the decay of the best city. And this man is of course then accused of lack of manliness because he does not defend, assert what is his. In other words, in the *Laws*, as distinguished from the *Republic*, there is a society based on mine and thine and therewith also on this particular kind of justice, which is in itself of course a virtue, but a virtue which has some questionable implications. That is, I believe, the

[xiv] Book 8.

only way in which I can understand that passage. Now is there any point you would like to bring up, because we have no time any more to read on. Yes?

**Mr. Doskow:** Does the kind of pursuit that they're going on, that is, to go back to origins as they do—as you suggest, to go back behind the first legislator to nature, doesn't that preclude the necessity of divine origins entirely?

**LS:** Yes, but how would this work out in practice? Someone has seen the right order of things; then he must effectively prescribe that order to the citizens. Now, say, a philosopher, as we call these people, would not[51] as such be able to do that. So we would still need a legislator; and how could the legislator establish his authority before the goodness of his prescriptions can[52] be tested by experience?

**Mr. Doskow:** By claming they were given to him by a god.

**LS:** [53]Yes,[54] that's the simplest way.

**Mr. Doskow:** So that's what you're suggesting Minos has done?

**LS:** Pardon?

**Mr. Doskow:** That's what you are suggesting the dialogue suggests Minos has done in his establishing of the laws? Claims—

**LS:** Yes, well, the *Minos* in a way leads up to the *Laws*,[55] leads you from, say, the Athenian laws to the laws of Minos. And on the way all kinds of analyses of laws, very sketchy analyses, are given.

**Mr. Doskow:** No, I didn't mean the dialogue, I meant Minos himself, the lawgiver for Crete.

**LS:** Yes, that is a question. If he has looked at this order of the virtues and prescribed laws accordingly, then one could say he has seen the natural order. If not, then not. But at any rate,[56] what is suggested here is that there is a point of view higher than than that of Minos. Yes? A point of view from which one can judge Minos. Yes?

**Student:** I don't understand why he says that when one acquires the greater goods—

**LS:** Pardon?

**Student:** When you acquire the greater goods, you can also acquire the lesser.

**LS:** Well,[57] if I take it, as the translator has it, if someone has the virtues, all these virtues, he also has the external goods. Ya? Do[58] not quite a few people believe that if you are a good man, you will be rewarded for it? Could not[59] something like this be implied? By the way,[60] my suggestion regarding justice or rather courage is this. There is a parallel between the human goods and the divine goods: four in each case, and in both cases an order of descent. And the

lowest of the divine goods is courage; the lowest of the human goods is wealth. Now wealth is an external good. Correspondingly, courage is here understood as a virtue directed to the outside, not merely of the city, but also of the individual. I forgot to mention this.

**Dr. Kass:** You suggested in your comment on the last passage that the justice spoken of here is perhaps different from the justice that occupies the discussion of the *Republic*. Would you say that the other virtues as mentioned here are to be understood in a somewhat modified form?

**LS:** Yes, well,[61] *a priori*, as some people say, we can assume that they are understood differently in every dialogue.[62] In the *Republic* he talks to Glaucon and Adeimantus,[63] young people, and here he talks to two old law-bred Dorian men, and the perspective will be different. If it is true that the Dorians are particularly warlike in their whole orientation and have therefore a distorted notion of human goodness, then the doctrine of virtues opposed to them will show its origin, that it is directed against them. Yes? Many things can be said about each of the virtues, but Plato [says] or uses only part of that in each dialogue and in each particular passage, and we must see that. The striking thing here is only not so much that he regards courage as the lowest—in a way that is, as you perhaps know, also the way in which Aristotle proceeds in his *Ethics*, although he does not explicitly say so—but I think there is an order of ascent: courage first; moderation, here understood in the strict sense of temperance regarding bodily pleasures, and so on and so on. And then justice; and then the intellectual virtues, one of which is *phronēsis*. So there is something which is probably meant beyond the immediate context. But for the time being I think we should try to understand it in the context.[64] And there must be many objections to this natural order of things, I suppose.

Well, I think we will read the end of this long speech, which is as it were the standard for the whole later discussion. That we will read next time. But what we must keep in mind is this simple thing. The principles of legislation, as such things are called in modern times, for Plato, that means in the first place human excellence, the virtues, and the proper order of the virtues. The legislator must start from that and not from anything else. Good. So.

[1] Deleted “that.”

[2] Deleted “is a kind of foil. This.”

[3] Deleted “yet.”

[4] Deleted “with.”

[5] Deleted “there is—.”

[6] Deleted “we might—.”

[7] Deleted “the.”

[8] Deleted “and—.”

[9] Deleted “to the beginning.”

[10] Deleted “are—.”

[11] Deleted “will not—.”

[12] Deleted “you must always.”

[13] Deleted “the second—.”

[14] Deleted “they rule only—.”

[15] Deleted “who.”

[16] Deleted “who.”

[17] Deleted “understands.”

[18] Deleted “which.”

[19] Deleted “which—an order.”

[20] Deleted “at ‘the best.’”

[21] Deleted “even–even in the—.”

[22] Deleted “which he—.”

[23] Deleted “what would we have to judge.”

[24] Deleted “if.”

[25] Deleted “if something could be divine.”

[26] Deleted “an—by born–.”

[27] Deleted “spoke.”

[28] Deleted “now.”

[29] Deleted “yet.”

[30] Deleted “civil strife is—.”

[31] Deleted “Trytaeus.”

[32] Deleted “the—.”

[33] Deleted “the.”

[34] Deleted “and—.”

[35] Deleted “that he has.”

[36] Deleted “which is—.”

[37] Deleted “the.”

[38] Deleted “answered.”

[39] Deleted “that is already—.”

[40] Deleted “the—.”

[41] Deleted “here—.”

[42] Deleted “be—.”

[43] Deleted “things.”

[44] Deleted “first—the.”

[45] Deleted “should—.”

[46] Deleted “what this.”

[47] Deleted “There will be—.”

[48] Deleted “his.”

[49] Deleted “what—.”

[50] Deleted “the—.”

[51] Deleted “be able—.”

[52] Deleted “have been.”

[53] Deleted “then he—.”

[54] Deleted “then—.”

[55] Changed from “yes, no, well, that is—the *Minos* in the way is—leads to the *Laws.”*

[56] Deleted “we have—.”

[57] Deleted “what it means, is it not—well.”

[58] Deleted “we not—do.”

[59] Moved “be.”

[60] Deleted “what—let me do—.”

[61] Deleted “we might—.”

[62] Deleted “but surely in this case—.”

[63] Deleted “and here he he talks to—.”

[64] Deleted “and see—well.”

**Session 2: no date**

**Leo Strauss:** I could . . . time to read the *Laws*: the subject, as indicated near the beginning, government and laws, is as topical today as it always was. But the manner in which it is treated is, to begin with, strange. The Athenian Stranger makes an apparently unnecessary fuss about criticizing old laws, and we find no difficulties in criticizing old laws. Perfect freedom of discussion, perfect freedom of change of laws, we take for granted. But that is not quite so simple. Think only of such an old law as that prohibiting abortion. There are certain resistances on the part of a considerable part of the population against change there, perhaps even against full freedom of discussion there. Perhaps the example of so-called underdeveloped countries might be more enlightening. Think of India: the caste system, or the prohibition against slaughtering cows. Old laws. And the criticism is, if not made, certainly originally inspired by foreigners, and think of how cautiously a critic of this institution would have to proceed if he wished to have any success. But we don't have to go to India; we have in our own society a striking example of the difficulty here. People speak of conservatives versus liberals, and the difference between these two groups obviously has something to do with the posture toward the change of old laws. But we only have to step for one moment out of our society or kind of[l] [society], and look at this other part of the world, the world behind the Iron or Bamboo Curtains.[i] There the discussion or change of laws is a much more difficult matter, [an] infinitely more difficult matter, as you know. So in brief, if we are not altogether parochial or hidebound, we see that the manner of treatment of laws and government here is not as antiquated as it might seem to be to begin with.

But we must try to understand Plato's manner of treatment in the terms [in] which[2] he stated it. Now in the context of the *Laws*, the manner of treatment is due to the fact that an Athenian, whom we should hesitate to call a philosopher, has [a conversation] with two old Dorians, a Cretan and a Spartan. The subject, the primary subject at any rate, are the old Dorian laws, the oldest Greek laws. Why did Plato choose this particular conversational setting? Why is it a privileged setting, perhaps *the* priviliged setting, for the discussion of government and laws? The dialogue is based on an assumption which is tacit: that the good is the old, and hence the best [is] the old, the ancestral good and one's own. Because if something is old and not one's own, then it doesn't affect us. It must be both old and one's own, and that is taken together in the notion of ancestral. Now if the good is the old, then the best will be the oldest, and the oldest Greek laws are the Cretan laws. But one could perhaps say: Well, the oldest, the laws made by men at or near the beginning, were in the present-day sense of the term very primitive. So we must make a further assumption, which we still can understand: that these first legislators were a different breed than later men—the Founding Fathers, as we might say. But a different breed: this radically understood means superhuman, gods. And this is the way in which the dialogue begins.[3] The laws they are going to discuss are claimed to be divine laws. Now we cannot repeat[4] what we have read, but a few passages we might discuss again because we have omitted something there.

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[i] The term "Bamboo Curtain" was used to refer to the People's Republic of China, and sometimes also the border between North and South Korea, during the Cold War.

I cannot even summarize what we have said there; I would like to draw your attention to a few passages. 626d, you have that? Or did I make a mistake? No, no, b, 626b. The Cretan has explained that the Cretan laws are based on the premise that there is by nature continuous war between all cities, and that therefore the Cretan legislator had wisely given all his laws with a view to war, i.e., to victory in war. Now in 626b7, the Athenian says—read.

**Reader:**
ATH. Your training, Stranger, has certainly, as it seems to me, given you an excellent understanding of the legal practices of Crete. But tell me this more clearly still: by the definition you have given of the well-constituted State you appear to me to imply that it ought to be organized in such a way as to be victorious in war over all other States. Is that so?
CLIN. Certainly it is; and I think that our friend here shares my opinion.
MEG. No Lacedaemonian, my good sir, could possibly say otherwise.

**LS:** Yes. You see here Megillus agrees with this view, that a well-ordered city must be able to be victorious in war. But Megillus doesn't say anything about what we can call the metaphysics appealed to by Clinias, namely, that there is by nature continuous war between all cities.[5] [As a typical Spartan, he] doesn't go in[6] for this kind of general unpractical reflections. That characterizes[7] [Megillus], and we see a little bit later another characteristic utterance of[8] Megillus. From time to time we must observe the differences between the two interlocutors.

Now in 627d, after the Athenian has made[9] [the] remark that they should not be unduly concerned with propriety of words, but rather with the correctness of laws—do you have that? Clinias agrees and says "you speak most truly, Stranger," and what does Megillus say?

**Reader:**
MEG. And finely spoken too, up to this point, as I agree.

**LS:** Yes. That is the first spontaneous utterance of Megillus. Here is a point where by his whole preparation he is able, not to say compelled, to agree. Now shortly thereafter there comes the passage about[10] the three kinds of judges. Will you read this again? You know, the first, somewhat longer Athenian speech.

**Reader:**
ATH. Which of the two would be the better—a judge who destroyed all the wicked among them and charged the good to govern themselves, or one who made the good members govern and, while allowing the bad to live, made them submit willingly to be governed? And there is a third judge we must mention (third and best in point of merit),—if indeed such a judge can be found,—who in dealing with a single divided family will destroy none of them but reconcile them and succeed, by enacting laws for them, in securing amongst them thenceforth permanent friendliness. (627d-28a)

**LS:** Yes. What I did not say, but you may remember, is that these are all brothers, in dissension; and the dissension is disposed of in three different ways by the three different kinds of judges. Now what are the differences? The first two are concerned with goodness, and therefore they either exterminate the bad or they make the bad subservient to the good. The third is concerned

not primarily with goodness, but with kinship—fraternity, you could say. And this third kind, the third[11] in regard to virtue,[12] is however preferred by Clinias as distinguished from the Athenian Stranger. We have here two different points of view: goodness as a guiding consideration, or kinship as a guiding consideration. And we can say that the Athenian regards goodness as the decisive consideration; and the Cretan, perhaps altogether the political man, will regard kinship as the decisive consideration. There is a connection between this fundamental difference and the phenomenon now vociferously called racism, as I hope I do not have to make clear. But if you want[13], I can—we should not hesitate. Pardon?

**Student:** . . .

**LS:** Well, racism has . . . of course to do with kinship. Are not the members of a race akin to each other?

**Student:** . . . members of different races?

**LS:** Well, all right, but racism means precisely that one race sets itself, as that race, against the other races. There are many races, sure. The word racism has *n* meanings, and I believe what I said is only that this is the fundamental stratum. The complications we would have to figure out on another occasion. Now then, last we read then the discussion regarding the status of courage, the virtue of war, and it was said to be the lowest of the virtues. And perhaps we reread this passage, 631b3, but I [will] look it up for you, the long speech of the Athenian. Which page is that?

**Reader:** That's on page 25.
ATH. "O Stranger" (thus you ought to have said), "it is not for nothing that the laws of the Cretans are held in superlatively high repute among all the Hellenes. For they are true laws inasmuch as they effect the well-being of those who use them by supplying all things that are good. Now goods are of two kinds, human and divine; and the human goods are dependent on the divine, and he who receives the greater acquires also the less, or else he is bereft of both. The lesser goods are those of which health ranks first, beauty second; the third is strength, in running and all other bodily exercises; and the fourth is wealth—no blind god Plutus, but keen of sight, provided that he has wisdom for companion. And wisdom, in turn, has first place among the goods that are divine, and rational temperance of soul comes second; from these two, when united with courage, there issues justice, as the third; and the fourth is courage." (631b-d)

**LS:** Let us stop here. So this is the order of rank of the various virtues. Courage has the lowest place. We find a parallel to that, a confirmation of that, a very strong and strange one, toward the end of the *Laws*, in book 12, [963]c8. Well, I will read to you from the translation.

ATH. When we said that there are four forms of virtue [that is in 963c, following—LS] when we said that there are four forms of virtue, obviously, since there are four, we must assert that each is . . . one.
CLIN. Certainly.
ATH. And yet we call them all by one name. We assert that courage is virtue, and

wisdom is virtue, and the other two likewise, as though there were really not a plurality, but solely this one thing, virtue. . . .
ATH. Now it is not hard to explain wherein these two [meaning courage and good sense—LS] differ from one another, and how they have got two names; but to explain why we have given the one name "virtue" to both of them . . . is no longer an easy matter.
CLIN. How do you mean?
ATH. It is not hard to make clear my meaning. . . .
ATH. . . . why, when calling both the two by the single name of "virtue," did we again speak of them as two—courage and good sense[ii]? . . . the reason . . . is, that the one of them [obviously courage—LS] has to do with fear . . . in which beasts also share, and the characters of very young children, for a courageous soul comes into being naturally, and without reason, but without reasoning there never yet came into being, and there was not, nor ever will be, a soul that has good sense, and is reasonable, it being a distinct kind. (963c-e)[iii]

So courage is not a truly human virtue. It[14] does not require any admixture of understanding or good sense. An extremely negative view of courage: courage is subrational. Now this is in agreement with what we have seen last year when reading Xenophon, that Xenophon does not count courage among the virtues of Socrates. But what about Plato's other dialogues? What about the rank of courage in the *Republic*? Do you remember what the rank of courage in Plato's *Republic* is? Well, schematically it is this: every citizen has two virtues, justice and moderation. The soldiers, the guardians, have an additional virtue, namely, courage. And the rulers have still an additional virtue, in addition to the three mentioned, namely, wisdom.[iv] So this would seem to show that courage is the second highest of the four virtues. So it is not quite easy to understand why here in the *Laws* courage is treated so badly. How could we explain that? I believe there are two kinds of reasons. First, the context, the people to whom the Stranger speaks. Now they[15] regard courage as the highest, and the simplest counterassertion against them is to say courage is the lowest. But this of course does not suffice, because why did Plato select people who have such a high view of courage as the Dorians? There must be some aspect of courage which justifies this negative judgment.

Well, then, let us leave this open, how this is connected.[16] Perhaps one is helped by the following consideration:[17] the Greek term which we translate "courage" means, more literally translated, manliness. It is primarily the virtue of the man, like Latin *virtus*. But the man is at the same time of course also the generator of children, the father of the family, the owner of the household, a man of some wealth, because if he had not some wealth, he would be a very poor father. Wealth strengthens paternity. The Spanish term, *hombre*, renders somewhat more clearly than the English "man" what the Greek word man, *anēr*, means: a man who can take care of himself,[18] who takes care of his interests. This[19] one must consider if one tries to understand what is meant here by courage.

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[ii] Strauss substitutes "good sense" for "wisdom" as found in the Loeb.

[iii] For the last sentence read, the Loeb has: "for a courageous soul comes into existence naturally and without reasoning, but without reasoning there never yet came into existence, and there does not nor ever will exist, a soul that is wise and rational, it being a distinct kind."

[iv] Plato *Republic* 627e-35b.

Now here there is one point[20] where the text is dubious but where I believe we would have to read as follows: the first among the divine goods is good sense; second, after intelligence, moderation; and then justice, and then finally, courage. So good sense, practical wisdom, *phronēsis*, is the first after intelligence. Intelligence is at the top. That we must keep in mind for the sequel. Now can you go on where we left off?

**Reader:**
ATH. And wisdom in turn has first place among the goods that are divine—

**LS:** Yes, we had that.

**Reader:**
Now all these are by nature ranked before the human goods, and verily the lawgiver also must so rank them. Next, it must be proclaimed to the citizens that all the other instructions they receive have these in view; and that, of these goods themselves, the human [look] up to the divine, and the divine to reason as their chief. (631d)

**LS:** Yes,[21] let us say "intelligence," to intelligence as their leader. Yes?

**Reader:**
ATH. And in regard—

**LS:** Let us stop here for one moment. Now the Athenian[22] tells the Cretan what the Cretan should have said in praise of the Cretan laws, and he tells him that he should have spoken of the natural order of the good things, and presented that good order. And[23] the Cretan should not say[24] what the Cretan legislator has done in the past but what every legislator, including Minos, the Cretan legislator, or Zeus, must do in the future. So whereas the Cretan and Spartan appealed to the past, to the ancient law going back to Zeus or Apollo, the Athenian goes back to a still more remote past, to a past older than any other past and at the same time also younger than any future: what is by nature. The Cretan should have taken a point from where he can as it were look forward to what the ancient legislator should have done and not merely look back from now to the ancient legislator. That is, a radical change of perspective is required. And now how does he go on in this long speech?

**Reader:**
ATH. And in regard to their marriage connexions, and to their subsequent breeding and rearing of children, male and female, both during youth and in later life up to old age, the lawgiver must supervise the citizens, duly apportioning honour and dishonour; and in regard to all their forms of intercourse he must observe and watch their pains and pleasures and desires and all intense passions, and distribute praise and blame correctly by the means of the laws themselves. Moreover, in the matter of anger and of fear, and of all the disturbances which befall souls owing to misfortune, and of all the avoidances thereof which occur in good-fortune, and of all the experiences which confront men through disease or war or penury or their opposites,—in regard to all these definite instruction must be given as to what is the right and what the wrong disposition in each

case. (631d-32b)

**LS:** The legislator must teach and define what is noble and not, what is noble and base.[25] There are two different spheres of which he has spoken: that of desires and aversions, and that of angers and fears. That corresponds roughly to the distinction made in the *Republic* between desire and spiritedness.[v] In[26] both directions the legislator must determine what is noble and what is base. Yes?

**Reader:**
ATH. It is necessary in the next place for the lawgiver—

**LS:** Ya, that is not emphasized, that it is a necessity for him to do—others were not said to be necessary. Yes?

**Reader:**
for the lawgiver to keep a watch on the methods employed by the citizens in gaining and spending money, and to supervise the associations they form with one another, and the dissolutions thereof, whether they be voluntary or under compulsion; he must observe the manner in which they conduct each of these mutual transactions, and note where justice obtains and where it is lacking. To those that are obedient he must assign honours by law, but on the disobedient he must impose duly appointed penalties. Then, finally, when he arrives at the completion of the whole constitution, he has to consider in what manner in each case the burial of the dead should be carried out, and what honours should be assigned to them. This being settled, the framer of the laws will hand over all his statutes to the charge of Wardens—guided some by wisdom, others by true opinion—to the end that Reason, having bound all into one single system, may declare them to be ancillary neither to wealth nor ambition, but to temperance and justice. (632b-c)

**LS:** Moderation and justice. Yes. Now[27] you see he speaks again in the future tense: what the legislator should do, and any legislator, including the legislators of the remote past. Now here the point of view in this third kind of objects is not the noble and the base, but the just and the unjust, which is something very different from the noble and base, although related. Now then he says, when he comes to the end of the whole polity: What is the end of the whole polity? When you look [over] this whole passage about the laws which he has to give from the beginning, when he speaks[28] [of] marriages,[29] [this is] the first subject. But marriage is first only because[30] it leads to the birth of children. So we can say he describes the legislation as extending from the cradle to the grave: the end of the whole polity, the end of life. And this explains also the silence, in this whole description of the purpose of legislation, on the gods. The gods are deathless;[31] therefore they[32] do not fall within the province of the legislator, except in an accidental or indirect way.

And now the very last phrase: "so that intelligence, having bound together all these things, will show them as being ancillary to moderation and justice." So intelligence[33] is the highest, as we have seen before, and intelligence is active or should be active in the whole work of legislation.

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[v] Plato *Republic* 439d-40d.

But intelligence is not that at which legislation aims; it aims, according to the statement here, at moderation and justice, that is to say, things lower than intelligence. And this is perhaps one of the greatest difficulties of laws or politics, that here the higher is in the service of the lower; and that would be, in Platonic language, against nature, although we were just reminded of the order according to nature. But our two old Dorians are not permitted to react to this long speech, because the Athenian continues immediately afterward.

**Reader:**
ATH. In this manner, Strangers, I could have wished (and I wish it still) that you had fully explained how these regulations are inherent in the reputed laws of Zeus and in those of Pythian Apollo which were ordained by Minos and Lycurgus, and how their systematic arrangement is quite evident to him who, whether by art or practice, is an expert in law, although it is by no means obvious to the rest of us. (632d)

**LS:** Yes. So in other words, that is clear: we know now what legislation deserving the name is. And we must assume that the divine legislations, or the allegedly divine legislations, of Crete and Sparta live up to that standard, and therefore let us see to what extent they do. This seems to be clear. But before we go on, is there any point you would like to raise in regard to that very long speech of the Athenian which we just read, the longest speech hitherto? Yes?

**Mr. Gary:** Here it talks about the associations, the associations they form with one another, and dissolutions thereof. Is that in any way comparable to something like antitrust laws? Monopoly laws?

**LS:** No, we don't have to go so high—I mean, just any ordinary business associations, where there is a contractual relation between two partners, and one decides at a certain moment to dissolve it. Can he do that? Under what condition can he do it, and so on, that the legislator will determine.

**Mr. Gary:** But the term that's used here would include such things as monopoly laws, antitrust laws, fair trade commissions—

**LS:** Yes, sure. But here we have simpler forms of partnerships. Yes?

**Student:** It seems that in this passage[34] justice comes out of a combination of temperance and good sense, and I wonder how that compares with the earlier dialogues, where it appears that the Forms don't interrelate in that sense and cause each other through a mixture of themselves. I wonder if you see a difference between [the earlier idea of justice and] the idea of the justice coming out of a combination of two other Forms, if we can take these as Forms.

**LS:** Yes. No, that seems to be a peculiarity of what he says in the *Laws*, and that has much to do with the status of courage in the *Laws*. Justice according to the *Laws* has courage as an ingredient, and therefore that drags justice down. The two other ingredients of justice, good sense and moderation, are higher than justice because they do not have[35] this ingredient, courage, which drags [justice] down. I think it all boils down to the question, Why is the *Laws* so negative regarding courage?

**Student:** Yes, but I was thinking in a more general sense of whether or not and to what extent there are differences[36] [between] the early Plato, say, and the later Plato, and the ideas that come up in the *Parmenides* and the *Philebus* about Forms mixing to form other combinations, whereas it appears in the earlier dialogues that the Forms stand by themselves, they don't combine.

**LS:** Yes, but I don't know what is early and late. The only thing I know is that the *Laws* is later than the *Republic* because Aristotle tells me so; otherwise I would not even believe that.[37] These kinds of considerations are not very helpful, I believe. And in addition, it wouldn't explain why this mixture of Forms, as you call it, takes place only in the case of[38] [justice], and not in the case of the other virtues. After all, it would make sense to say that courage also is a mixture, of x and good sense.

**Mr. Klein:** These are not called Forms here.

**LS:** No,[39] that's true. But the term does occur nevertheless.[40] I don't want to go in[to] these kind of superfluous scholarly questions.[41] Yes?

**Mr. Mollin:** Is good sense a virtue which the lawgiver possesses at the time he is legislating?

**LS:** Sure, sure.

**Mr. Mollin:** What is it that is common about good sense and intelligence that allows . . .

**LS:** We don't know yet, but we do know that intelligence is higher than good sense.[42] He calls intelligence the leader; perhaps it is a leader of the whole.

**Mr. Mollin:** . . .

**LS:** Perhaps it is the leader or governor of the whole, of the universe. But it is higher than *phronēsis*, which is ordinarily translated by "practical wisdom," which we will translate by "good sense" for the time being.

**Mr. Mollin:** You mentioned in the last lecture that this is a primarily political book. If the laws are laid down in these terms without considering the possibility of . . . intelligence and *phronēsis* and good sense, is it possible to take it seriously, to take its political claims seriously, when the possibility of this kind of harmony is not apparent?

**LS:** The distinction does not in itself mean disharmony, does it?

**Mr. Mollin:** No, but[43] there seems to be some question whether . . . another example, earlier examples—for example, when he talks about the family, and the laying down of the laws by someone will not allow the laws, the laws of the family to be, you know, well-ordered. I mean, clearly[44] the possibility of someone external to the family laying down laws about the family's operations is somewhat questionable, and[45] it seems to me that the possibility of that kind of . . . would have to be established prior to engaging in it.

**LS:** Yes, but the question is this: if, say Plato would give a lecture in the Academy on the good, and even on the politically good, he would proceed, I suppose, in a very different way. But[46] an Athenian stranger who has come to Crete, to a country in which there is no philosophy, and talks to people who have nothing whatever to do with philosophy,[47] must proceed in a manner which they can understand. What they understand is this: here is a stranger, obviously a nice man—they like him—but who is not too impressed by their ancient laws and looks[48] at [them] from a strange angle. That is in the foreground of what they say. These points which he makes here: we can read this, and reread it, and consult commentaries and what have you, but they hear it only once; and what sinks in and what not we can only say on the basis of how they react—yes?—how they respond. In addition, the Athenian does not stop immediately after having made this speech[49] [about] what the Cretan should have said about the Cretan legislation,[50] [in] the last few sentences, which we just read: I would have wished that you both had spoken about your reputedly divine laws in this manner, and that all these things which I have said were contained in these laws. That is what they understand.[51] [That courage is the lowest of the virtues] must have sunk in, because that was discussed before and the Athenian had made a point of it all the time.[52] But whether they[53] are convinced of that, or even persuaded of that, we cannot know. It is possible that they were impressed by the quotation from the poet Theognis according to which, in the Athenian's interpretation, a man who is loyal in civil war and of course fights also on the right side is preferable to a man who is merely good in foreign war, because even a mercenary soldier can do that. That they understood, and perhaps they regarded this as a sufficient proof that courage as courage is the lowest of the virtues. One cannot read this as a treatise, yes?, or as an academic lecture. This young lady—

**Miss Smith:** I was confused by the word—

**LS:** Louder.

**Miss Smith:** I didn't understand the meaning of the word "intelligence" at the end of the Athenian's speech.

**LS:** . . .

**Miss Smith:** [54]I believe that you said that this is different from *phronēsis*, but is it the same thing as wisdom, or is it different?

**LS:** We have to assume that's different; otherwise he would have called it wisdom.

**Miss Smith:** I don't have the Greek, I just have a translation. But is intelligence[55] higher than courage, or than justice and temperance?

**LS:** Of course. It is even higher than *phronēsis* itself. It is the leader intelligence; the leader of *what* is not said, perhaps of everything, not only of men and cities. This young man—?

**Student:** I . . . understand—he says here: "this being settled, the framer of the laws will hand over all the statutes to the charge of Wardens." I guess that means he will hand [them] over to

some sort of police force. But I don't understand what he means after that—

**LS:** Can you—?

**Same student:** He says, I don't know . . . putting it, he says, I'll hand—the framer of the laws will hand over all the statutes to the charge of wardens, some sort of police force, I guess. But what is—

**LS:** No, no, the guardians of the law—I mean those who watch that the laws are observed—the[56] police force would be ministerial to these guardians. And some of these guardians would be guided by good sense, *phronēsis*, and others by true opinions.

S**ame student:** I don't understand. What does it mean, being guided by wisdom and good opinion?

**LS:** Well, [there are] those who would have been able to devise the very law or regulation which people are supposed to obey, and those who would be unable to have devised it but obey because it is the law. And they have the true opinion by saying: This is to be done. That's a true opinion, but they do not know the proper ground of it. Yes?

**Mr. Laurence Berns:** Mr. Strauss, I'm somewhat confused by your saying, by your speaking of *nous* or intelligence as the leader. In the text I thought it said *phronēsis* is first, and *phronēsis* is . . .

**LS:** Yes, but in—

**Mr. Berns:** And then *nous* comes into second rank with—

**LS:** No, no, no, no. Do you have the Greek text? The Burnet text?

**Mr. Berns:** No, I have . . .

**LS:** Yes, well, all right, I will read to you: "*deuteron de meta nou*" (631c7) is how Burnet[57] reads, but the manuscripts have "*meta noun*," and I see no reason why this should not be correct. And especially since in b5 he[58] [says] that the divine goods, which means the four virtues mentioned before, are all to be directed towards the leader intelligence, *ton hegemona noun* (631d7). There are great textual difficulties here of course, and we cannot go into them. Yes?

**Mr. Doskow:** Isn't the change to "*meta noun*"[59]—wouldn't that identify the *nous* with *phronēsis*?

**LS:** No,[60] it would then mean this: the second after the *nous*. The first after the *nous* is *phronēsis*, the second after nous is *sophrosunē*. Perhaps we will find out later on a bit more about this enigmatic leader intelligence. For the time being there is only a reminder that there is something higher even than good sense. And it is not called wisdom here.[61] I believe one simple reason is[62] [that] wisdom,[63] *sophia*, is in Greek so rich in meanings, and especially in low meanings, that it

would be not desirable. But that's not a sufficient explanation.[64] Let us now return to the text. The Athenian has said "You should have done this and this," and then shown what the legislator[65] should have done, and then shown that your legislator did in fact do it. And what does Clinias say, after he has been given this important advice?

**Reader:**
CLIN. What then, Stranger, should be the next step in our argument?

**LS:** So in other words, Clinias wouldn't know how to proceed,[66] and so the Athenian must explain to him.

**Reader:**
ATH. We ought, as I think, to do as we did at first—start from the beginning to explain first the institutions which have to do with courage; and after that we shall, if you wish, deal with a second and a third form of goodness. And as soon as we have completed our treatment of the first theme, we shall take that as our model and by a discussion of the rest on similar lines beguile the way; and at the end of our treatment of goodness in all its forms we shall make it clear, if God will, that the rules we discussed just now had goodness for their aim. (632d-e)

**LS:** Yes. Whether that means "goodness for their aim"[67] is not clear: "they will be shown to look there." Here he doesn't speak, strictly speaking, of "discussion," *dialegesthai*, but "*diamuthologein*."[68] They are going to exchange not *logoi* but *muthoi*, stories. And[69] there is a play here on the word. These exchange of *muthoi* will have the function of comforting us, a comfort on the long walk from Cnosus to the cave of Zeus. Yes?

**Reader:**
MEG. A good suggestion! And begin with our friend here, the panegyrist of Zeus—try first to put him to the test.
ATH. Try I will, and to test you too and myself; for the argument concerns us all alike. Tell me then: do we assert that the common meals and the gymnasia were devised by the lawgiver with a view to war?
MEG. Yes.
ATH. And is there a third institution of the kind, and a fourth? For probably one ought to employ this method of enumeration also in dealing with the subdivisions (or whatever we ought to call them) of the other forms of goodness, if only one makes one's meaning clear.
MEG. The third thing he devised was hunting: so I and every Lacedaemonian would say.
ATH. Let us attempt also to state what comes fourth,—and fifth too, if possible.
MEG. The fourth also I may attempt to state: it is the training, widely prevalent amongst us, in hardy endurance of pain, by means both of manual contests and of robberies carried out every time at the risk of a sound drubbing; moreover, the "Crypteia," as it is called, affords a wonderfully severe training in hardihood, as the men go barefoot in winter and sleep without coverlets and have no attendants, but wait on themselves and rove through the whole countryside both by night and by day. Moreover, in our games, we have severe tests of endurance, when men unclad do battle with the violence of the heat,—and there

are other instances so numerous that the recital of them would be well-nigh endless. (633a-c)

**LS:** So in other words, the Spartan legislator—the Cretan is now silent for the time being—has well provided for education to courage, which we have no doubt . . . This particular institution, the Crypteia, is a kind of secret police. Of course the policemen were in this case full Spartan citizens, and their function was to take care or dispose of obstreperous Helots. They made them simply disappear,[70] and that was done[71] by night, stealthily, and it was obviously not without danger, as Megillus tactfully states.[72] So we must be satisfied in this respect. Now?

**Reader:**
ATH. Splendid, O Stranger of Lacedaemon! But come now, as to courage, how shall we define it? Shall we define it quite simply as battling against fears and pains only, or as against desires also and pleasures, with their dangerous enticements and flatteries, which melt men's hearts like wax—even men most reverenced in their own conceit.
MEG. The latter definition is, I think, the right one: courage is battling against them all.
ATH. Earlier in our discourse (if I am not mistaken) Clinias here used the expression "self-inferior" of a state or an individual: do you not do so, O Stranger of Cnosus?

**LS:** That is Clinias, of course. Yes?

**Reader:**
CLIN. Most certainly.
ATH. At present do we apply the term "bad" to the man who is inferior to pains, or to him also who is inferior to pleasures?
CLIN. To the man who is inferior to pleasures more than to the other, in my opinion. All of us, indeed, when we speak of a man who is shamefully self-inferior, mean one who is mastered by pleasures rather than one who is mastered by pains.
ATH. Then surely the lawgiver of Zeus and he of Apollo did not exact by law a lame kind of courage, able only to defend itself on the left and unable to resist attractions and allurements on the right, but rather one able to resist on both sides?
CLIN. On both sides, as I would maintain. (633c-34a)

**LS:** Yes. You see here, since you spoke of the early dialogues, did you ever read the *Laches*? That is one of the[73] so-called early [dialogues]. Now[74] this is precisely the argument used there against the common view of courage, that it is only to do with fear and the control of fear. So Plato knew that still very well, and he in a way adhered to it. Now[75] the argument he makes is this: Did the legislator make courage only limping on one side, namely, toward the left—the left means the evils, the pains—or not also toward the right, the good things, the pleasures?[76] Of course if he[77] was a good legislator, as we still assume, he must also have regulated properly the control of pleasures, not only the control of pain [and] fear.[78] Yes?

**Reader:**
ATH. Let us, then, mention once more the State institutions in both your countries which give men a taste of pleasures instead of shunning them,—just as they did not shun pain but plunged their citizens into the midst of them and so compelled them, or induced them

by rewards, to master them. Where, pray, in your laws is the same policy adopted in regard to pleasures? Let us declare what regulation of yours there is which causes the same men to be courageous toward pains and pleasures alike, conquering where they ought to conquer and in no wise worsted by their nearest and most dangerous enemies. (634a-b)

**LS:** One second. Keep this in mind: the primary notion of courage as it was used hitherto has now for the time being been corrected, been made more sophisticated, so that it includes also what is ordinarily known as moderation or temperance. And Megillus [and Clinias] should [both] show[79] that their legislators have properly provided for that too. Yes?

**Reader:**
MEG. Although, Stranger, I was able to mention a number of laws that dealt with mastery over pains, in the case of pleasures I may not find it equally easy to produce important and conspicuous examples; but I might perhaps furnish some minor instances.
CLIN. Neither could I in like manner give myself clear examples from the Cretan laws.
ATH. And no wonder, my most excellent friends. If then, in his desire to discover what is true and superlatively good, any one of us should find fault with any domestic law of his neighbors, let us take one another's remarks in good part and without resentment.
CLIN. You are right, Stranger: that is what we must do. (634b-d)

**LS:** Yes, wait a moment. So the Athenian has touched a sore point by asking what had the Spartan legislator or the Cretan legislator done to train the citizens in the control of pleasures, and then that forces him again to apologize, as it were, for what he is doing. And in this connection he describes[80] people of his kind as people who wish to see the truth at the same time and the best: the truth about the laws of one's city and the best. These are two different things: the best may be very different from what is established in one's city. And this leads to the difficulty, especially in this case, when a foreigner[81] is bringing forth a criticism. And now the Athenian says something of utmost importance.

**Reader:**
ATH. Yes, for resentment would ill become men of our years.
CLIN. Ill indeed.
ATH. Whether men are right or wrong in their censures of the Laconian polity and the Cretan—that is another story; anyhow, what is actually said by most men I, probably, am in a better position to state than either of you. For in your case (your laws being wisely framed) one of the best of your laws will be that which enjoins that none of the youth shall inquire which laws are wrong and which right, but all shall declare in unison, with one mouth and one voice, that all are rightly established by divine enactment, and shall turn a deaf ear to anyone who says otherwise; and further, that if any old man has any stricture to pass on any of your laws, he must not utter such views in the presence of any young man, but before a magistrate or one of his own age.

**LS:** Yes. Now wait. Now this is crucial. The Athenian reaches some deeper understanding with his interlocutors than he had before by appealing to one law which is surely very fine or noble.[82] Let me call it the law of laws. Regarding that he is in full agreement with the Dorians, and that

says that[83] no young man must be permitted to distinguish between what is noble or good and not in the laws, but one must say with one voice and from one mouth—[he] almost said that—that all laws are fine since they have been laid down by gods. And if someone should speak differently, one should not tolerate this; [one should] not listen to them at all. But if an old man speaks to another old man or a ruler, no young man being present, that is all right. Here we hear the truth underlying the very beginning of the dialogue, where the Stranger asked[84]: Who is responsible for your legislation? And then the Cretan said: A god, to tell the truth—to say what is most just. A god. Now we know what it means, what is most just. That is demanded by the law, that one says that, and the Athenian submits to that law. And[85] [he] thus he acquires perhaps the right to criticize these laws. But only on the basis of this legal justification of his criticism, can he criticize them. Yes, now what does Clinias think?

**Reader:**
CLIN. A very sound observation, Stranger; and just like a diviner, far away though you are from the original lawgiver, you have fairly spotted, as I think, his intention, and described it with perfect truth. (634d-35a)

**LS:** Yes. He compares him to a diviner but a kind of diviner, a prophet[86] who predicts not the future but the remote past. In Crete they had such a man, who will be mentioned later on, called Epimenides,[vi] of whom it was said that he never prophesied the future but only divined what had happened in the past. The Athenian Stranger reminds Clinias of such a kind of prophet. And[87] what does the Athenian now say?

**Reader:**
ATH. Well, there are no young people with us now; so we may be permitted by the lawgiver, old as we are, to discuss these matters among ourselves privately without offence.

**LS:** Yes. We alone towards one another alone. You see, the Athenian assumes that[88] although he is not a citizen of Crete or of Sparta, yet by submitting to that law of laws [he] also acquires the privileges of that law, so that he may criticize the laws of Sparta or Crete in such a strictly private conversation. Yes?

**Reader:**
CLIN. That is so. Do you then have no scruple in censuring our laws; for there is nothing discreditable in being told of some flaw; rather it is just this which leads to a remedy, if the criticism be accepted not peevishly but in a friendly spirit.
ATH. Good! But until I have investigated your laws as carefully as I can I shall not censure them but rather express the doubts I feel. You alone of Greeks and barbarians, so far as I can discover, possess a lawgiver who charged you to abstain from the greatest of pleasures and amusements and taste them not; but concerning pains and fears, as we said before, he held the view that anyone who shuns them continuously from childhood onward, when confronted with unavoidable hardships and fears and pains, will be put to flight by the men who are trained in such things, and will become their slave. Now I

[vi] A Cretan "holy man of the late seventh century BCE.

presume that this same lawgiver should have held the same view about pleasures as well, and should have argued with himself that, if our citizens grow up from their youth unpractised in the greatest pleasures, the consequence must be that, when they find themselves amongst pleasures without being trained in the duty of resisting them and of refusing to commit any disgraceful act, because of the natural attraction of pleasures, they will suffer the same fate as those who are worsted by fears: they will, that is to say, in another and still more shameful fashion be enslaved by those who are able to hold out amidst pleasures and those who are versed in the art of pleasure—people who are sometimes wholly vicious: thus their condition of soul will be partly enslaved and partly free, and they will not deserve to be called, without qualification, free men and men of courage. Consider then, whether you at all approve these remarks of mine.
CLIN. On the face of them, we are inclined to approve; but to yield quick and easy credence in matters of such importance would, I fear, be rash and thoughtless. (635a-e)

**LS:** Yes, "would be the action of *young* and thoughtless people," i.e., old men are permitted to criticize because they,[89] being old, are not rash. That is the premise of that law of laws. Yes?

**Reader:**
ATH. Well then, O Clinias, and thou, Stranger of Lacedaemon, suppose we discuss the second of the subjects we proposed, and take temperance next after courage: shall we discover any point in which these polities are superior to those framed at random, as we found just now in regard to their military organisation? (635e-36a)

**LS:** You see what he does? He calls off the subordination of moderation[90] [to] courage; he makes now the more simple distinction between courage and moderation. Previously he had said [that] moderation is a subdivision of courage; now he says it is a different virtue. That makes sense. It's much more plausible in this way, more in agreement with common opinion, but is there not one great difficulty? He begins with courage—courage is the lowest of the virtues—because that is most conspicuously recognized by these Dorians. Should he then follow the inverse natural order and come to the virtue which follows next? What is that?

**Student:** Justice.

**LS**: Justice, yes. But instead he goes over to moderation or temperance. What justifies him? Apparently courage and moderation[91] are more akin to one another than the other virtues. And it will be made clear in the sequel what that is, because the primary sources of orientation for man are pleasures and pains, and the virtue controlling pleasure is moderation, and the virtue controlling pain is courage. In Aristotle's *Ethics* there is this order: first, courage, and then moderation.[vii] And in the *Rhetoric* Aristotle says they both are the virtues of the young, which means, I suppose, the least sophisticated virtues, not having the refinement which the other virtues have.[viii] Now, but we are still back to the same question: What did the Spartan legislator do regarding the control of pleasures? And now what does Megillus reply?

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[vii] Aristotle *Nicomachean Ethics* 3.6-12.

[viii] Cf. Aristotle *Rhetoric* 2.14.3.

**Reader:**
MEG. Hardly an easy matter! Yet probably the common meals and the gymnasia are well devised to foster both these virtues.

**LS:** Yes. The things of which he had spoken, which were mentioned before as institutions serving the education to courage. Yes?

**Reader:**
ATH. In truth, Strangers, it seems a difficult thing for State institutions to be equally beyond criticism both in theory and in practice. Their case resembles that of the human body, where it seems impossible to prescribe any given treatment for each case without finding that this same prescription is partly beneficial and partly injurious to the body.

**LS:** So in other words, these are beneficial institutions, but they also have[92] their disadvantages. And he turns now to these disadvantages. Yes?

**Reader:**
So these common meals, for example, and these gymnasia, while they are at present beneficial to the States in many other respects, yet in the event of civil strife they prove dangerous (as is shown by the case of the youth of Miletus, Boiotia, and Thurii); and moreover, this institution, when of old standing, is thought to have corrupted the pleasures of love which are natural not to men only but also natural to beasts. (636a-b)

**LS:** No, "seems to have corrupted an old law and a law according to nature." Yes. And that is what?

**Reader:**
ATH. For this your states are held primarily responsible, and along with them all others that especially encourage the use of gymnasia. And whether one makes the observation in earnest or in jest, one certainly should not fail to observe that when male unites with female for procreation the pleasure experienced is held to be due to nature, but contrary to nature when male mates with male or female with female, and that those first guilty of such enormities were impelled by their slavery to pleasure. And we all accuse the Cretans of concocting the story about Ganymede. Because it was the belief that they derived their laws from Zeus, they added on this story about Zeus in order that they might be following his example in enjoying this pleasure as well. Now with the story itself we have no more concern; but when men are investigating the subject of laws, their investigation deals almost entirely with pleasures and pains, whether in States or in individuals. These are the two fountains which gush out by nature's impulse; and whoever draws from them a due supply at the due place and time is blessed—be it a State or an individual or any kind of creature; but whosoever does so without understanding and out of due season will fare contrariwise. (636b-e)

**LS:** So it's clear, what the Athenian says: Look, your famous common meals and your pederasty,[93] which is here presented, although with a certain qualification: "it is thought to be"

an unnatural vice, an infringement on an old law that is according to nature, and because only the pleasure going together with intercourse for the sake of procreation, that is thought to be a natural pleasure. The Cretans did more in order to justify their unnatural proceedings: they traced it to Zeus himself, accusing him—or not accusing but quasi-praising him of being a pederast. And this shows of course what the Cretan stories are worth, because their story about Zeus['s] legislation is not better founded than their story about Zeus as a lover of Ganymede.[94] And what he says toward the end of this speech, that the proper use of the pleasures and pains at the right time, in the right quantity and so on, he says this applies equally to the city, the private men, and every animal, every living being. Now how can this proper measure and the proper time be observed by irrational animals? That seems to be a difficulty. Or does he refer to something that was later on called instincts? For example, just regarding sexuality, that there are seasons in the case of animals, and they have thus through their instinct an ordering which man can supply only by his reasoning. Now at any rate, to see the overall situation: a grave accusation on the part of the Athenian. How does Megillus react to it?

**Reader:**
MEG. What you say, Stranger, is excellent, I suppose; none the less, I am at a loss to know what reply I should make to it. Still, in my opinion, the Lacedaemonian lawgiver was right in ordaining the avoidance of pleasures, while as to the laws of Cnosus—our friend Clinias, if he thinks fit, will defend them.

**LS:** By the way, Clinias will never try to defend them. So the Cretan legislator is out, by this very fact. Yes?

**Reader:**
MEG. The rules about pleasures at Sparta seem to me the best in the world. For our law banished entirely from the land that institution which gives the most occasion for men to fall into excessive pleasures and riotings and follies of every description; neither in the country nor in the cities controlled by Spartiates is a drinking club to be seen nor any of the practices which belong to such and foster to the utmost all kinds of pleasure. Indeed there is not a man who would not punish at once and most severely any drunken reveller he chanced to meet with, nor would even the feast of Dionysus serve as an excuse to save him—a revel such as I once upon a time witnessed 'on the waggons' in your country; and at our colony in Tarentum too, I saw the whole city drunk at the Dionysia. But with us no such thing is possible. (636e-37b)

**LS:** Yes. Now if one could translate this exchange into an Aristophanean scene, it would be like this, that the Athenian would say: You pederasts! And the Spartan would reply: You drunkards! [Laughter] And that is a perfectly natural thing, but here it is of course done with the greatest dignity. [Laughter] But now what happens is this. What he has in mind, what the Spartan has in mind are the Athenian *symposia*, common drinking. And here we have in Sparta the common meals, the *syssitia*. And these common drinkings, the *symposia*, will now become the theme throughout the first two books of the *Laws*. But for the situation one must consider also the following point. The situation is now very good for the Athenian, because now an Athenian institution is attacked and he acts in a perfectly decent manner if he defends an Athenian institution. There is nothing subversive in that; on the contrary, something very creditable, as his

two Dorian interlocutors will be the first to acknowledge. Now in the sequel—well, that is a long speech which we do not have to read, perhaps—the Athenian mentions only as an additional dig in his reply the looseness of Spartan women, which is another sign that not everything was so well ordered in Sparta.

And then he puts the question on a broad basis: What is the right thing to do regarding drinking? Because many nations, and many warlike nations—not only the Athenians, of whom one could say they are not so warlike—engage in drinking, and so that is an important question. What's the right thing? Megillus replies: Well, we lick them any time, all of them. And then the Athenian says: Well, that's no proof, because victory may very well depend on such accidents as numerical superiority or what have you—that does not mean much. And then the Athenian brings up the question: What is the right way of judging of institutions altogether, and therefore also in particular of symposia? And that he will do in the sequel.

I think it is of no use now to read any more. Is there any point which you would like to bring up? Yes?

**Mr. David Allison:** You mentioned that the law of laws seemed to be one that, well, set down qualifications for criticising the laws. Now would this be true if the laws were actually of divine nature? Would there still have to be a law included within those laws to allow criticism by old men?

**LS:** I haven't quite understood you.

**Mr. Allison:** If the laws were really, were truly from the gods, as perhaps when you said they are in the *Republic*, if those laws . . . but if they were of the origin of the gods, would still the law of laws included within those give the right of criticism to older men?

**LS:** Yes, it would complicate matters a bit, but not completely, because the question would come up: The gods do not always speak to all men; they speak to privileged men of the past and[95] the men one hears at any given time are not directly inspired by the gods. You can call them the scholars, the theologians, or whatever term you prefer—the jurists, the interpreters of the divine law. And there criticism is of course possible, but this criticism must be most respectful. And the criticism is even facilitated by the fact, for which divine providence has beautifully arranged, that these authoritative interpreters of the divine law contradict one another. You know? So you can say [that] you can appeal to A to contradict B, you know, but always respectfully.[96] One only has to read a bit the history of controversy in the last two thousand years to see that the kind of comment on what I called the law of laws is more complicated if there is no auguric smile between the interlocutors, as it is to some extent here. You know? In other words, if the divine origin is seriously believed in. But there is the possibility, the fundamental possibilities are the same.

You know what I say about this fact that the authorities contradict one another: you know the beautiful use which Descartes made of that when he presents his life, one could almost say, in this form: that he wanted to be a very good boy and tell exacly what his teachers told him, but

the teachers contradicted one another, and some of them even contradicted themselves,[ix] so he could not be a good boy. And this is a particularly striking case, but the story has happened many times. That will always be so. Yes?

**Student:** Do you think that the law of laws is still . . . teach us something . . . all societies?

**LS:** Pardon?

**Student:** You mentioned the law of laws . . . laws. Do you think this law of laws is good for all societies?

**LS:** The law of laws is—?

**Student:** is part of all societies?

**LS:** Yes. Not in this form. Not in this form.

**Student:** It seems to me—

**LS:** There are always some things which are beyond appeal, although they could be questioned.

**Student:** Only if you're old.[97]

**LS:** Ya, his is no longer done. You know, today it's the other way around. [Laughter] Today the old people have to apologize to the most immoderate part of the younger people in order to be tolerated. [Laughter] Now that's greatly different. But, for example,[98] I mention only two terms which occur frequently in moral discussions now, things which are taboos: "sincerity"—did you ever hear that? "Compassion"—did you ever hear that? In other words, you make no distinction between whether that, the thing, or the man deserves compassion or not. Yes? You have no criteria for that. Or in the other case, sincerity: Well, what he is sincere *about*? That is not important. The main point is that he's sincere. Yes?

**Mr. Gary:** I would like to know: Do you think that the wine of the Athenians helps them to be loyal to each other, the men to be loyal with the women and the women to be loyal with the men, to have, to have some kind of real love, whereas the lack of wine in Sparta causes the women to be loose and—

**LS:** No.[99] He doesn't go into [the] reasons. [Laughter] The reason given by that wise man Aristotle is that[100] the Spartans were always at war, and therefore the women administered the estates. They had their own money, in present-day language—[x]

**Mr. Gary:** And that's what enabled them to be loose?

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[ix] Strauss perhaps alludes to Descartes's *Discourse on the Method for Conducting One's Reason Well and for Seeking Truth in the Sciences*, 1.4-5.

[x] Aristotle *Politics* 1269b12-39.

**LS:** Ya. [Laughter] Because that led to that, yes. Yes?

**Mr. Levy:** The justification given in the dialogue for these three gentlemen discussing that which is good and bad in laws is the fact that they are old. But wouldn't that call into question, I mean, it seems to me implicitly, the enterprise of writing the *Laws* in the first place? In other words, Plato in writing these laws would presumably know that young people would be reading them as well as old; and here he's blowing the whistle on the divine origin of the law.

**LS:** Ya, but the point is this:[101] How many people read the *Laws*? The *Laws* is not one of the most famous and most admired Platonic works. The common opinion today, if I remember well, is that this was written by the old, disappointed, somewhat bitter Plato; and of course you know how old men are. [Laughter] Read the chapter in the *Rhetoric* about old men, in Aristotle's *Rhetoric*, and that explains it. And it is—no, even the little points which we observed about these ironies and so on—if one can call these ironies—you would be quite surprised if you read the literature, especially the learned literature, how impermeable these scholars are to anything of this kind. And therefore if we do not assume that scholars are necessarily the most stupid part of men, which I think would be a wrong assertion, that would also be true of others. Yes.

[1] Deleted "societies."

[2] Changed from "on the terms on which."

[3] Deleted "that."

[4] Deleted "the reading of [inaudible word]."

[5] Deleted "the Spartan."

[6] Moved "as a typical Spartan."

[7] Deleted "him."

[8] Moved "Megillus;" deleted "of the Spartan."

[9] Deleted "some."

[10] Deleted "the three judges—."

[11] Deleted "with a view to—."

[12] Deleted "who."

[13] Deleted "me."

[14] Deleted "is—."

[15] Deleted "are—."

[16] Deleted "I would—."

[17] Deleted "the term which—."

[18] Deleted "who has a certain—."

[19] Deleted "is—."

[20] Deleted “which—where the translation—.”

[21] Deleted “to the—.”

[22] Deleted “has—.”

[23] Deleted “he does not tell—.”

[24] Deleted “should not tell.”

[25] Deleted “in all the—.”

[26] Deleted “these direction—in.”

[27] Deleted “this—.”

[28] Deleted “from.”

[29] Deleted “for.”

[30] Deleted “it is—.”

[31] Deleted “what—.”

[32] Deleted “fall—.”

[33] Deleted “which.”

[34] Deleted “that.”

[35] Deleted “this ingredient.”

[36] Deleted “in.”

[37] Deleted “that’s not—.”

[38] Deleted “courage.”

[39] Deleted “but–.”

[40] Deleted “because there may vary—.”

[41] Deleted “and let us [inaudible]—So we know now—oh, I'm sorry. Yes?”

[42] Deleted “so let us—.”

[43] Deleted “there seem to be some—you know.”

[44] Deleted “the family is—you know.”

[45] Deleted “it seems to be a rather—a rather—well.”

[46] Deleted “thinking of.”

[47] Deleted “he.”

[48] Deleted “it.”

[49] Deleted “of.”

[50] Deleted “but.”

[51] Deleted “but the details—they—it.”

[52] Moved “that courage is the lowest of the virtues.”

[53] Deleted “were—.”

[54] Deleted “I understand—.”

[55] Changed from “but this intelligence is.”

[56] Deleted “police would be, or the.”

[57] Deleted “and so.”

[58] Deleted “speaks.”

[59] Deleted “wouldn’t that still leave—.”

[60] Deleted “*Deuteron*—no.”

[61] Deleted “for the si—.”

[62] Deleted “because.”

[63] Deleted “is in Greek.”

[64] Deleted “so the Athenian—.”

[65] Deleted “should have—would—.”

[66] Deleted “he wouldn’t know.”

[67] Deleted “that.”

[68] Deleted “not *logoi*—.”

[69] Deleted “this—.”

[70] Deleted “when they were—.”

[71] Deleted “in—.”

[72] Deleted “so—good.”

[73] Moved “dialogues.”

[74] Deleted “and.”

[75] Deleted “the point is this—.”

[76] Deleted “and then.”

[77] Deleted “is a good—.”

[78] Changed from “the pleasures, the control of pleasures, not only the control of pain of fear.”

[79] Changed from “And now so, Megillus is now to answer–to show that the Spartan legislator—or rather both should show.”

[80] Deleted “him—.”

[81] Deleted “is speaking.”

[82] Deleted “and this is—.”

[83] Deleted “if—.”

[84] Deleted “what is—.”

[85] Deleted “this—.”

[86] Deleted “who does not—.”

[87] Deleted “there is—.”

[88] Deleted “he.”

[89] Deleted “by.”

[90] Deleted “under.”

[91] Deleted “have something—.”

[92] Deleted “their advantages—.”

[93] Deleted “and.”

[94] Deleted “there is a certain—yes.”

[95] Deleted “what one—.”

[96] Deleted “so it can come out—”

[97] Deleted “**LS**: Pardon? **Student**: But only if you're old.”

[98] Changed from “so, for example, such things—.”

[99] Deleted “that.”

[100] Deleted “they were—.”

[101] Deleted “that how many, I mean, not spe—.”

**Session 3: no date**

**Leo Strauss:** [In progress] —continue where we left off last time, 638b4. The Athenian makes clear to the Cretan how he should have praised the Cretan laws. The main point is that these laws are in accordance with the natural order of the good things. But while the Athenian gives the Cretan this specimen of a proper praise of the Cretan laws, he changes from "the Cretan legislator has done these and these things" to "the legislator—any legislator—must or will do these and these things." He will lay down the laws according to the natural order. This means that the Cretan is supposed to have returned from the Cretan laws, to say nothing[1] [of] present-day Crete, to something more ancient than the most ancient code, and that is precisely the natural order. Then after this long speech, a new beginning of inquiry or examination of the Cretan code is made. The critical question: How did that code provide for the better half of courage? And the better half of courage means the ability to resist pleasures, an ability brought about by being exposed to pleasures. The Dorians are embarrassed, because obviously the Dorian codes have not provided for this. Before he continues his examination of the Dorian codes, the Athenian praises most highly what I call the law of laws: the law according to which all citizens must say with one voice that all the laws are good since they have been given by gods. Only old men may in strict privacy allude to defects of the laws, and the Athenian draws from this a conclusion that since he too is an old man, he may do that.

So after[2] the Athenian has shown that criticism of the Dorian laws is under certain conditions permitted by the Dorian laws, he goes now into that criticism, and he repeats his question: What about the provisions for moderation? He no longer calls it a part of courage but simply treats it as a separate virtue. The Spartan replies, "Common meals," to which the Athenian replies, "Well, these common meals and similar institutions usually lead to serious defects, in particular to pederasty." I was given to understand that this term is perhaps not understood by all, therefore I will say what it is: pederasty means love of young boys by mature men. It is better than "homosexuality," because that is a much more comprehensive term, as you probably know.[3] So the Athenian has shown that the Spartan legislator, if he believed[4] [that he would] make people moderate by introducing common meals,[5] did the wrong thing. But the Spartan then reacts in a perfectly natural manner and says: Well, look what your legislator permits or does! Look at Athenian drunkenness! That was the point which we had reached last time,[6] and this is the transition to the rest of books 1 and 2, where Athenian drunkenness or, more directly, banquets, symposia, are the theme. What that means we must wait until we have read that. But I think we should continue[7] [at] 638b4. Now let me see where that is in that edition. That's on p.47. So, towards the second half of the first paragraph. "So let us leave victories and defeats."

**Reader:**
ATH. So let us leave victories and defeats out of account for the present, and discuss each several institution on its own merits in the endeavor to convince ourselves, and explain in what way one kind is good and another bad. And to begin with, listen to my account of the right method of inquiring into the merits and demerits of institutions.

**LS:** Yes, and then he begins to explain. So all extrinsic considerations like, for instance, victories in war by a given nation enjoying these particular kinds of institutions, or very general

acceptance by all peoples—[8][these are] irrelevant. We have to consider the question of goodness or badness of institutions in a more precise way. And now he begins to explain what that means.

**Reader:**
MEG. What is your account of it?
ATH. In my opinion, all those who take up an institution for discussion and propose, at its first mention, to censure it or commend it, are proceeding in quite the wrong way. Their action is like that of a man who, when he hears somebody praising cheese as a good food, at once starts to disparage it, without having learnt either its effects or its mode of administration—in what form it should be administered and by whom and with what accompaniments, and in what condition and to people in what condition. This, as it seems to me, is exactly what we are now doing in our discourse. At the first mention of the mere name of drunkenness, straightaway we fall, some of us to blaming it, others to praising it; which is most absurd. Each party relies on the aid of witnesses, and while the one party claims that its statement is convincing on the ground of a large number of witnesses produced, the other does so on the ground that those who abstain from wine are seen to be victorious in battle; and then this point also gives rise to a dispute. (638c-d)

**LS:** Because in some cases it's not even sure who won the war, or rather who won that battle, and if he won the battle, whether he will win the war, and all these kind of things. Yes?

**Reader:**
ATH. Now it would not be at all to my taste to go through all the rest of the legal arrangements in this fashion; and about our present subject, drunkenness, I desire to speak in quite another fashion (in my opinion, the right fashion), and I shall endeavor, if possible, to exhibit the correct method for dealing with all such subjects; for indeed the view of them adopted by your two States would be assailed and controverted by thousands upon thousands of nations.

**LS:** Yes. The correct "method." That is in a way the literal translation of the Greek term, only "method" has not yet this strictly technical meaning, and least of all in such a dialogue as the *Laws*. Say "manner of inquiry," or something of this kind. But it is meant to be a universal inquiry, applying to all institutions and not merely to drinking. Yes. And now?

**Reader:**
MEG. Assuredly if we know of a right method of investigating these matters, we are bound to give it a ready hearing.
ATH. Let us adopt some such method as this. Suppose a man were to praise the rearing of goats, and the goat itself as a fine thing to own, and suppose also that another man, who had seen goats grazing without a herd and doing damage on cultivated land, were to run them down, and find fault equally with every animal he saw that was without a master or under a very bad master,—would such a man's censure, about any object whatsoever, be of the smallest value?
MEG. Certainly not. (638d-39a)

**LS:** So now let us see how the argument proceeds. The mere name, so to speak, is wholly

insufficient for judgment. That goes without saying. We must consider in each case the particular circumstances[9] in which it is well applied, and if it is bad *then*, then it is truly bad; otherwise not. Now these circumstances are now here, in this example of the goat, reduced to a single one: being ruled well. And that of course[10] will apply to the symposia in particular: if they are ruled well, regulated well, they are good; if they are not ruled well, they are of course bad. This causes a difficulty. Note also the expression: if someone were to blame the breeding of goats and would praise the beast itself, that it is desirable, or something—the beast itself in contradistinction to its being ruled or not being ruled. Now the man who praises the goats means, whether he knows it or not, goats well-ruled. We will see how this will develop in the sequel.

**Reader:**
ATH. Do we call the man who possesses only nautical science, whether or not he suffers from sea-sickness, a good commander on a ship, or what?
MEG. By no means good, if along with his skill he suffers in the way you say.

**LS:** So here we get a first inkling of what ruling means. Two ingredients: first knowledge, and then immunity to sea-sickness in this particular case. More generally, immunity to the specific disturbances arising in connection with the activity in question. Yes?

**Reader:**
ATH. And how about the army-commander? Is a man fit for command, provided that he has military science, even though he be a coward and sea-sick with a kind of tipsy terror when danger comes?
MEG. Certainly not.
ATH. And suppose he has no military skill, besides being a coward?
MEG: You are describing an utterly worthless fellow, not a commander of men at all, but of the most womanish of women.

**LS:** Yes. Now we have here the commander of armies: here the military knowledge is obviously the knowledge or science required. But as for the specific disturbance corresponding to seasickness in the case of the pilot, that is fear. The control of fear, let us say courage, is something very different from military science. We must keep this in mind. Whether that is, as Socrates seems to assert, itself a kind of science or knowledge,[11] we do not have sufficient basis[12] here to determine[13]. Yes?

**Reader:**
ATH. Now take the case of any social institution whatsoever which naturally has a commander, and which, under its commander is beneficial; and suppose that someone, who had never seen the conduct of the institution under its commander, but seen it only when with no commander or bad commanders, were to commend the institution or censure it; do we imagine that either the praise or the blame of such an observer of such an institution is of any value? (639b-c)

**LS:** You see, one would expect him to speak now of banquets, of symposia, but instead he speaks of a man who praises or blames any association whatever[14] which by its nature requires a ruler. Now here this man must obviously have knowledge if he is to praise or blame correctly.

But according to the analogy of the two preceding examples, must he not have also an equivalent of immunity to seasickness? And what is that analogon in the case of the praiser or blamer of institutions? Are there specific disturbances caused by institutions comparable to seasickness caused by the sea? Well, we have already seen something of this. For example, the Athenian[15] blamed the Spartan code in regard to its provisions for promoting moderation, and that was resented by the Spartan. So these passions engendered by love of one's own, they are the analogon to seasickness in the case of struggle over the sea, and this immunity is as indispensable as knowledge. Yes?

**Mr. Simon Kaplan:**[i] Mr. Strauss, isn't an analogy also possible between sea-sickness and the sickness of the desire for power?

**LS:** Sure. Yes, sure. But[16] I believe he is not speaking now of someone who tries to change institutions and thus to come to power, but someone who limits himself to praising or blaming. In other words, the observer, the judge, the critic. Sure, it would apply to that. This will come out later. That is clear, that all these political emotions are a kind of seasickness or of drunkenness, as he will say more specifically later, which a ruler of the banquet, i.e., the ruler of the city, has to control. That will come out very soon. Yes. You must also observe that he does not say that all associations require a ruler, only those which are by nature in need of a ruler. We will come back to this[17] very shortly. Now go on, please.

**Reader:**
MEG. Certainly not, when the man has never seen nor shared in an institution of the kind that was properly conducted.
ATH. Now stay a moment! Shall we lay it down that, of the numerous kinds of social institutions, that of banqueters and banquetings forms one?
MEG. Most certainly.
ATH. Now has anyone ever yet beheld this institution rightly conducted? Both of you can easily make answer—"Never yet at all," for with you this institution is neither customary nor legal; but I have come across many modes of banqueting in many places, and I have also inquired into nearly all of them, and I have scarcely seen or heard of a single one that was in all points rightly conducted. For if any were right at all, it was only in a few details, and most of them were almost entirely on the wrong lines. (639c-e)

**LS:** So this causes a difficulty, doesn't it? Who can judge of a symposium if even the Athenian, who has seen so many and has investigated, so to speak, all of them has hardly found a single one which was well conducted? And would this not be a proof that he is wrong in recommending symposia, and therefore would it not justify his interlocutors in rejecting his proposal altogether? For some reasons which are not yet clear, the Dorians are extremely interested in hearing what the Athenian has to say, and therefore they do not take this way out, perhaps because they have a secret desire for this kind of enjoyment allegedly forbidden to them by their legislators.[18] So there is no experience of any perfect symposium. How does one then know of a perfect symposium? That is the question, which will be answered in a way in the sequel. Now the Cretan takes over.

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[i] Mr. Kaplan was a tutor at St. John's Annapolis.

**Reader:**
CLIN. What do you mean by that, Stranger? Explain yourself more clearly; for since we are (as you observed) without any experience of such institutions, even if we did come across them, we would probably fail to see at once what was right in them and what wrong.

**LS:** Because they lack experience of the moderate. Yes? They cannot know what is good and at the same time possible.

**Reader:**
ATH. That is very probable. Try, however to learn from my description. This you understand—that in all gatherings and association for any purpose whatsoever—

**LS:** Not "for any purpose whatsoever": "for any actions whatsoever."

**Reader:**
ATH. in all gatherings and associations for any action whatsoever, it is right that each group should always have a commander.
CLIN. Of course. (639e-40a)[ii]

**LS:** Yes, now wait a moment. Is this true, that all human associations need a ruler? Example?

**Mr. Gary:** Only the ones that are for action.

**LS:** Yes. And what is an example[19] [of] an association not [for action]?

**Mr. Gary:** Philosopher.

**LS:** You . . . that, you can put it this way. There is a discussion of this subject in another Platonic dialogue, the *Protagoras*, where there is an impasse caused by the fact that Socrates and Protagoras cannot reach agreement, and then someone proposes that there should be an arbiter, a ruler. And then Socrates, by an argument which is perhaps not altogether flawless, says that it is altogether impossible to have such an arbiter on such occasions.[iii] In the simple sense of the term, we can say there is no ruler in a Platonic dialogue. That there is some superior there in all cases, that is another matter, but he is not a ruler who will simply lay down the law. This is perhaps most the case, that there is someone who lays down the law, in the *Laws* where the Athenian Stranger acts in a way as legislator and therefore as a kind of ruler. But we can disregard this extreme possibility. Yes?

**Reader:**
ATH. Moreover, we have recently said that the commander of fighting men must be courageous.

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[ii] The reader adopts Strauss's correction in the last exchange.

[iii] Plato *Protagoras* 335a-338e.

CLIN. Of course.
ATH. The courageous man is less perturbed by alarms than the coward.
CLIN. That is true, too.
ATH. Now if there had existed any device for putting an army in charge of a general who was absolutely impervious to fear or perturbation, should we not have made every effort to do so?
CLIN. Most certainly.
ATH. But what we are discussing now is not the man who is to command an army in time of war, in meetings of foe with foe, but the man who is to command friends in friendly associations with friends in time of peace.
CLIN. Quite so.
ATH. Such a gathering, if accompanied by drunkenness, is not free from disturbance, is it?
CLIN. Certainly not; quite the reverse, I imagine.
ATH. So those people also need, in the first place, a commander?
CLIN. Undoubtedly—they above all.

**LS:** Yes. Now here he speaks for the first time of the commander or ruler of a symposium, whereas formerly, you may recall, he had spoken of the praiser or blamer of[20] any institution, which was a very different subject. Yes?

**Reader:**
ATH. Should we, if possible, provide them with a commander who is imperturbable?
CLIN. Certainly.
ATH. Naturally, also, he should be wise about social gatherings. For he has both to preserve the friendliness which already exists among the company and to see that the present gathering promotes it still further.
CLIN. Very true.

**LS:** So you see[21] the ruler of a banquet must be sober, must be immune to drunkenness, and he must have knowledge. But the knowledge is now no longer called knowledge or science, *epistēmē*, as it was done before but good sense, *phronēsis*. Yes?

**Reader:**
ATH. Then the commander we set over drunken men should be sober and wise, rather than the opposite? For a commander of drunkards who was himself drunken, young and foolish would be very lucky if he escaped doing some serious mischief. (640a-d)

**LS:** Yes, he[22] now complicates matters a little, doesn't he? So[23] [the commander] must under no circumstances be drunk, that goes without saying, nor, say, foolish. But he adds a third point.

**Mr. Gary:** He must not be young.

**LS:** Yes. Now let us assume that he is sober, wise, and young. What would happen in that case?

**Mr. Gary:** Insufficient experience?

**LS:** That[24] does not come up here; but surely, I mean,[25] [it is possible] that someone say, thirty years old, [could be] sober and wise as a commander of banquets?

**Mr. Gary:** His passions might be so strong because—

**LS:** Then he wouldn't be wise[26]. But he adds "young" precisely because[27] what happened before, and especially in the law of laws, was the simple identification of old and wise. And the whole venerable tradition is based on that identification, that the old are wise.

**Mr. Gary:** Yes. Isn't that also tied to the fact that when men become old, their passions subside and they are not as much the slave of their passions?

**LS:** Yes, but there are also other aspects to old age apart from that. At any rate, I remind you only of the fact that in the law of laws the only condition for criticizing the laws was oldness, not wisdom—[oldness], nothing else. That is now in an important manner qualified. Oldness is not a sufficient condition. Perhaps it is a necessary condition, but not a sufficient condition. Yes?

**Reader:**
CLIN. Uncommonly lucky.
ATH. Suppose, then, that a man were to find fault with such institutions in States where they are managed in the best possible way, having an objection to the institution in itself, he might perhaps be right in doing so; but if a man abuses an institution when he sees it managed in the worst way possible, it is plain that he is ignorant, first, of the fact that it is badly conducted, and secondly, that every institution will appear similarly bad when it is carried on without a sober ruler and commander. For surely you perceive that a sea-captain, and every commander of anything, if drunk, upsets everything, whether it be a ship or a chariot or an army or anything else that is under his captaincy. (640d-41a)

**LS:** Yes. Obviously that[28] refers, although that is not mentioned explicitly, to the city as well. There must be a sober captain or ruler of the city. But now he uses this term which was prepared by quite a few remarks: the thing itself. The thing itself is in this particular case a well-regulated banquet. A banquet which is not well regulated is not a true banquet; as we say, is not the banquet itself. Does this remind you of something which you know from Plato? The whole discussion of the quest for the perfect banquet, of which there is not a single example (or probably not a single example), does this not remind us of the quest for the best city in the *Republic*, where also traces of this were found here and there but never together? And so the[29] perfect symposium is an analogon to the perfect city. Now[30] whether this means the same as it means in the *Republic*, that remains to be seen, but[31] one point we can perhaps make clear right away. You doubtless have heard the expression "the *idea* of a thing," for example the idea of justice in the Platonic sense of the word, which is something purely just, as no institution, no human being, can be just. The[32] perfect city, the city itself, as one would say[33]: is this an idea, from Plato's point of view? It is surely never called so. An idea is something which is not made, surely not made by men. But what about the best city or the perfect city of the *Republic*, is this not made by men? I think that is made very clear in the *Republic*. Looking, say, at the idea of justice but then mixing that with something else, they produce this picture or image. The term

which was later on coined, utopia, in the sense of a blueprint; that is something which is essentially manmade. That corresponds much more to what Plato and, by the way also Aristotle, understand by the perfect city than "idea" in the Platonic sense. And the same would apply to the perfect symposium. What they are looking for, we can say, is a blueprint of the well-regulated symposium. Yes. Now the Athenian has[34] made clear that in all cases of association that call for rule, there must be a sober ruler. What does Clinias say to that?

**Reader:**
CLIN. What you say, Stranger, is perfectly true. In the next place, then, tell us this:—suppose this institution of drinking were rightly conducted, of what possible benefit would it be to us? Take the case of an army, which we mentioned just now: there, given a right leader, his men will win victory in war, which is no small benefit; and so too with the other cases: but what solid advantage would accrue either to individuals or to a state from the right regulation of a wine-party? (641a-b)

**LS:** Yes. The term which he uses at the end for "well regulated" is *paidagōgēthen*, a derivative from the Greek word for pedagogue, a leader, a chaperon of boys going to school, from which our word pedagogy and[35] similar words are derived. So Clinias is very interested in this utopian symposium, but he must know one more thing before he is satisfied, naturally: What good would it do? And by this word, *paidagōgēthen*, he gives the Athenian a cue to what he is going to say. Yes?

**Reader:**
ATH. Well, what great gain should we say would accrue to the state from the right control of one single child or even of one band of children? To the question thus put to us we should reply that the State would benefit but a little from one; if, however, you are putting a general question as to what solid advantage the state gains from the education of the educated, then it is quite simple to reply that well-educated men will prove good men, and being good they will conquer their foes in battle, besides acting nobly in other ways. Thus, while education brings also victory, victory sometimes brings lack of education; for men have often grown more insolent because of victory in war, and through their insolence they have become filled with countless other vices; and whereas education has never yet proved to be "Cadmeian," the victories which men win in war have often been, and will be, "Cadmeian."

**LS:** I suppose he makes clear in a note that this is something like a Pyrrhic victory, yes? But the answer which the Athenian gives, then, is this: symposia are helpful for education. Education is, in Greek, *paideia*, and that word is suggested, unconsciously suggested, by the Cretan when he spoke of *paidagōgein*. Yes. And now, what happens now?

**Reader:**
CLIN. You are implying, my friend, as it seems to us, that the convivial gathering, when rightly conducted, is an important element in education. (641b-d)

**LS:** Yes, wait.[36] Clinias calls the Athenian now for the first time "friend"; he had always called him before "stranger." "Stranger" is not a nasty word by any means, but it is of course not

"friend." The[37] Cretan seems to have become more friendly to the Athenian, and perhaps this has something to do with the fact that he would like to hear a vindication of symposia because he craves for them. And we naturally regard people who fulfill our desires as our friends. Yes?

**Reader:**
ATH. Assuredly.

**LS:** Yes, of course, as if there were no question, yes? Yes?

**Reader:**
CLIN. Could you then show us, in the next place, how this statement is true?
ATH. The truth of my statement, which is disputed by many, is for God to assert; but I am quite ready to give, if required, my own opinion, now that we have, in fact, embarked on a discussion of laws and constitutions. (641d)

**LS:** Yes.[38] The Cretan and the Spartan could easily have rejected the whole notion of symposia because the Athenian himself is not sure that this is a sound proposal. But they, and especially the Cretan, are very eager to hear it, as is indicated, among other things, by the Cretan calling him here in this context, for the first time, friend. Yes. Yes?

**Mr. Jerry Kaplan:** Mr. Strauss, in that passage, in the Greek it has in the Athenian's reply, "*ō xene*," "stranger." I mean—

**LS:** Yes, well, the Athenian continues.

**Mr. Kaplan:** Well, but it wasn't translated, where he says, where he replies to Clinias, "Stranger," I believe that . . . in the Greek, I mean . . .

**LS:** Yes, well, I mean, I'm not responsible for Bury's translation. Or what do you mean?

**Mr. Kaplan:** Well, you just made a point of saying that the Dorians are . . .

**LS:** At least the Cretan. He says for the first time "friend." I believe that is correct. I double-checked it, but maybe I should check it a third time.

**Rev. Winfree Smith:** I think he means that, just a moment later, the Athenian calls *him* "stranger."

**LS:** That is not the first time, I believe.

**Rev. Smith:** No, not the first time. He calls him "stranger."

**LS:** Pardon? It's not the first time.

**Rev. Smith:** No, not the first time.

**LS:** Pardon?

**Rev. Smith:** Not the first time.

**LS:** Not the first time. Yes. And therefore that is not such a clear case. The usual way in which they talk to each other is "stranger." And[39] the cases which need explanation, if we can give it, are where they do not say to one another "stranger," but something else. And this[40] I found particularly striking, when the Cretan suddenly[41] [says] "friend."

**Mr. George Doskow:** . . . [I thought the suggestion was that, in a] way, this is the Athenian rejecting this . . . friendship. He hasn't referred to either of them as "*xene*" for quite a while now, in fact . . . and that he does it in immediate response to being called "*phile*," would suggest that he's not accepting that offer of . . .

**LS:** I'm very sorry, it is entirely my fault that I do not hear you.

**Mr. Doskow:** The fact that he responds to this "*phile*" by calling him "*xene*" at this point, which he hasn't done for some time, would suggest that he's rejecting this suggestion of friendship.

**LS:** Yes, that could be. Yes, that he senses the strangeness, as it were. Yes. That could very well be. Yes. And[42] I believe that is confirmed to some extent by the immediate sequel. Now—yes?

**Mr. Frank Johnson:** How much of the interest by the Cretan and the Spartan do you think is due to the Athenian's mentioning victory in connection with [wine parties]? You know, wine parties are really a sort of education . . . victory . . . By explaining these wine parties he will tell them some more about how victory is attained.

**LS:** [43]You mean that he says that wine drinking is conducive to military victory?

**Mr. Johnson:** To education, he says—

**LS:** Yes, education, that's another matter, but education does not necessarily lead to victory. If you have a small, highly-educated city, it can easily be overrun by very powerful barbarian tribes. And that of course is no proof that the small, civilized society was uncivilized. Yes? No, victory is no proof. But he says only that the victory of a civilized people, if I may use this modern word,[44] is something good because they are civilized. But they can also easily be corrupted by the victory and then they lose their civilization[45] [in] this way.

**Mr. Johnson:** I thought the implication was that education bore victory with it, in other words, as a direct result.

**LS:** No, not . . . But[46] there are no Pyrrhic victories. Education is always sound for the right kind of people, and [if it is] the right kind of education. That goes without saying, that is not yet stated here. Yes?

**Reader:**

CLIN. Well, it is precisely your opinion about the questions now in dispute that we are trying to learn.
ATH. Thus, then, we must do—you must brace yourself in the effort to learn the argument, and I to expound it as best I can. But, first of all, I have a preliminary observation to make: our city, Athens, is, in the general opinion of the Greeks, both fond of talk and full of talk, but Lacedaemon is scant of talk, while Crete is more witty than wordy—

**LS:** "more rich in thought than rich in speech." Yes?

**Reader:**
while Crete is more rich in thought than rich in speech. So I am afraid of making you think that I am a great talker about a small matter, if I spin out a discourse of prodigious length about the small matter of drunkenness. But the fact is that the right ordering of this could never be treated adequately and clearly in our discourse apart from rightness in music, nor could music, apart from education as a whole; and these require lengthy discussions. Consider, then, what we are to do; suppose we leave these matters over for the present, and take up some other legal topic instead.

**LS:** So the Athenian[47] builds them a golden bridge, if they do not wish to hear of this foreign institution, the symposium. This is an Athenian affair, of course not only in Athens but especially in Athens. And now the Athenian gives here a more detailed justification: symposia are not possible without singing and instruments, without music; and this in its turn is not possible without the whole of education. Therefore one cannot vindicate symposia without giving a complete account of education, and that means to make a very long speech about a seemingly very little subject, symposia. Now to make long speeches and many speeches was supposed to be, as we learn here, characteristic of the Athenians. And the Athenian defending an Athenian institution, defends it in an Athenian manner, by extensive speech. And therefore his foreignness must become particularly sensitive to the listeners, and that is[48] an attempt to captivate their benevolence by stating frankly what the great difference between the Athenians and the Dorians is. There is other evidence in other writers, for instance in Pericles'a funeral speech, about this difference, between Athens and Sparta in particular. So now how do the Dorians react?

**Reader:**
MEG. O Stranger of Athens, you are not, perhaps, aware that our family is, in fact, a "proxenus" of your state. (641d-42b)

**LS:** Yes. "Proxenus" is a kind of consul, yes? They did not have the institution of consuls as we have it in modern times, but some citizen of the other city took care of citizens of city A in distress or so, when they were in the city B. Yes. "Proxenus"; he was called "proxenus."

**Reader:**
MEG. It is probably true of all children that, when once they have been told that they are "proxeni" of a certain State, they conceive an affection for that State even from infancy, and each of them regards it as a second motherland, next after his own country. That is precisely the

feeling I now experience. For through hearing mere children crying out, whenever they, being the Lacedaemonians, were blaming the Athenians for anything or praising them—"Your state, Megillus, has done us a bad turn or a good one,"—through hearing such remarks, I say, and constantly fighting your battles against those who were thus decrying your state, I acquired a deep affection for it; so that now not only do I delight in your accent, but I regard as absolutely true the common saying that "good Athenians are always incomparably good," for they are alone good not by outward compulsion but by inner disposition. Thus, so far as I am concerned, you may speak without fear and say all you please. (642b-d)

**LS:** Yes. Now[49] [there are] a few things we must consider. You see, obviously Athens was more commonly blamed in Sparta than praised, yes, because if Athens was praised, Megillus did not have had to do anything. But he had to fight all the time because there was constant blame. But that is not the most important point. There are two things. First,[50] the main point: from his childhood on,[51] he fought in his way for Athens and thus became a friend of Athens. He does not say anything, not even in the second argument, [about] how Athens had benefited *him* or Sparta, but rather how *he* had benefitted Athens. And that is the reason why he is benevolent to Athens. Does this remind you of a thought you have heard? That benefits one has made rather then received make one friendly. Well, that is according to Aristotle one of the characteristics of the magnanimous man. He does not like to be reminded of the benefits which he [has] received, because this shows him from the side of his weakness.[52] [He likes to be reminded of] the benefits he has given to others.[iv] And he gives then all kinds of examples[53] [of] that. That is, this magnanimity in this Aristotelian sense is characteristic of Megillus and, as we shall see soon, also of Clinias.

Now there is a second argument of Megillus, apart from[54] his benefiting Athens from his childhood on. The Athenians are outstanding because those among the Athenians who are good are exceptionally good, for they alone are good by nature, by their inner nature, by divine allotment, genuinely and not fictitiously. That is, most Athenians, that is the implication, are of course bad; but those who are good are exceptionally good. And in Sparta there is no such exceptional goodness. The Spartans are not good without compulsion, because there compulsion regulates everything. That is the theme going through Thucydides when he confronts the Athenians and the Spartans. These are the two reasons why Megillus is favorably disposed toward the Athenians and therefore perfectly willing to hear a defense of an Athenian institution stated in the Athenian manner. Yes?

**Mr. Mollin:** Why is he here persuaded that the stranger is in fact, you know, the exceptional Athenian?

**LS:** I beg your pardon?

**Mr. Mollin:** Why is the Spartan persuaded that the Athenian Stranger is in fact one of the good Athenians?

**LS:** That he does not say. That he does not explicitly say[55]. Perhaps he has already received a

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[iv] Aristotle *Nicomachean Ethics* 1124b.

deep impression of him, but he does not say this explicitly. But what he probably has in mind is the fact, which must strike anyone, say, reading Thucydides's *History*: there is a galaxy of outstanding Athenians and perhaps one outstanding Spartan, and this outstanding Spartan was disliked by the Spartans: Brasidas. And all the great men from Themistocles on were Athenians, not Spartans; and that they won the Peloponnesian War[56] is not necessarily the consequence of their exceptional goodness, of Lysander or such people. In Athens there was the impression that there was relatively little social discipline, as it would be called today. Relatively little. And in Sparta there was very, very much of it. And therefore only the Athenians[57], if they are good, [are] genuinely good without any compulsion; and there is no conventional fictitious element in their goodness.

**Reader:**
CLIN. My story, too, Stranger, when you hear it, will show you that you may boldly say all you wish. You have probably heard how that inspired man Epimenides, who was a family connection of ours, was born in Crete; and how ten years before the Persian War, in obedience to the oracle of the god, he went to Athens and offered certain sacrifices which the god had ordained; and how, moreover, when the Athenians were alarmed at the Persians' expeditionary force, he made this prophecy—"They will not come for ten years, and when they do come, they will return back again with all their hopes frustrated, and after suffering more woes than they inflict." Then our forefathers became guest-friends of yours, and ever since both my fathers and I myself have cherished an affection for Athens.

**LS:** You see, it is again a benefit conferred, not received, which causes sympathy for Athens; in this case, an entirely different one. Epimenides—I have mentioned him before, a Cretan prophet. That belongs to a much older stratum of Greece than what Megillus[58] [speaks of], as you see from the examples. So it is now clear: the Athenian has found out that his interlocutors are perfectly willing to listen to him and are favorably disposed to his long speech about this seemingly trivial subject. Now?

**Reader:**
ATH. Evidently, then, you are both ready to play your part as listeners. But as for my part, though the will is there, to compass the task is hard: still, I must try. In the first place, then, our argument requires that we should define education and describe its effects: that is the path on which our present discourse must proceed until it finally arrives at the god of Wine. (642d-43a)

**LS:** Yes, "of wine" is not there; that is an interpretation which I question. They walk from Cnosus, the Cretan city, to the cave of Zeus and they arrive eventually at the god; but the god is then Zeus. And if this is so, the whole *Laws* would deal with education. This makes perfect sense, it seems to me.[59] One can say that only the first two books, and probably also book 7, deal with education thematically, but then one forgets one thing, the primary objects of education in this dialogue, namely, Clinias and Megillus. The whole work, the whole conversation from beginning to end, is an education of these two old men. Which consequences this will have, we do not know. Here he raises the question, the famous Socratic question: What in the world is education, and which power does it have? He had not raised this question regarding the virtues,

of course. He raises this Socratic question: What is education? And how does he answer it? Let us read the[60] the next three speeches.

**Reader:**
CLIN. By all means let us do so, since it is your wish.
ATH. Then while I am stating how education ought to be defined, you must be considering whether you are satisfied with my statement.
CLIN. Proceed with your statement. (643a-b)

**LS:** [61]So he raises the Socratic question: What is education? But is it treated in the Socratic manner? How does Socrates ordinarily treat such questions?

**Mr. Gary:** By eliciting answers from someone who claims to know.

**LS:** If I may use[62] a term very much in vogue: by dialogue. Yes? Good. And there is nothing of a dialogue here but the Athenian simply tells them, and he will do that in the sequel too. So[63] this makes it very clear that[64] [the *Laws*] is in a very emphatic sense[65] sub-Socratic. At some points it raises Socratic questions but it never treats them in the Socratic manner,[66] and that is inevitable given the fact that the interlocutors are these two old nonAthenians. Now the Athenian will say what education is.

**Reader:**
ATH. I will. What I assert is that every man who is going to be good at any pursuit must practice that special pursuit from infancy, by using all the implements of his pursuit both in his play and in his work. For example, the man who is to make a good builder must play at building toy houses—

**LS:** Does[67] he omit farmer?

**Reader:** No, it's coming.

**LS**: No, first farmer, he says. Yes?

**Reader:**
ATH. and to make a good farmer he must play at tilling land; the man who is to make a good builder must play at building houses, and those who are rearing them must provide each child with toy tools modelled on real ones. Besides this, they ought to have elementary instruction in all the necessary subjects,—the carpenter, for instance, being taught in play the use of rule and measure, the soldier taught riding or some similar accomplishment. So, by means of their games, we should endeavor to turn the tastes and desires of the children in the direction of that object which forms their ultimate goal. First and foremost, education, we say, consists in that right nurture which most strongly draws the soul of the child when at play to a love for that pursuit of which, when he becomes a man, he must possess a perfect mastery. Now consider, as I said before, whether up to

this point, you are satisfied with this statement of mine. (643b-d )[v]

**LS:** Now let us first see. He has the two examples, of a farmer and a housebuilder, and then he replaces the farmer by the horseman, the man on horse, which makes perfect sense: the wealthier farmers, the gentleman farmers, were of course serving[68] in the cavalry. Now what must they do? They must have toys imitating the instruments which they need later, and then they must learn—already seriously, going beyond the play—some preliminary knowledge[69]. For example, in many games one has to count, and this counting, while used entirely for play, is nevertheless a serious preliminary knowledge. But then he generalizes what he had said about education, speaking no longer about the two different kinds of men, the farmers and the housebuilders, and says the purpose of education is to produce in the soul of the playing child a passionate desire[70] [for] that in which he must, after having become a man, be perfect. This[71] would apply of course also to these two examples but refers also[72] to another example, which he will specify in the immediate sequel. Yes?

**Reader:**
CLIN. Certainly we are.
ATH. But we must not allow our description of education to remain indefinite. For at present, when censuring or commending a man's upbringing, we describe one man as educated and another as uneducated, though the latter may often be uncommonly well educated in the trade of a pedlar or a skipper, or some other similar occupation. But we, naturally, in our present discourse are not taking the view that such things as these make up education: the education we speak of is training from childhood in goodness, which makes a man eagerly desirous of becoming a perfect citizen, understanding how both to rule and to be ruled righteously. This is the special form of nurture to which, as I suppose, our present argument would confine the term "education"; whereas an upbringing which aims only at money-making or physical strength, or even some mental accomplishment devoid of reason and justice, it would term vulgar and illiberal and utterly unworthy of the name "education." Let us not, however, quarrel over a name, but let us abide by the statement we agreed upon just now, that those who are rightly educated become, as a rule, good, and that one should in no case disparage education, since it stands first among the finest gifts that are given to the best men; and if ever it errs from the right path, but can be put straight again, to this task every man, so long as he lives, must address himself with all his might. (643d-44b)

**LS:** Yes. Now this is all he says for the time being about education, and we must keep in mind that he will have to show that education thus understood requires symposia. That will come in the sequel. Is there any point that you would like to take up regarding education? I gather that this is a favorite subject of discussion in this college. Yes?

**Mr. Levy:** How[73] do they know what is the best craft for an infant at an early age? How do they determine whether he is to become a builder or a farmer, something like that?

**LS:** Well, partly, I'm afraid, from the profession of the parents. I mean, you know, in the

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[v] The reader incorporates Strauss's change.

*Republic* the rulers are supposed to be of an uncommon sagacity and to be able, so to speak, to recognize whether a newborn child is to be a ruler or will belong to the class that is only ruled. These expectations you do not find in the *Laws*. Here you will have to assume they proceed by such standards, I mean, that there is a gentlemanly class and a nongentlemanly class, and the education *par excellence* is that of gentlemen, and the other is the *banausei* [or vulgar, with] "education" in quotation marks. You know, the education in moneymaking, life adjustment, or however you might call it. But the main point—that is made very clear—[is] learning how to rule and to be ruled, to command and to obey with right, with righteousness; that is to say, not the art of a tyrant, for example, who also[74] possesses the art[75] [of ruling], but not with righteousness and [he] perhaps acquired this tyranny even by unrighteous obedience. Unrighteous obedience. Mr. Goldwin?

**Mr. Goldwin:** Is this meant to exclude a kind of education that might transcend political considerations, beyond citizenship?

**LS:** Yes,[76] that seems to be the case. But I believe that is one of the implications of the discussion of symposia, that in the symposia, something of a higher order will come in. But on the face of it, it is strictly citizen's education. Yes?

**Mr. Berns:** If one accepts your answer, it sounds as if it's saying that if there is to be an education that transcends the political, it has to justify itself and present itself as first being sound for the *polis*.

**LS:** Yes, sure.[77] Well, this, I believe, would always be true in one way or the other.

**Mr. Goldwin:** Would it then be a right understanding of this to say that there cannot be an education of a good man that does not at least include education to be a good citizen?

**LS:** Yes, that one can safely say, although, as will become clear very soon, there is some subtle difference between the good man and the good citizen. But this difference does not become a theme in the *Laws*. That has to do with the following fact, as we will see very soon, that the citizen is a man simply subject to the law, who may have some influence on legislation of course but[78] is guided primarily by the law. But there are also a few men who are not primarily guided by the law, which does not mean that they transgress the law but that [the law] is not that by which they take their bearings. That will be made clear very soon. But it will not be made clear to Clinias and Megillus. You see, that is of course[79] the important point: they don't hear everything we can hear, for the simple reason that we can read, and reread and reread; but when you converse, you cannot say all the time, "Repeat that sentence, dissolve it perhaps into its subordinate clauses, repeat each subordinate clause," and so forth. That you cannot do. And so they[80] understand only a small part of it. But it is[81] as if the Athenian speaks through these old men[82] [to] young people of the future in[83] their respective cities. You know? So that the young would understand—*some* young people would understand—the important things which Clinias and Megillus do not understand. They do understand what it means to be a good citizen, a perfect citizen, who knows how to command and how to obey. That they understand, of course.

**Mr. Goldwin:** One last question, Mr. Strauss. In 642d, where—

**LS:** 642?

**Mr. Goldwin:** Yes, going back.

**LS:** Yes. In Clinias's speech.

**Mr. Goldwin:** . . . is this some reference to what you've been talking about, that good Athenians are good not by outward compulsion but by inner disposition? That is, a goodness that is somehow not compelled by citizenship?

**LS:** That is a very good point you make, yes. Yes. I had not thought of that, but that is quite true.

**Mr. Goldwin:** But it's in a speech by Megillus.

**LS:** Yes, but he senses that, but he would say that you have to pay a terrific price for that. Then you get also these great criminals like Alcibiades,[84] who corrupted a Spartan queen and did other terrible things. That is the price that you get for this permissiveness, as it would be called today. And the Athenian Stranger takes as a rule this strict view of the Dorians, you know:[85] the book is called *Laws*, it[86] [concerns] a law-ruled state. And[87] the laws are very incisive of course,[88] going [much more] into details than modern laws would—I mean of course without having a social legislation, which accounts for so much of modern legislation. Yes? But this gentlemen—Dr. Kass I believe is your name? Yes?

**Dr. Kass:** [89]I don't know if I'm introducing a foreign kind of distinction into the discussion of education here, but would you say that the passages that we just read treat really the development of the character and the moral virtues simply, or do you see[90] here the cultivation for certain of what Aristotle would call the intellectual virtues?

**LS:** Yes, but there is nothing said of that distinction. In the foreground, I would assume,[91] of what[92] the two hearers understand, there would be, as you call them, the moral virtues—

**Dr. Kass:** So that the—

**LS:** Formation of character rather than of the intellect.

**Dr. Kass:** if this understanding of how to rule would probably imply some kind of knowledge in addition to character.

**LS:** Yes, it requires also other things which are not, properly speaking, knowledge. Yes?[93] I suppose certain qualities of the body, of the voice and what have you are eminently conducive to command. Yes?

**Mr. Joseph Gonda:** This might be a bit opaque, but in your remarks that the Athenian Stranger is talking through Clinias and Megillus to some young men in the future, does that imply that the *Laws* has a kind of practical character that the *Republic* doesn't have, because it's a political . . .

**LS:** Yes,[94] well, that is in a way true of all dialogues. In an external sense, the *Laws* is much more practical than the *Republic* because, as will appear later on, Clinias belongs to a commission supposed to draw up a code for a colony, a new colony founded by Cnosus. You know? And[95] the Athenian as it were gives the outlines of that code which Clinias will propose to the commission and which may, for all we know[96], be accepted by the commission. That is very practical, is it not? In the *Republic* there is nothing of the kind. Yes?

**Mr. Gonda:** But then wouldn't that there might be something . . . feasible that the scheme that would still be . . . but when you suggest that there is an audience beyond Megillus and Clinias, that speaks somehow to Plato's intention beyond the Athenian Stranger.

**LS:** Yes, but would this not be also true, that the *Republic* may tell us things which Glaucon and Adeimantus did not grasp?

**Mr. Gonda:** They would necessarily be programmatic . . . they wouldn't have—it wouldn't follow that they led us to a kind of political program in any way.

**LS:** Yes, but let us assume that this code is elaborated by Clinias in accordance with the Athenian's suggestion [and that] the code is adopted by the new city; then this code would transmit, in a very indirect and diluted way, the notions of the Athenian Stranger, would it not? This closeness to action doesn't exist in any other dialogue. One thing[97] [that] is characteristic of this work is that it is[98] so far away from Athens, that he talks here to people who have never heard, so to speak, of philosophy. When he talks to Athenians, even if they are a kind of old Colonel Blimp—say, Laches in the *Laches*—he has of course heard of this kind of thing, you know, and he doesn't like it but he has heard of it.[vi] But these people cannot even dislike it. That is unique.[99] [And therefore we have] also these reflections on Athenianism, if we can say that, to which you find no parallel in the other dialogues.[100] There are some parallels[101] perhaps in[102] what the old Egyptian priest is said to have said to Solon, yes? But he doesn;t speak of the Athenians. He says: You *Greeks* are always children.[vii] Yes?

**Mr. Doskow:** I'm still a bit puzzled about the question of whether this education is simply to moral virtues, character, or to the intellectual virtues at all, because it is said in that speech that he has to learn to be ruled and to rule with justice. It doesn't say simply according to law, but with justice, which would seem to demand some knowledge of what is just and what is unjust. And in terms of the earlier analogy of a commander, a sea-captain: he may be a man of great character and strength and leadership, but if he doesn't know his job, if he doesn't how to be a commander, what's involved in being a general, what's involved in any kind of leadership, he's going to be very unsuccessful. Here justice would seem to be the skill—or justice would seem to be that without which one must have knowledge . . .

**LS:** Yes, but you see when he spoke of the various virtues in this—you know, in the section on the natural order of the good things—[103]no question arose as to their intellectual ingredient or so.

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[vi] Plato *Laches* 194a-b.

[vii] Plato *Timaeus* 21e-22c.

It was simply said there must be an ultimate reference to *nous*; but what that is and how this reference works, that was left wholly obscure; and [104]in the seventh book of the *Laws*, which explicitly deals with education and where you find certain parallels to what is done in the *Republic*, you see that the highest or last part of education—which in the *Republic* is, as you know, dialectics[viii]—is in the *Laws* hunting. Hunting is an image of dialectics, but an image through which one cannot always recognize the imaged. You know? You can take hunting quite literally. Later, in the tenth book—that is perhaps the most theoretical part of the *Laws*—when he[105] deals with the penal law and the question arises, "What should be done about impiety?" the Athenian is compelled to explain what impiety is.[106] And in the strict form, in the extreme form of straight atheism, it is wholly unknown to these people. And the Athenian tells them of what these physiologists, you know, the Greek early philosophers, said about the whole; and [there he gives them][107] the earliest demonstration of the existence of gods which [exists][108]. But the *Laws* is, at least on the surface, the least "quote philosophic," the most sub-Socratic, Platonic work, and therefore perhaps particularly interesting. Yes?

**Student:** Does the law of laws apply only to states that claim that their laws were given by a god, or at least by a Greek god? . . . Or does the law of laws apply to any state . . .

**LS:** Well, that is the starting-point of their conversation. These people say that their laws are god-given. But later on, when the Athenian speaks of the law of laws, he makes it rather clear that they do not seriously believe that, that this is simply the way in which every criticism of the laws is silenced, except strictly private criticism among old men. But I suppose that Plato would have said that in every city which is to be good there must be belief in gods, a civil religion, and a positive religion; and this is an *established* religion, that is clear. I mean, that there could be individuals who did not believe in that religion, if we use this term, that is of no importance if these people are sensible people and don't say what they think. If they create fuss, then of course something must be done about them. There was a kind of institution described in book 10 of the *Laws*, where they would[109] [go]—not exactly an insane asylum,[110] as in other more recent countries but a kind of sanitorium, so to speak, where they would have to listen to sensible people; and after they had done this for a while they might again be permitted to circulate. What we call "toleration," complete toleration, is a very recent thing—I mean not of today of course, but a modern thing of the last few centuries. The first man who said in so many words that an atheistic society is possible was Pierre Bayle.[ix] Did you ever hear of him? Late seventeenth century, born Frenchman, lived in Holland. And he made this point in a polemical context, but still he said that. Now the thought was not alien to a man like Hobbes, of course, but Hobbes never said it. In ancient times it was understood: no gods, no *polis*. I mean, not "no bishop, no crown"—that was not at that time the issue—but no gods, no *polis*. That's clear, there is no question about that.

**Student:** . . . I guess you answered my question, really, but I find this—

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[viii] Plato *Republic* 537d.

[ix] Pierre Bayle, *Various Thoughts on the Occasion of a Comet* (1683). For a recent English translation, see *Various Thoughts on the Occasion of a Comet*, translated and edited by Robert C. Bartlett (Albany, NY: State University of New York Press, 2000).

**LS:** I'm sorry?

**Same student:** I said I think you've answered my question. I wasn't really sure how seriously the speakers were taking the fact of the god-givenness of their individual polities . . . the one thing that is important is that if they have any doubts about it, they keep the doubts to themselves, even in a conversation among old men.

**LS:** Oh well, the kind of—how shall I say?—of half-clarity, half-obscurity, the many kinds of half-clarity, half-obscurity which are possible in such matters, where the greatest human interests are at stake, one cannot say. Surely there was not—I mean, there was no dogma in the sense of the Christian Church at that time, of course. But if someone said: These gods do not exist![111][and] we know at least from one comedy that[112] [it] might be possible that someone said it—that was in itself a capital crime. The psychology especially of old men regarding these things is described by Plato in the *Laws* at rather great length in the tenth book.[113] There, if anywhere, you would find an answer to your question. Mr. Berns?

**Mr. Laurence Berns:** I was wondering if there was any significance to the fact that he uses the word *dikē* rather than *dikaiosunē* here.

**LS:** Yes, there is surely something to that; but what he has in mind in particular I do not at the moment know. Let me see, where was this passage again?

**Mr. Berns:** 643b and 644a.

**LS:** "*aneu nou kai dikēs*," yes, when he speaks of this kind of education.

**Mr. Berns:** And earlier too, right in 6—at the end of 643 . . . to rule and to be ruled—

**LS:** Yes. Sometimes *dikē* implies a stronger emphasis on vindictive justice. I don't know whether that is the case here.

**Mr. Berns:** It would also seem to be the suggestion from that passage you just read [that] without *nous* . . . that *nous* and *dikē* go together naturally.

**LS:** Here this shows that they can go together easily, but it does not necessarily mean that where there is *dikē*, there is *nous*. Otherwise the distinction would not make sense. Yes? I think we must now stop here. And we continue next time, if everything goes well.

[1] Deleted "from."

[2] Deleted "he has let—."

[3] Deleted "now."

[4] Deleted "to."

[5] Deleted “he.”

[6] Deleted “and we will—.”

[7] Deleted “in.”

[8] Deleted “this is.”

[9] Deleted “in which it is to be well—.”

[10] Changed from “and that would of course—that.”

[11] Deleted “that.”

[12] Deleted “for this.”

[13] Deleted “that.”

[14] Deleted “which is by—.”

[15] Deleted “praised—.”

[16] Deleted “this is not—.”

[17] Deleted “later.”

[18] Deleted “but—.”

[19] Deleted “what is.”

[20] Deleted “any institutions—.”

[21] Deleted “so he must—.”

[22] Deleted “adds here.”

[23] Deleted “he must be—he.”

[24] Deleted “is—.”

[25] Deleted “the possibility could exist.”

[26] Deleted “then he wouldn’t be wise.”

[27] Deleted “the sim—.”

[28] Deleted “is—.”

[29] Deleted “perfect city—yes—the.”

[30] Deleted “whether this can be done—.”

[31] Deleted “we can see—.”

[32] Deleted “idea—the.”

[33] Deleted “can.”

[34] Deleted “now.”

[35] Deleted “so—and.”

[36] Deleted “that’s.”

[37] Deleted “Athenian—the.”

[38] Deleted “they easily—.”

[39] Deleted “the cases in which they—.”

[40] Changed from “the most partic—this is—.”

[41] Deleted “speaks of.”

[42] Deleted “that—and.”

[43] Deleted “no, but victory—.”

[44] Deleted “that.”

[45] Deleted “by.”

[46] Deleted “there is no—.”

[47] Deleted “makes it—.”

[48] Deleted “a kind of—.”

[49] Deleted “let us firstly—.”

[50] Deleted “he is—.”

[51] Moved “that.”

[52] Deleted “but from.”

[53] Deleted “for.”

[54] Deleted “this

[55] Deleted “but that remains—but.”

[56] Deleted “that does not necessarily—.”

[57] Moved “are.”

[58] Deleted “says.”

[59] Deleted “but if you say—.”

[60] Deleted “the first three—.”

[61] Deleted “now what—.”

[62] Deleted “a very—.”

[63] Deleted “we can—.”

[64] Deleted “this dialogue.”

[65] Deleted “this—I mean the *Laws*, I’m sorry—.”

[66] Changed from “at some points it raises–it raises a Socratic question, but it never treats it in the Socratic manner.”

[67] Deleted “he not—does.”

[68] Deleted “as—.”

[69] Deleted “preliminary knowledge. One can easily see.”

[70] Deleted “of.”

[71] Deleted “would be–.”

[72] Deleted “to other examples—.”

[73] Deleted “does he know—how.”

[74] Deleted “knows—.”

[75] Deleted “to rule.”

[76] Deleted “that is a very—.”

[77] Deleted “now.”

[78] Deleted “his—he.”

[79] Deleted “a great—.”

[80] Deleted “hear only a—.”

[81] Deleted “as it were, that—.”

[82] Deleted “through.”

[83] Deleted “these—.”

[84] Deleted “and—.”

[85] Deleted “that.”

[86] Deleted “is.”

[87] Deleted “a law which—.”

[88] Moved “much more.”

[89] Deleted “I don’t know if this is importing foreign—.”

[90] Deleted “in.”

[91] Deleted “in the foreground.”

[92] Deleted “the hearers.”

[93] Deleted “I mean that someone—.”

[94] Deleted “in one—.”

[95] Deleted “in this—and.”

[96] Deleted “may.”

[97] Deleted “—what.”

[98] Deleted “so wholly—.”

[99] Deleted “that’s wholly—.”

[100] Deleted “if—unless you take—.”

[101] Deleted “in—.”

[102] Deleted “what the Persian—.”

[103] Deleted “he did not—.”

[104] Deleted “there is”

[105] Deleted “comes to the—.”

[106] Deleted “and in this connection he speaks also, naturally, of what impiety is.”

[107] Deleted “that’s.”

[108] Deleted “is given there.”

[109] Deleted “come.”

[110] Deleted “but—.”

[111] Deleted “as.”

[112] Deleted “this.”

[113] Deleted “there you—.”

**Session 4: no date**

**Leo Strauss:** I would like to repeat a few points which came out last time or even before, since they are indispensable for our understanding of the rest of the first book. The dialogue, you recall, opens with a question regarding the origin of the Dorian laws. After a very perfunctory discussion of this subject, they turn to an apparently unrelated question, the question of the end or purpose of the Dorian legislation. And the question of the origin comes up again from time to time, but[1] it is no longer the theme. Now as to that end or purpose, you remember the first answer is: victory in war. This is questioned. Must a city not first have the right kind of inner structure before it can think of defeating its enemies? From war we are led to the virtue of war,[2] courage. And this is then said to be the aim, or end, of the Dorian legislation. But, as the Athenian asserts, it is the lowest of the four virtues, and the Dorian codes have provided only for courage. Courage is the right posture toward fear and pain. Must it not also include the right posture toward pleasure? In other words, is not moderation or temperance a part, if [not] the better part, of courage? The Dorian codes fail to provide for moderation. After having made this clear, the Athenian returns again to the distinction between courage and moderation, to the separation of moderation from courage. The question arises: Why does he present moderation as a part of courage in the first place? Why does he subordinate moderation to courage, if only for a short while? Does he wish to indicate that the Dorians, lacking moderation, cannot possess true courage? We shall leave this question open for the time being; perhaps we [will] find an answer[3] [to] it in the rest of the first book.

The Dorians, in particular the Spartan Megillus, claim that the Dorian codes provide properly for both courage and moderation by the institution of common meals, *syssitia*. The Athenian questions the soundness of that institution and he opposes to the *syssitia* the Athenian institution of symposia, common drinking. And the Athenian defends that, the symposia—of course,[4] the right kind of symposia; that is to say,[5] the well-regulated symposia. But, as is made clear, there is no experience of such well-regulated symposia. Nevertheless, the Athenian asserts that symposia are indispensable for education, that is to say, for education to virtue, to the virtue of the perfect citizen. This strange assertion is now being discussed. Now in order to prove this point, the Athenian must first make clear what education is. He answers that question but not, as we have seen, through the procedure of question and answer, as used by Socrates, through discussion; the Athenian, rather, teaches. And we have concluded that the discussion in the *Laws*, as compared to that in the other dialogues, is subSocratic. We can illustrate this by the following consideration: in the *Laws*, education is introduced for the sake of a vindication of symposia. This is parallel to what is being done in the *Republic*, where philosophy is introduced for the sake of the actualization of the good city. You will probably remember that, those who have read the *Republic*.[6] Philosophy comes up when the question is raised: How can we get this wonderful city, with absolute communism and perfect equality of the two sexes? And then the answer is: Well, the philosophers must[7] become kings, or the kings philosophers. And that leads to the discussion of philosophy. But there is of course nothing of philosophy in the *Laws*; the term "philosophy" or "philosophizing" occurs, if my counting is correct, twice in the whole work, perhaps a few times more, but only in a very casual manner, and [in] a very subdued manner. Now if we compare the *Laws* with the *Republic*, in particular we see [that] in the *Republic the* discussants in books two to ten are Glaucon and Adeimantus. And they have at least heard of

philosophy. In the *Laws* the two discussants are the two old Dorians who[8] have never heard of such things and could not be led any more to philosophy, given their advanced years.

So we continue at 644b6. And that is on which page of the translation?

**Student:** 67.

**LS:** 67 of the translation. Now the Athenian has just praised and defined the right kind of education as a preparation for his proof that symposia are a sound institution. Now how does he continue?

**Reader:**
ATH. Further, we agreed long ago that if men are capable of ruling themselves, they are good, but if incapable, bad.
CLIN. Quite true.
ATH. Let us, then, re-state more clearly what we meant by this. With your permission, I will make use of an illustration in the hope of explaining the matter.
CLIN. Go ahead. (644b-c)

**LS:** Now[9] we have seen another case of this kind, but just as it occurs to me, why does the author do such things, that he[10] makes the interlocutor give him this answer: "Do speak," "say it," "say it only," "speak only." Why does he do that? Could not the Athenian have continued and given his simile which he is going to introduce without this interruption or confirmation on the part of the Cretan? We would have to think,[11] when do we, in conversing, wait for such a reply[12] [such as], say, "speak"? Under what conditions do we do that? There is a variety of answers, but perhaps we may assume that the Athenian is waiting for approval by the Cretan. Now the question is: What is self-control, being ruler of oneself, being superior to oneself? Yes?

**Reader:**
ATH. May we assume that each of us by himself is a single unit?

**LS:** "Is *one*," yes. Because if we say[13] he has self-control, we assume a duality at least. Yes? He controls something else in himself. But nevertheless, every one of us is one. He will make this clear in the sequel.

**Reader:**
CLIN. Yes.
ATH. And that each possesses within himself two antagonistic and foolish counsellors, whom we call by the names of pleasure and pain?
CLIN. That is so.
ATH. And that, besides these two, each man possesses opinions about the future, which go by the general name of "expectations"; and of these, that which precedes pain bears the special name of "fear," and that which precedes pleasure the special name of "confidence"; and in addition to all these there is "calculation," pronouncing which of them is good, and which bad; and "calculation," when it has become the public decree of the state, is named "law."

CLIN. I have some difficulty in keeping pace with you: assume, however, that I do so, and proceed.
MEG. I am in exactly the same predicament. (644c-d)

**LS:** Yes. Why is this so very difficult, what the Athenian said, that both have such great [trouble], as if they are climbing a very high hill, and cannot follow? That is more or less the impression.[14] We have all kinds of emotions,[15] and we must not be guided simply by these emotions, but there must be something in us—there is something in us telling us what to choose and what to reject: [a] calculation which, when it has become the common decree of the city, has been called law.

**Mr. Kaplan:** Mr. Strauss . . . all these words—expectation, fear, confidence, calculation—in the *Laws* appear in Hobbes . . .

**LS:** [16]One can say there is perhaps in Hobbes no calculation proper. Do you know[17] what he says about deliberation?

**Mr. Kaplan:** . . .

**LS:** Well,[18] take a dog[19] who is attracted by a steak, let us say; and then on the other hand there is his master with a whip, which keeps him back. And therefore he deliberates: Should he or should he not? And then eventually one of the two, or perhaps even a third, is victorious: that is the end of the deliberation. Yes? Yes, Mr. Berns?

**Mr. Berns:** Well, this notion of law simply contradicts the presupposition that the laws are divine in origin, from the beginning, and sort of puts it all on the human to make the law.

**LS:** Yes, that is true. That is true. But whether that is the sole reason why the old Dorians are so hard put[20] to accept it, that's another matter. In a way he seems to identify calculation or *logos* with law; only of course with this difference: the calculation must have been accepted by the city. This distinction between law and *logos* is somehow necessary for vindicating the soundness of symposia. Therefore that is of great importance for the sequel. Now the Athenian continues his exposition, because they have not understood him.

**Reader:**
ATH. Let us conceive the matter in this way. Let us suppose that each of us living creatures is an ingenious puppet of the gods, whether—

**LS:** Living beings. That means[21] of course not merely human beings but all animals. Yes?

**Reader:**
ATH. whether contrived by way of a toy of theirs or for some serious purpose—for as to that we know nothing; but this we do know— (644d)

**LS:** Yes, now, wait a moment.[22] Similar expressions occurred before, for example, when he told the story of Ganymede, when he made a distinction: that is a myth, and[23] we are not concerned

now with myth but with the soundness of laws. And here he makes a similar distinction, between something which we do not know and that which we know, or at least can know. We do not know whether we are playthings of the gods or have been made by them with some seriousness. Or does the doubt also refer to the fact that we are *thauma* that we are—how does he translate that, the first word *thauma*? On that speech of the Athenian.

**Mr. Gary:** "Ingenious"? Ingenious puppet of the god. Yes.

**LS:** Puppets, yes. Does it refer to the question of whether we are playthings or does it also refer to whether we are—

**Mr. Gary:** Toys.

**LS:** Puppets, yes. That is not clear. But let us continue.

**Reader:**
ATH. but this we do know, that these inward affections of ours, like sinews or cords, drag us along, and, being opposed to each other, pull one against the other to opposite actions; and herein lies the dividing line between goodness and badness.

**LS:** "Herein" meaning in this sphere, yes? Yes.

**Reader:**
ATH. For, as our argument declares, there is one of these pulling forces which every man should always follow and nohow leave hold of, counteracting thereby the pull of the other sinews; it is the leading-string, golden and holy, of "calculation," entitled the public law of the State; and whereas the other cords are hard and steely and of every possible shape and semblance, this one is flexible and uniform, since it is of gold. (644e-45a)

**LS:** Yes, so [the gods as it were drag us in all directions][24] by these cords, but there is one kind of cord which is especially important, and that is here called golden and holy, or sacred. And that is the guidance through calculation, called the common law of the city. This golden cord, precisely because it is golden, is soft or weak and needs support by other cords. This[25] seems to be clear up to this point. Yes?

**Reader:**
ATH. With that most excellent leading-string of the law we must needs co-operate always; for since calculation is excellent—

**LS:** Is "noble." Let us translate this more literally. "We must follow the most noble guidance of the *nomos*, always; for since calculation is noble—" Yes?

**Reader:**
ATH. but gentle rather than forceful, its leading-string needs helpers to ensure that the golden kind within us may vanquish the other kinds. (645a)

**LS:** Yes. So you see here there is a noble guidance and a most noble guidance. The noble one is calculation or reason; the most noble one is the law. Why is the law superior in dignity[26] to reasoning, the one being noble and the other being most noble?

**Student:** One has force behind it.

**LS:** Pardon?

**Same student:** One has force behind it.

**LS:** Yes, it is not strong enough.[27] So the admixture of these lower things makes it more effective and therefore makes it more noble. So here we see that there is a difference between the calculation and the law, which is clearer than the distinction made earlier when Clinias and Megillus could not follow. Yes?

**Reader:**
ATH. In this way our story comparing ourselves to puppets will not fall flat, and the meaning of the terms "self-superior" and "self-inferior" will become somewhat more clear, and also how necessary it is for the individual man to grasp the true account of these inward pulling forces and to live in accordance therewith, and how necessary for the State (when it has received such an account either from a god or from a man who knows) to make this into a law for itself and be guided thereby in its intercourse both with itself and with all other States. (645a-b)

**LS:** Yes, let us stop here for a moment. Now he makes[28] the clearest distinction, and this is done after he has completed the myth of puppets. Now, what do we learn now?

**Reader:**
ATH. Thus—

**LS:** No, wait.[29] He makes here a distinction between the city and the private man, the private citizen as . . . private man: in Greek, *idiotēs*, who is precisely not a citizen in the full sense. Now this private man, what does he do? He must[30] take hold of the true *logos* in himself about these urges and must live following that true *logos*. But the city must not take hold of, but take over, either from one of the gods or from him who [31]has acquired knowledge regarding these matters and makes it a law, and in this way lives with itself, converses with itself, and with other cities. This distinction between self and the others is not made in the case of the private citizen; it is only made in the case of the city. The radical privacy which is possible for the individual[32] is impossible in the case of the *polis*. So the individual or the private citizen must take the true *logos*; the city must take hold of *any logos*. The[33] individual can in the best case live according to the true *logos*; this is not to be expected in the case of the *polis*, because [34]even if it takes that *logos* from some god, that *logos* is not called a true *logos* here. Yes?

**Reader:**
ATH. Thus both badness and goodness would be differentiated for us more clearly; and these having become more evident, probably education also and the other institutions will

appear less obscure; and about the institution of the wine-party in particular it may be very likely to be shown that it is by no means, as might be thought, a paltry matter which it is absurd to discuss at great length but rather a matter which fully merits prolonged discussion.
CLIN. Quite right: Let us go through with every topic that seems important for the present discussion.

**LS:** Yes, now let us stop here for a moment. So you see Clinias[35] no longer say[s] anything as to whether he can follow what the Athenian said about the relation between reason and law. That does not necessarily mean that he has understood, but he may have given up the attempt to understand. There is one little thing which does not come out in the translation but which I am sure is intended. Toward the end of the Athenian's speech, he mentions[36] spending one's time in wine drinking; and then Clinias in his short speech speaks of the present spending of time. "Spending of time"—that became very soon a term for conversation, and even for schools and lectures: *diatribē*. But this parallel is very striking,[37] "spending one's time in wine" and "our present spending our time"; let us see whether this has anything to do [with the matter].

**Reader:**
ATH. Tell me now: if we give strong drink to this puppet of ours, what effect will it have on its character?
CLIN. In reference to what particular do you ask this question?
ATH. To no particular, for the moment: I am putting the question in general terms—"when this shares in that, what sort of thing does it become in consequence?" I will try to convey my meaning still more clearly. What I ask is this—does the drinking of wine intensify pleasures and pains and passions and lusts?
CLIN. Yes, greatly.

**LS:** You see, in passing he mentions not all passions: he mentions of course pleasure and pain, and then *thumoi*, forms of spiritedness and passionate desire. He does not mention fear because, as will be made clear later on, wine does not increase fear. This is the first effect mentioned of wine drinking: the strengthening of certain kinds of passions[38]. Yes?

**Reader:**
ATH. And how about sensations and recollections and opinions and thoughts? Does it make them likewise more intense? Or rather, do not these quit a man entirely if he becomes surfeited with drink?
CLIN. Yes, they quit him entirely. (645c-e)

**LS:** You see in the second case, the Athenian's question is leading, whereas in the first case it was not. Apparently the Athenian thought the Cretan would know somehow[39] how wine affects the passions, but is not likely to know how it affects the perceptions on various levels. Yes?

**Reader:**
ATH. He then arrives at the same condition of soul as when he was a young child?
CLIN. He does.
ATH. So at that moment he will have very little control of himself?

CLIN. Very little.
ATH. And such a man is, we say, very bad?
CLIN. Very, indeed.
ATH. It appears, then, that not the graybeard only may be in his "second childhood," but the drunkard as well.
CLIN. An admirable observation, Stranger.

**LS:** Note here the seemingly casual reflection on old age. Yes? Old age may lead and in many cases does lead to childishness rather than to wisdom. Yes?

**Reader:**
ATH. Is there any argument which will undertake to persuade us that this is a practice we ought to indulge in, instead of shunning it with all our might so far as we possibly can?
CLIN. It appears that there is: at any rate you assert this, and you were ready just now to argue it. (645e-46a)

**LS:** How does he say it? Repeat.

**Reader:**
CLIN. It appears that there is: at any rate you assert this and you were ready just now to argue it.

**LS:** Yes, "eager," they are very "eager" to hear it. We have seen signs of that before, that the Dorians are eager to hear a vindication of that forbidden institution of wine drinking. Yes?

**Reader:**
ATH. You are right in your reminder, and I am still ready to do so, now that you and Megillus have both expressed your willingness to listen to me.
CLIN. Of course we shall listen, if only on account of the surprising paradox that, of his own free will, a man ought to plunge into the depths of depravity.
ATH. Depravity of soul, you mean, do you not?
CLIN. Yes.
ATH. And how about plunging into a bad state of body, such as leanness or ugliness or impotence? Should we be surprised if a man of his own free will ever got into such a state?
CLIN. Of course we should.
ATH. Well, then, do you suppose that persons who go of themselves to dispensaries to drink medicines are not aware that soon afterward, and for many days to come, they will find themselves in a bodily condition such as would make life intolerable if it were to last forever? And we know, do we not, that men who go to the gymnasia for hard training commence by becoming weaker?
CLIN. All this we know.
ATH. We know also that they go there voluntarily for the sake of the subsequent benefit?
CLIN. Quite true.
ATH. Should one not take the same view of the other institutions also?
CLIN. Certainly.
ATH. Then one must take the same view of the practice of wine-drinking, if one can

rightly class it among the others.
CLIN. Of course one must. (646b-d)

**LS:** So let us not forget the paradox. Wine drinking is said here to lead to the utmost degradation[40]—[that] is admitted by the Athenian—and yet in spite of[41] [that], it is beneficial. And this is compared to what men do regarding their bodies in gymnastic training, where they also in a way degrade the body, make it weak and distorted in various ways[42] for the sake of its improvement, and the same is said to be true correspondingly of wine drinking. Yes?

**Reader:**
ATH. If then this practice should be shown to be quite as beneficial for us as bodily training, certainly at the outset it is superior to it, in so far as it is not, like bodily training, accompanied by pain—

**LS:** So in other words, this[43] speaks in favor of symposia. Wine drinking is not in itself, surely not in its early stages, a painful thing as bodily training is. Yes?

**Reader:**
CLIN. That is true; but I should be surprised if we succeeded in discovering in it any benefit.
ATH. That is precisely the point we must at once try to make plain. Tell me now: can we discern two kinds of fear, of which the one is nearly the opposite of the other?
CLIN. What kinds do you mean? (646d-e)

**LS:** So this discussion of the two kinds of fear will supply the answer as to why wine drinking is beneficial in spite of the degradation which it produces. Now let us listen to that carefully.

**Reader:**
ATH. These: when we expect evils to occur, we fear them.
CLIN. Yes.
ATH. And often we fear reputation, when we think we shall gain a bad repute for doing or saying something base; and this fear we (like everybody else, I imagine) call shame.
CLIN. Of course.
ATH. These are the two fears I was meaning; and of these, the second is opposed to pains and to all other objects of fear, and opposed also to the greatest and most numerous pleasures. (646e-47a)

**LS:** So shame is opposed to pain as well as to all interesting pleasures. Yes? So it has a larger range than the other kind of fear, which is limited only to pains. Yes?

**Reader:**
CLIN. Very true.
ATH. Does not, then, the lawgiver and every man who is worth anything, hold this kind of fear in the highest honour, and name it "modesty" and to the—

**LS:** Yes, that is not sufficiently strong: the Greek word is *aidōs*. Something like "reverence" or

"awe" would be a better translation.

**Reader:**
ATH. hold this kind of fear in the highest honor and name it "awe," and to the confidence which is opposed to it does he not give the name "irreverence," and pronounce it to be for all, both publicly and privately, a very great evil?
CLIN. Quite right.
ATH. And does not this fear, besides saving us in many other important respects, prove more effective than anything else in ensuring for us victory in war and security? For victory is, in fact, ensured by two things, of which the one is confidence towards enemies, the other, fear of the shame or cowardice in the eyes of friends.
CLIN. That is so.
ATH. Thus each one of us ought to become both fearless and fearful, and that for the several reasons we have now explained.
CLIN. Certainly. (647a-c)[i]

**LS:** Now let us stop here for a moment. This is now a new theme: *aidōs*, reverence or awe. And this[44] covers all the pleasures and all the pains; it has the[45] same broad range as for a short while courage had. You remember when courage was said to be not limited[46] to the right posture toward pain and fear, but also toward pleasures. Sense of shame, awe, reverence, takes the place of courage or manliness for a while. Now what does that mean?[47] At the beginning of the dialogue he raises the question of the origin of the laws; and then he turns to the end or purpose of the laws, completely forgetting, as it were, about the origin of the laws. Now he remembers it, that beginning: For what is the law of laws? Reverence for the whole law: to say with one mouth and with one voice that all the laws are good because gods have given them. This is more fundamental than the specific provisions of the law, which may or may not be limited to the promotion of warlike virtue. And this awe, that is now somehow involved in the discussion of banquets. Yes?

**Dr. Kass:** It occurs to me that there might be another difference between this sense of shame, reverence, here and the broader understanding of certain virtues. Here he speaks now about something which depends upon the opinions of others, whereas seemingly the original broader notion of courage, including moderation, could be said to be dependent simply upon the virtue of the individual. In other words, this seems to be, perhaps, instead of a higher, perhaps somewhat of a lower virtue.

**LS:** Yes,[48] but if you look at the Dorian laws themselves and examine them as the Dorians understand them, then you arrive at the divine character of the laws and everything that implies as *the* fundamental presupposition. In that sense, whether awe or reverence is a virtue comparable to courage and moderation, or whether even it is a virtue at all, that is a perfectly open question. You know that Aristotle denies that it is a virtue, but he understands it using this term, *aidōs*, in a very limited sense: sense of shame. And he says it is something which befits only immature people, because a mature well-bred man will not make any mistakes and therefore has no reason ever for being ashamed, whereas for young people who are still under the

[i] The reader incorporates Strauss's correction of "awe" for *aidōs* and "irreverence" for *anaideia.*

influence of the passions and lack experience, that[49] cannot be expected, that they should not make mistakes; and therefore it is befitting for them to feel shame from time to time.[ii] But[50] nothing of this kind is said or suggested here. Here I believe we have to say that the ultimate foundation in the minds of men for the codes is awe or reverence, and not the estimation of courage. That comes in secondarily. Since it was a god who gave these laws, and this god prescribed all laws with a view to victory in war, therefore victory in war is the proper end. I mean,[51] I try to be as orthodox as I can from the point of view of the Cretans; otherwise one doesn't understand them. Yes?[iii] —context is, was: what has awe or reverence to do with wine drinking, because that is the context in which the question is raised.

**Mr. Kaplan:** . . . But this reverence is a reverence to the foundation, a reverence[52] to the axioms which shouldn't be questioned; I mean the reverence to the gods who gave the law, the reverence to the god, is a reverence to this *origin* of the law, is a reverence to the law[53]—or let me put it this way: Is the reverence to the fundamental axiom of the law?

**LS:** Yes, but is not everything else based on that fundamental—

**Mr. Kaplan:** Yes, yes, that's what I mean. I meant to distinguish this kind of reverence from any other kind of reverence—

**LS:** Yes, yes, sure.

**Mr. Kaplan:** because this is the reverence like—as Aristotle would put it, you grasp it immediately, that it is true and you shouldn't question it. When you question the fundamental axiom, you question the gods.

**LS:** Yes. Well,[54] of course other questions would also arise, although not for the Dorians, namely: Was this law in fact given by Zeus or, say, by Apollo? Or even: Do they exist, Zeus and Apollo? This question comes up in the *Laws*, not unnaturally but much later, in book 10. But I am speaking only of how the subject appears within the purview of these people. Now there is something quite remarkable: we cannot help speaking from time to time, and sometimes even frequently, of the difference between the Greeks and the Bible. And many things can be said about it,[55] but one thing is especially important in our connection and that is the notion of humility. Humility has as a rule [a] negative meaning in classical Greek and in pagan Greek literature altogether.[56] It has simply the meaning of baseness, lowness. Lowness, baseness. But there is one exception, and as far as I know only one exception: both Plato and Xenophon, when they speak of Sparta—and Sparta and Crete are practically the same—ascribe to them humility, *tapeinotēs*, in a positive sense. These are very archaic societies, and therefore I believe it is not surprising that here the question of *aidōs*, awe or reverence, in connection with their whole order of life should come up. Well, this could give occasion for all kinds of very far-reaching and interesting discussions, and if you would like to have such a discussion, by all means.

**Mr. Kaplan:** But you didn't finish the comparison with the Bible . . .

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[ii] Aristotle *Nicomachean Ethics* 4.9.

[iii] There is a break in the tape at this point.

**LS:** In the Bible, of course, humility is highly praised. The man Moses was very humble, to say nothing of other passages.

**Mr. Kaplan:** . . .

**LS:** Yes, whether that was a consequence of his humility or not, that is a question, but surely as a legislator [he] is distinguished by his humility. That is of course not said of Minos or of Lycurgus, but in their societies there was a much higher degree of reverence for authority—in the first place, of course, for the magistracies but also beyond, for that which is behind the magistracies and gives them their ultimate support. Mr. Berns?

**Mr. Laurence Berns:** I was wondering why—what do you think is behind the linking of humility or lowness with being archaic?

**LS:** Nothing. Forget about that. I only said that this is—quite superficially speaking, that both the old Testament, surely, and these Dorian societies belong to an older stratum than Athens and the world of Socrates. And look again in modern times, where the reverence for authority, submission to authority, [has] become weakened with the progress of illumination by reason.

**Mr. Berns:** Illumination by—?

**LS:** By reason. I mean, if there are such people who can take hold of the true *logos* and take their bearings by that,[57] by this very fact they are not subject to any authority. Yes?

**Mr. Berns:** Yes. Well, I was thinking, though, things like: you also find in modern times[58] reason leading to a conception of man as equal or just about equal to the beasts—a kind of lowness that seems to be arrived at through reason.

**LS:** Yes, but is this not a way of getting rid of authority also? Beasts don't have authority unless you would say that the posture of horses to the horseman or of a dog to his owner can be called submission to authority, which I think would be very unfair to authority. But on the other hand, if you understand man in terms of his beastly ingredients, then to that extent you liberate men, yes? How much of the emancipation movements of modern times had this character, an emancipation of the lower person?

**Mr. Berns:** Are you suggesting that this reduction of man to the bestial really has as its aim to reduce the authorities to just another kind of beast?

**LS:** No, not only [that], but it is in agreement with that. You want to say—?

**Mr. Gary:** I just wanted to[59] [ask] a question about the division between the kind of humility which involves being humble to another person and the kind of humility which involves being humble to the gods, because the Greeks—I think specifically of Agamemnon's walking on the

purple carpet[iv] as an example of the Greeks putting forth the notion of humility to the gods and putting it forth in very positive terms, and not thinking of it as being something low, but thinking of it as something that even befits a *great hero* coming back from the war—

**LS:** Yes, sure, but on the other hand, they just did not happen to call it humility.

**Mr. Gary:** What did they call it?

**LS:** I do not know. Sense of shame, reverence, for example. And as far as I know, the passages in classical literature where humility, the Greek word for humility is used in a positive sense are a few passages in Plato and in Xenophon, when they speak of Sparta. One or two are in the *Laws*, to which we come later. And that is of some importance, I believe.

**Mr. Gary:** So the same word that is used to describe the quality that Agamemnon did not have, is the word here being used to describe reverence, is that right?

**LS:** Yes.

**Mr. Gary:** Okay.

**Mr. Allison:** How much . . . on the laws that should be formed from men who had discovered the *logos* and it said "whether it came from a god, or from a man," who had—a human discoverer of this *logos*. And I was wondering if the reverence was really . . . the same kind of awe that we ran into at the beginning of the dialogue, whether the reverence is for the fact that the gods gave the law or that the law is based on *logos*.

**LS:** I believe you did not quote this passage quite correctly. He speaks of the private man who takes hold of the true logos—yes?—in that passage which we have read today, and then of the *city*, which takes over the *logos* from some god or from some knowing man. The city demands of course subjection to its authority, regardless of whether the individual is convinced of the truth or soundness of its laws.

**Mr. Allison:** But the laws that the city takes—do the citizens, if the citizens have . . . reverence for those laws if they come from a human discoverer also . . . laws of the gods? In other words,[60] in the city that takes over these laws, do they also reverence those laws?

**LS:** At least according[61] to what Plato teaches in the *Laws* as a whole, yes.

**Mr. Allison:** So my point—I make a distinction—

**LS:** Because there is behind these laws of the *polis* the decisions of the citizen body.[62] In these decisions there is some divination of what is truly reasonable and sound, and even if there is only an image of it, the law is only an image of wisdom just as old age is only an image of wisdom. But this image of wisdom is better than undisguised folly, therefore it deserves respect. It surely

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[iv] Aeschylus *Agamemnon* 914-959.

could not have the respect which a law would find that is believed to be divinely given—yes?—because[63] the mere fact that you say it is an image of reason, which can be replaced whenever we have better insight by a better image, takes away this halo.

**Student:** [Is there a difference between] *aischunē* and *aidōs*?

**LS:** Yes, there is a difference. *Aischunē* has a much narrower and lower meaning: you are ashamed of doing all kinds of things which one shouldn't do but which may be in themselves rather trivial. You may be ashamed of doing things, for example, of being a poor ballplayer, yes?[64], and other things. And[65] that has nothing to do with the phenomenon indicated by *aidōs*: one would not[66] [say of] such a man that he is filled with awe and reverence, but [that] he is ashamed of it. A man[67] may be ashamed to be of low or obscure origin, yes? That[68] again has nothing to do with awe or reverence.

**Student:** Does *aidōs*[69] deal with human institutions? Does *aidōs* deal with human institutions, I mean, or is it only directed towards the gods?

**LS:** No, that is too sweeping. That is too sweeping. There[70] can also be awe or reverence vis-a-vis human beings and vis-a-vis human institutions. That can be, but[71] awe and reverence[72] are thought to go much deeper in man than mere shame. A little child may easily be ashamed, but would he feel awe or reverence? That is another question. Yes?

**Mr. Berns:** I was just wondering if there isn't a large element of humility or lowness in *aidōs* also, I mean insofar as there's a certain fear of the gods implicit in *aidōs*?

**LS:** Yes, yes. But still,[73] since these men were all very good "quote verbalizers unquote," is it not quite remarkable that[74] it never occurred to them or very rarely occurred to them to use the word which they had, humility, which then in the New Testament is used of course[75] in the Old Testament sense without any hesitation. [Only] look[76] up a dictionary regarding [the meaning of] *tapeinōs*, *tapeinotēs* and so on,[77] and you will find that the positive meaning is overwhelming in the New Testament or in the Septuagint and extremely rare in classical Greek.

**Mr. Berns:** I think it's even more striking when one thinks of the great theme of tragedies, which could be thought of as the opposite of lowness, hubris. But somehow—and then these, what is it, *tapeinotēs* or . . . not the opposite.

**LS:** The opposite to hubris, rather, is *sophrosunē*, which is something very different from humility: soundness of mind, sobriety. Something very different. The great gulf which separates Jerusalem from Athens,[78] which[79] shows itself in[80] various forms, shows itself also in this particular point. Yes?

**Student:** Were they only reverence of . . . is the word I would have used, because of fear of punishment by the gods, or fear of punishment by other people. Or was there a deeper reason for being reverent?

**LS:** Yes,[81] if it were only fear, that is not the same as awe or reverence, yes? Although the

ingredient of fear is probably there. It is also being overwhelmed by the grandeur of the beings whom one reveres. So now let us see what he sets out to do now.

**Reader:**
ATH. Moreover, when we desire to make a person fearless in respect of a number of fears, it is by drawing him, with the help of the law, into fear that we make him such. (647c)

**LS:** Is this clear? We make him undergo all kinds of exercises, all kinds of training in which he is exposed to fear, and by this exposure he learns to overcome the fear. Yes?

**Reader:**
CLIN: Apparently.
ATH. And how about the opposite case, when we attempt with the aid of justice to make a man fearful? Is it not—

**LS:** Yes, that means also the other kind of fear, namely, fear together with righteousness.[82] He is now speaking of the other kind of fear, not fear of bodily harm or something of this kind. That will became clear.

**Reader:**
ATH. Is it not by pitting him against shamelessness and exercising him against it that we must make him victorious in the fight against his own pleasures? Or shall we say that, whereas in the case of courage it is only by fighting and conquering his innate cowardice that a man can become perfect, and no one unversed and unpractised in the contests of this sort can attain even half the excellence of which he is capable,—in the case of temperance, on the other hand, a man may attain perfection without a stubborn fight against hordes of pleasures and lusts which entice toward shamelessness and wrong-doing, and without conquering them by the aid of speech and act and skill, alike in play and at work, and, in fact, without undergoing any of these experiences?
CLIN. It would not be reasonable to suppose so. (647c-d)

**LS:** So[83] in a way we return to an earlier argument. We must become—just as [the Athenian] said, we must become exposed to pleasures, learning to overcome them, and then we become temperate or moderate. And now it is said of a kindred but nevertheless different phenomenon, namely, shamelessness, [that] we must become exposed to[84] it but not succumb to it, and then we[85] acquire true awe or reverence, true shame. This can easily be misunderstood, and especially[86] with a view to the present-day discussion about smut literature, say: Is it not much better to expose people to all these kinds of things [so] that they learn truly to detest it? I believe John Milton almost said such a thing in his *Areopagitica*. No cloistered virtue, he called it, but a virtue which is exposed to all temptations and degradations of noncloistered life and yet survives.[v] Yes?

**Reader:**

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[v] John Milton, *Areopagitica*, para. 11.

ATH. Well then: in the case of fear does there exist any specific, given by God to men, such that, the more a man likes to drink of it, the more, at every draught, he fancies himself plunged in misfortune and dreads alike things present and things to come, till finally, though he be the bravest of men, he arrives at a state of abject terror; whereas, when he has once got relieved of the potion and slept it off, he always becomes his normal self again?
CLIN. What potion of the kind can we mention, Stranger, as existing anywhere?
ATH. There is none. Supposing, however, that there had been one, would it have been of any service to the lawgiver for promoting courage? For instance, we might quite well have addressed him concerning it in this wise: "Come now, O lawgiver,—whether it be Cretans you are legislating for or anyone else, would not your first desire be to have a test of courage and of cowardice which you might apply to your citizens?"
CLIN. Obviously every one of them would say "Yes."

**LS:** [87]So[88] let us keep this in mind: the Athenian is now addressing *every* legislator, and the answer is given not by the absent legislator of course but by Clinias. We will see [that] that happens in the sequel also. Yes?

**Reader:**
ATH. "And would you desire a test that was safe and free from serious risks, or the reverse?"
CLIN. All will agree, also, that the test must be safe.

**LS:** Well, this is also said by the legislator,[89] [that] everyone would agree. Yes?

**Reader:**
ATH. "And would you utilize the test by bringing man into these fears and proving them while thus affected, so as to compel them to become fearless; employing exhortations, admonitions, and rewards,—but degradation for all those who refused to conform wholly to the character you prescribed? And would you acquit without penalty everyone who had trained himself manfully and well, but impose a penalty on everyone who had done so badly? Or would you totally refuse to employ the potion as a test, although you had no objection to it on other grounds?"
CLIN. Of course he would employ it, Stranger. (647d-48c)

**LS:** You see he answers again in the name of the legislator. Yes?

**Reader:**
ATH. At any rate, my friend, the training involved would be wonderfully simple, as compared with our present methods, whether it were applied to individuals singly, or to small groups, or to groups ever so large. Suppose, then, that a man, actuated by his feeling of shame and loth to show himself in public before he was in the best of condition, should remain alone by himself while undergoing this training against fears and relying on the potion alone for his solitary equipment, instead of endless exercises,—he would be acting quite rightly: so too would he who, trusting in himself that by nature and practice he is already well equipped, should have no hesitation in training in

company with a number of drinking companions and showing off how for speed and strength he is superior to the potency of the draughts he is obliged to drink, with the result that because of his excellence he neither commits any grave impropriety nor loses his head, and who, before they came to the last round, should quit the company, through fear of the defeat inflicted on all men by the wine-cup. (648c-e)

**LS:** Not "wine-cup," "by the cup." That is a complete misunderstanding of the text. It is precisely not wine but the fear drink of which he speaks. Yes. He discusses a nonexisting possibility. Let us assume that there were a fear drink which could bring us into all stages of fear, and we would then learn by resisting the fears thus aroused to become brave. Would this not make completely superfluous the infinite variety of institutions people have devised for making men courageous or brave? It is a fantastic drink, and one can imagine all kinds of things by it; there are such drinks. In a commentator I've heard a suggestion: someone asked a chemist, I suppose fifty years ago, and he knew only bromine as a possible thing which exists now. But at any rate, it is here presented as something which doesn't exist. The main point, as far as I understand it, is: let us imagine a fear drink by the use of which we would make superfluous all other devices for making man courageous. And now let us have an expectation: there is no fear drink but there is wine, and wine has of course the opposite effect. Would then not the proper use of wine make superfluous all other devices for making men filled with awe and reverence? Well, that is not likely to be the case, I suppose. Well, he continues his fictitious conversation with the legislator.

**Reader:**
CLIN. Yes, Stranger, this man too would be acting temperately.
ATH. Once more let us address the lawgiver and say: "Be it so, O lawgiver, that for producing fear no such drug has apparently been given to men by God, nor have we devised such ourselves (for quacks I count not of our company); but does there exist a potion for inducing fearlessness and excessive, untimely confidence,—or what shall we say about this?"
CLIN. Presumably, he will assert that there is one, naming wine.
ATH. And is not this exactly the opposite of the potion described just now? For, first, it makes the person who drinks it more jovial than he was before, and the more he imbibes it, the more he becomes filled with high hopes and a sense of power, till finally, puffed up with conceit, he abounds in every kind of licence of speech and action and every kind of audacity, without a scruple as to what he says or what he does. Everyone, I imagine, would agree that this is so.
CLIN. Undoubtedly.
ATH. Let us recall our previous statement that we must cultivate in our souls two things—namely, the greatest possible confidence, and its opposite, the greatest possible fear.
CLIN. Which you called, I think, the marks of modesty. (648e-49c)

**LS:** Or "reverence."

**Reader:**
ATH. Your memory serves you well.

**LS:** Yes. The nice point is that he speaks here to Clinias in the plural: you both remember well. Megillus hasn't said anything. But he has shown his *aidōs* by not speaking, by silence. Yes?

**Reader:**
ATH. Your memory serves you well. Since courage and fearlessness ought to be practised amidst fears, we have to consider whether the opposite quality ought to be cultivated amidst conditions of the opposite kind.
CLIN. It certainly seems probable.
ATH. It appears then that we ought to be placed amongst those conditions which naturally tend to make us exceptionally confident and audacious when we are practising how to be as free as possible from shamelessness and excessive audacity, and fearful of ever daring to say or suffer or do anything shameful.
CLIN. So it appears. (649c-d)

**LS:** Yes. Now let us stop here for a moment. So this is a very strange experiment which Plato proposes. Through shamelessness, becoming filled with shame—and of course the means is wine. One of the consequences of wine is called in Greek *parresia*, meaning the ability and willingness to say everything, everything which no decent man would ever say, and it means of course also to say it in public. Now from this I believe we could draw one inference: that a society without wine drinking, a well-regulated society without wine drinking would lack that ability or willingness to say everything, that *parresia*. This is of course the case of the Dorian societies, in which the law of laws, as we have seen, is:[90] No one is permitted to say that anything of their laws is wrong, but all must say with one voice that all the laws are right since they have been given by the gods. But the lawgiver there made one exception in favor of old men: these old men may in strict privacy examine and criticize the ancient god-given laws.[91] The question is: [Is] this legal authorization sufficient for enabling them to examine the laws? Is this sufficient? They have been brought up in a strict social discipline: their habits of doing, thinking, and saying have become ingrained, deeply ingrained, inveterate. Will they be able to make any use of that legal freedom they have to examine their divine laws? Is there no need *in their case* for a counterpoison to that sense of shame? Do they not need a rejuvenation in order to examine the laws? One can state the difficulty as follows: in such a society, only the preservers and transmitters of the tradition can possibly make a responsible change in the laws. But these responsible transmitters are on the other hand the least able or willing to make any changes. How can one induce them to do so? If this is possible, then a change of laws, a very cautious change, is possible.

Now here of course Clinias and Megillus are not given any wine, let alone brandy, in order to become rejuvenated. But they are spending their time in a conversation about wine. Now such a conversation[92] [about] wine may have an effect resembling the effect of the drinking of wine. That applies also, I believe, to other subjects, where the conversation about them as it were borrows something from these subjects and is affected by it. To that extent, the wine drinking, or rather the vicarious wine drinking through conversing about wine, is justified. Whether more is justified, that remains to be seen. So the big promise which the Athenian held out[93] when speaking of the soundness of the institution of symposia, leading up to drunkenness, this big promise will not be kept. That we can already see. But it enables him to make clear some other

things, and one of the things, I believe, is the one I just mentioned. Yes?

**Mr. Gary:** Could it be proposed that there might be an alternate system for bringing about in the minds of the old conservative men the freedom of ideas that would be necessary to examine the laws without getting them drunk? Maybe the young men could get together and decide how—or maybe *one* young man could think about how he would criticize the laws and he could, instead of putting on the mask of drunkenness, put on the mask of comedy, and he could write comedies; and the people could go to those comedies and the ones who understood what in those comedies was the criticism of the laws, the old men, could then without any wine be shown how to loosen up their thinking so that they could make the changes in the laws that were required.

**LS:** The question is: Will comedies be permitted in such a city?

**Mr. Gary:** Could they be a substitute for wine?

**LS:** Well, but one could think of other, nonartificial means. For example a crisis, a foreign war, defeat and so on, which can easily induce a change of laws. But this is precisely what Plato is trying to do in the *Laws*: to show a way of changing the laws[94] which is not made in a piecemeal manner, you know, as occasion arises or forces, but in a coherent, well thought-out manner. I think we should finish book 1 before we [stop].[95]

**Reader:**
ATH. And are not these the conditions in which we are of the character described,—anger, lust, insolence, ignorance, covetousness, and extravagance; and these also,—wealth, beauty, strength, and everything which intoxicates a man with pleasure and turns his head? And for the purpose, first, of providing a cheap and comparatively harmless test of these conditions, and secondly, of affording practice in them, what more suitable device can we mention than wine, with its playful testing—provided that it is employed at all carefully? For consider: in the case of a man whose disposition is morose and savage (whence spring numberless iniquities), is it not more dangerous to test him by entering into money transactions with him, at one's own personal risk, than by associating with him with the help of Dionysus and his festive insight? And when a man is a slave to the pleasures of sex, is it not a more dangerous test to entrust to him one's own daughters and sons and wife, and thus imperil one's own nearest and dearest, in order to discover the disposition of his soul? In fact, one might quote innumerable instances in a vain endeavor to show the full superiority of this playful method of inspection which is without either serious consequence or costly damage. Indeed, so far as that is concerned, neither the Cretans, I imagine, nor any other people would dispute the fact that herein we have a fair test of man by man, and that for cheapness, security and speed, it is superior to all other tests.
CLIN. That certainly is true.
ATH. This then—the discovery of the natures and conditions of men's souls—will prove one of the things most useful to that art whose task it is to treat them; and that art is (as I presume we say) the art of politics: is it not so?
CLIN. Undoubtedly. (649d-50b)

**LS:** So that's the end. So the first undeniable usefulness of wine drinking is to learn, to know, people's character: "In vino veritas,"[vi] [they will] reveal their nature and dispositions. But that is of course not enough; he will have to show that [it] is useful also, for treating the souls or natures after one has known them. And that he will try to do, by hook and by crook, in the next book. Yes?

**Mr. Joseph Gonda:** Is it fair to say that the motion of the argument in the first book hasn't really been from courage to temperance but the whole time has been[96] a chance to get these older men to give up the law of laws, and so maybe to . . . that is, there really is no intimate connection between *aidōs*, this discussion of *aidōs* and temperance, is there?

**LS:** No, except in this way: that the old laws, the Dorian laws, are said not to have provided for the training in temperance, moderation, and the reason given is that they are too ascetic.

[1] Deleted "no longer—."

[2] Deleted "two different subjects."

[3] Deleted "for."

[4] Deleted "of."

[5] Deleted "of."

[6] Deleted "that."

[7] Deleted "be kings—."

[8] Deleted "know—."

[9] Deleted "let—."

[10] Deleted "makes such an—."

[11] Deleted "why—."

[12] Deleted "like."

[13] Deleted "he is—."

[14] Deleted "that they are that."

[15] Deleted "and which must—."

[16] Deleted "there is—."

[17] Deleted "his—."

[18] Deleted "if you see—."

[19] Deleted "and."

[20] Deleted "to it."

[21] Deleted "in itself."

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[vi] In wine, truth.

[22] Deleted “we have.”

[23] Deleted “this–.”

[24] Changed from “Yes, is this—so, we are—the gods, as it were, drag us in all kinds of direction.”

[25] Deleted “is—this.”

[26] Deleted “to the—.”

[27] Deleted “this—.”

[28] Deleted “now a much—.”

[29] Deleted “we must—.”

[30] Deleted “take the true—.”

[31] Deleted “has known”

[32] Deleted “and which.”

[33] Deleted “true *logos*—the.”

[34] Deleted “even if it takes it from—.”

[35] Deleted “does.”

[36] Deleted “the.”

[37] Deleted “that.”

[38] Changed from “a certain kind of the passions.”

[39] Deleted “that—.”

[40] Deleted “and yet—.”

[41] Deleted “it.”

[42] Deleted “in order for its—.”

[43] Deleted “is—.”

[44] Deleted “has the same—has—is.”

[45] Deleted “same range.”

[46] Deleted “to—.”

[47] Deleted “what does that mean?”

[48] Deleted “but in one way—.”

[49] Deleted “is—.”

[50] Deleted “this is—.”

[51] Deleted “we—.”

[52] Deleted “to the fact.”

[53] Deleted “and.”

[54] Deleted “there is.”

[55] Deleted “but perhaps—.”

[56] Deleted “there is only one little—.”

[57] Deleted “they do not have—.”

[58] Deleted “a conception of man–I mean, you find.”

[59] Deleted “make.”

[60] Deleted “if the citizens—.”

[61] Deleted “to the—.”

[62] Deleted “there is some—in that.”

[63] Deleted “if you say—if you—.”

[64] Deleted “up.”

[65] Deleted “that is not—.”

[66] Deleted “call.”

[67] Deleted “be ashamed.”

[68] Deleted “is—has nothing to do with–.”

[69] Deleted “have.”

[70] Deleted “is—.”

[71] Deleted “it—.”

[72] Deleted “go much deeper in man—.”

[73] Deleted “is it not—.”

[74] Deleted “they—.”

[75] Deleted “without—.”

[76] Moved “only.”

[77] Deleted “and there—what its meaning is.”

[78] Deleted “becomes—.”

[79] Deleted “comes—.”

[80] Deleted “most varying—.”

[81] Deleted “that would be—.”

[82] Deleted “that—.”

[83] Deleted “in other—.”

[84] Deleted “shamelessness and nevertheless—yes, exposed to.”

[85] Deleted “are—.”

[86] Deleted “in—.”

[87] Deleted “you see.”

[88] Deleted “that is.”

[89] Deleted “the agreement.”

[90] Deleted “one must not—.”

[91] Deleted “do they—.”

[92] Deleted “on—.”

[93] Deleted “regarding—.”

[94] Deleted “which is not—of change in the laws.”

[95] Deleted “yes.”

[96] Deleted “to—.”

**Session 5: no date**

**Leo Strauss:** [Before we] turn to the canonic text, we might for one moment look at political life as we know it. After all, that would be the ultimate test for judging whether what Plato says or suggests makes sense.

Now I think if one looks at the political scene, one sees various groupings, parties, each of which is guided by a notion of what is a good society. One could also say each of these groups[1] is guided by a notion of what is a rational society, understanding by a "rational" society one with which no reasonable human being could be dissatisfied or to which he could not make serious objections. One could easily give examples for that. For example, is it rational, does it have a sufficient reason [2]to treat people differently on account of the difference of color? Or is it rational to punish homosexual acts? And so on. Now one question[3] comes up almost immediately: Must a rational society be the work of reason, or is reason impotent to produce it? Can it be made at all, or can it come into being only by growth? And that would mean more or less by what the ancients called nature. Now Aristotle, as you know, says the *polis* comes into being by nature: it grows. But, and that is sometimes overlooked, the *polis* is not by nature good, or well ordered, or rational. Aristotle makes a distinction between the city, the *polis*, and the *politeia*, the regime. And the city is in good order only if the regime is the correct one. Accordingly, Aristotle's political science deals with how the various regimes, and in particular the best regime, can be constructed and established. The *polis* comes into being by nature, by growth; but the regimes are established. And here is a difference between Aristotle and the doctrines of [the] social contract, according to which the *polis* itself is constructed or ought to be constructed. Now how Plato thinks about this question we shall see when we come to the third book of the *Laws*, where he discusses the beginnings of political life.

To speak now only of what we have read hitherto in the *Laws*, we may say that a rational society is a society in which the true *logos*, the *alethēs*[4] [*logos*], is the *nomos*, the law; or vice-versa, in which the law is identical with the true *logos*. The question is this: Is a rational society thus defined possible according to Plato? And if not, why not? Now if a rational society is not possible, every society that was or is or will be would suffer from contradictions, or no society would be possible without oppression. Oppression is not the same as coercion. No sensible man would call it oppression if murderers are prevented from murdering, but oppression is something else. There are today people who believe that there can be a society without contradictions, and hence without oppressions. The best-known individual who holds this view is of course Karl Marx. But experience seems to show that such a society is not possible, and the very history of Marxist society would seem to corroborate that. Yet experience cannot show this, because experience can only show what was hitherto; it can never show what[5] must always be.

Now what the Athenian Stranger intimates regarding the complexity of the relation between the true *logos* and the law concerns the necessity of oppression. If they can never coincide, then some oppression is necessary. Now let us take the Dorian law of laws as a good example.[6] All have to say with one voice the laws are good since they have been given by gods. And it is not tolerated that someone says something else, even if he has good reason for thinking differently. But an old man, however, may voice his criticism when speaking to another old man. This seems

to be a certain guarantee that reason gets a hearing. But will that critical old man be listened to when he talks to the other old men? That of course is in no way guaranteed. Now we have a similar case in Plato's *Crito*, where Socrates justifies his submission to the Athenian laws by the consideration that the Athenian laws permit him to persuade them that what they stipulate is wrong. And therefore there is no oppression: Socrates has the right to criticise the *nomoi*, the laws, to persuade the laws. But of course, if Socrates does not persuade the laws, he must obey or else. In Socrates's case there is this additional difficulty, because trying to persuade the laws means to go into politics, but Socrates, as you know, was prevented by his *daimonion* from going into politics. Therefore this right to persuade the laws was nugatory in the case of Socrates, and therefore here you have a situation[7] which is ultimately the same as that of someone subject to the Dorian laws. Now this only as a general reminder of the subject with which we are dealing, in terms which are perhaps more immediately intelligible to us than the terms used by Plato Yes?

**Student:** You described the rational society as one with which no rational man could disagree. But it is the case of course that most political questions are questions about which rational men do disagree.

**LS:** Well, but the question is here this: let us take a normal liberal and a normal conservative in this country, who disagree considerably in all political matters. But they agree that the whole political order is all right, don't they, and that the way in which controversies are settled, say, about war, about the priorities, or what have you, is the right way? So there is truly an amazing agreement. I know, and you know probably better than I, that there are people who question the whole social order as established. Yes? And that is another matter.[8] They would say the whole order as established is not rational and therefore one must make a revolution.

**Student:** So this certainly makes room for disagreement[9] [over] policies and principles, within the framework of constitutional [order]—

**LS:** Yes, but—

**Student:** . . . for settling the disagreements.

**LS:** Yes, but if there is a constitutional order, as you called it, [which is] effective and accepted, then the political problems are relatively simple. But the question is[10] [about] when this order itself is questioned. But the point which I was trying to make[11] is [only] that in all these cases, whether intraconstitutional or extraconstitutional, the people are guided by a certain notion of the rational society, and they have different views of what constitutes a rational society. The simple answer would be, as Plato suggests, a society in which the law [is the true *logos*], and that means everything: constitutional law as well as the civil and penal law and so on.[12] All laws are reasonable. And that is however a question. Now—yes?

**Mr. Gonda:** You suggested that what the Athenian Stranger brings up as to the relationship between the true *logos* and the laws is to point out the problem of coercion or injustice in some way. Is that identical to the abstraction from or forgetting about philosophy?

**LS:** With the abstraction from what?

**Mr Gonda:** From philosophy, the fact that philosophy is not talked about.

**LS:** Yes. Well, in what way? Let us assume the whole problem[13] of the rational society is solved if the most rational men are in complete control—in Platonic language, if the philosophers are kings.

**Mr. Gonda:** But they are still compelled to rule, aren't they?

**LS:** They are compelled, yes, and they compel the others.

**Mr. Gonda:** Despite this, that doesn't seem to do with coercion, does it?

**LS:** Yes, but the question is—we would have to make a distinction. We would have to[14] say: Is there oppression or coercion? For example, well, the coercion of ordinary criminals is no problem. The coercion of[15] disturbers of the public order is no problem, but oppression is something else. Now Plato will develop this in the third book especially, but the foundations are laid in the first two books. So these two books, dealing with an apparently frivolous subject, symposia, are political nevertheless, even in the most visible sense of the word "political." Yes?

**Student:** Could the—I was wondering, could the difference between [the] coercion and oppression of an[16] [irrational] society and one based on reason[17] be that the coercion[18] or the oppression did not come directly from the desires of human beings, but the coercion is directed by something[19] which is beyond man?[20]

**LS:** I cannot quite follow you.[21] I mean, it was not clear to me what you said.

**Student:** When I think of an oppressive society, I think of the rulers oppressing people for what they want, for the rulers themselves.

**LS:** In[22] the rulers' own interests, yes?

**Student:** Yes, and[23] in an oppressive society the rule does not go beyond immediate self-interest—

**LS:** Of the ruler. Of the ruler.

**Student:** It's kind of an immediate self-interest, I mean,[24] what is needed now to satisfy a group[25] that would keep it in power. And in a society ruled by reason or by reasonable men the coercion would come not from immediate self-interests but from something more stable[26], something which had less of an identity.[27]

**Mr. Klein:** Example: you have to pay taxes, right . . .

**LS:** Is this oppression, in your opinion?

**Mr. Gottlieb:** Well,[28] part of it is that it can't be identified with someone.[29] No one identifies paying taxes with President Nixon, because—

**LS:** But, say, with the building of roads, of schools, and all other kinds of other things—

**Student:** This seems to be a more reasonable coercion. But we *do* identify—

**LS:** No, I would not call this coercion. I mean, I would call it coercion, and legitimate coercion, if someone who does not pay his taxes or cheats taxes is punished.

**Mr. Gottlieb:** Yes, but[30] he could not identify this punishment with one individual, because—

**LS:** But the question is whether he does so from a whim or on good reason. You know? That would make the difference.

**Mr. Gottlieb:** But when someone attacks something that is unreasonable in one's self-interest he can attack the person. Like when[31] [people] attack the war in Vietnam, they also attack the leaders involved in it directly, because[32] they see a lack of reason in it.

**LS:** Yes, but to some extent this is perfectly legal and legitimate, isn't it? I mean, regardless of whether[33] the war in Vietnam is sound or unsound, it is legal to question the soundness of that war. But it is also legal to uphold the soundness of the war. Then one would have to go into all kinds of details and would probably have to study a lot of things: the geography of Southeast Asia, the whole policy of the Soviet Union and China, and quite a few other things to[34] arrive at a sensible judgment.[35] And mere photos of people killed by bombs in Vietnam somewhere cannot by themselves settle that issue. That would be emotional, not rational.

**Mr. David Huston:** Isn't what you're saying, the fact that coercion is an action which is taken for the good of all, or that's the reason behind it, and we call those acts—

**LS:** [36]Well, I'll give you simple examples. If someone is criminally insane and tries to murder, he is put away. That is an act of coercion, and no one would question that this is reasonable. Yes? But on the basis of the Declaration of Independence, slavery in this country was, from the very beginning, oppression. Yes? If all man are created equal and so on, and have these rights, then to deprive men of the rights to life, liberty, and the pursuit of happiness is an unjust act.[37] I take deliberately these simple cases. Does this make sense?

**Mr. Huston:** . . . I might have lost the distinction between coercion and oppression.

**LS:** The latter is oppression, because it[38] has no rational ground. Yes? The first has. Now[39] whether one can solve the difficulties by making a distinction between the common good and the private good, that is a long question, because the common good[40] is confronted by all kinds of sectional interests, and some of these interests may be more conducive to the common good [than others]. I do not think of the extreme case of the man said that what is good for[41] General

Motors is good for the United States,[i] but[42] similar identifications are made all the time without being as funny.

Now let us return to the context. The context is symposia. How this came up and why it came up you remember, and the justification of banquets was that they are good for education. Therefore the question: What is education? In the first place, arousing passionate desire for becoming a perfect citizen. The ruling activity within men must be reasoning, calculation, *logismos*, which, when it has become the common decree of the city, is called law. This is now specified immediately afterward by the image of men as puppets,[43] where it is said one must always follow the noble guidance of reasoning, *logismos*, but that guidance is gentle, not tough. It needs therefore tough helpers, and[44] therefore the law provides the most noble guidance, because the law is not merely gentle but also tough. That is what is meant when people speak of coercion as an ingredient of law. The private citizen, it is said there, must take hold of the true *logos*, but the city must take over a *logos* from some god or from someone who has acquired the pertinent knowledge. Now this statement clearly implies [that] *logos* and law are two different things. One can say *nomos*, law, is an image of *logos* or a reflection of *logos*, just as old age is an image of wisdom but not identical with wisdom.

Then the question was raised: How does drunkenness affect that puppet, man? It was said [that] it leads among other things[45] to a willingness, an ability to say everything, however indecent, to shamelessness. [This refers to phenomena which you all know, at least from the literature.] And the proposal is made, which is quite fantastic, that through exposing people to shamelessness they will learn to resist that. You will remember that. And the conclusion of this whole argument at the end of the first book was this: that precisely because wine[46] frees people from inhibitions, it enables us to know the natures and dispositions of our fellow citizens, and that is much less dangerous and expensive than to[47] [acquire] knowledge of their characters by entrusting [money] to them[48], for example, and other hazardous things. This was what we[49] read last time. And now we come to the second book. Or is there any point from the first book which you would still like to take up?

**Mr. Gonda:** Is there any connection between the Dorians' lack of moderation and their too great reverence that has to be somehow subdued?

**LS:** Only this: that the law for which they have such reverence is a law concerned above all with courage, and not with moderation. So then let us begin to read book 2.

**Reader:**
ATH. In the next place, we probably ought to enquire, regarding this subject, whether the discerning of men's natural dispositions is the only gain to be derived from the right use of wine-parties, or whether it entails benefits so great as to be worthy of serious

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[i] A statement allegedly made by Charles Wilson, who was nominated as Secretary of Defense in 1953 by President Eisenhower. Wilson, who had served as CEO of General Motors, was initially reluctant to sell his large holding of stock in the company. During his confirmation hearings he was asked if, as a government official, he would be able to make a decision that was disadvantageous to General Motors. He replied that he would but that he did not foresee such a situation, "because for years I thought that what was was good for the country was good for General Motors and vice versa."

consideration. What do we say about this? Our argument evidently tends to indicate that it does entail such benefits; so how and wherein it does so let us now hear, and that with minds attentive, lest haply we be led astray by it. (652a)

**LS:** Yes. So in other words, that is of course not sufficient for legitimating symposia, that we come to learn men's natures by it, but it must have an additional great usefulness. Is there such usefulness?[50] And then he says: There is such a usefulness, as the *logos seems to wish to hint*. But how and in what manner? "[51]Let us listen attentively, lest we be entrapped by the *logos*." So the *logos* is not the Athenian's theory or something of this kind; the *logos* is somewhere above the Athenian.[52] You remember perhaps[53] an earlier passage where he said he could not vouch for the goodness and the value of symposia: only a god could do that. So that is somehow superhuman, and the *logos* too has this superhuman character.[54] But this *logos* is very elusive: it seems to wish to hint, and therefore one must listen very carefully. If one does not listen, one is likely to be ensnared by that *logos*. That is a mysterious *logos*. And what does Clinias say?

**Reader:**
CLIN. Say on.

**LS:** So in other words, Clinias doesn't have any particular fear that he might be entrapped. Yes?

**Reader:**
ATH. I want us to call to mind again our definition of right education. For the safe-keeping of this depends, as I now conjecture, upon the correct establishment of the institution mentioned.[55]

**LS:** What is the institution mentioned?

**Mr. Gary:** The wine parties.

**LS:** [56]Yes. So now we get here a provisional answer: [the] safeguarding of education, in addition to knowing the natures of men, that is the great advantage of symposia. The Athenian feels compelled therefore to say again what education is. Now that's a long speech.

**Reader:**
CLIN. That is a strong statement!
ATH. What I state is this,—that in children the first childish sensations are pleasure and pain, and that it is in these first that goodness and badness come to the soul; but as to wisdom and settled true opinions, a man is lucky if they come to him even in old age; and he that is possessed of these blessings, and all that they comprise, is indeed a perfect man.

**LS:** Yes. Now[57] that last bit doesn't come out in the translation: is a perfect "human being," *anthrōpos*.

**Reader:**
ATH. is indeed a perfect human being. I term, then, the goodness that first comes to children "education." When pleasure and love, and pain and hatred, spring up rightly in

the souls of those who are unable as yet to grasp a rational account; and when, after grasping the rational account, they consent thereunto through having been trained rightly in fitting practices:—this consent, viewed as a whole, is goodness, while the part of it that is rightly trained in respect of pleasures and pains, so as to hate what ought to be hated, right from the beginning up to the very end, and to love what ought to be loved,—if you were to mark this part off in your definition and call it "education," you would be giving it, in my opinion, its right name. (652a-53c)

**LS:** Yes. Now[58] how does this differ [from] or agree with[59] the previous definition of education? Yes?

**Mr. Johnson:** Well, in the first book, education, I think, was exposing yourself to shameless pleasures, wasn't it?

**LS:** I beg your pardon?

**Mr. Johnson:** Exposing the person to shameless pleasures.

**LS:** Yes, but this was not the general definition of education.

**Mr. Johnson:** . . . seems to differ.

**LS:** That would not necessarily contradict that, but that was not the first definition of education. It was said that the end of[60] education is the perfect citizen,[61] who knows how to rule and to be ruled with justice. Here it is the perfect human being, something different from the perfect citizen.[62] His wording is different, and it may also be that this has great implications. In addition, it is here made more clear than before that education proper is what one does to children; the habituation of children. So to try to understand the whole of Plato in terms of education, or perhaps the whole of Greek culture in terms of *paideia*, as Werner Jaeger tried to do,[ii] is, I think, rather difficult to reconcile with this remark. The habituation of children's likes and dislikes, pleasures and pains, that is education proper; and if the child has been trained in the right way, has acquired what Aristotle would call the moral virtues, then, if he is grown up and he lays hold on the principle and affirms the goodness of these habits by[63] having seen that they are intrinsically good, then he is[64] a perfect man, a perfect human being. This I believe is the key difference: education of the human being, education of the citizen, whether they are identical or not is a question. Those who know Aristotle's *Politics* know that this is a true question discussed by Aristotle at some length, whether good man and good citizen are the same thing. Now what does Clinias say?

**Reader:**
CLIN. You are quite right, Stranger, as it seems to us, both in what you said before and in what you say now about education.
ATH. Very good. (653c)

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[ii] Werner Jaeger, *Paideia: The Ideals of Greek Culture, Volume I: Archaic Greece: The Mind of Athens* (Oxford: Oxford University Press, 1944).

**LS:** Now yes, that . . . translate a little bit more exactly. Clinias says that both things which he had said about education, now and in the first book, have been said *correctly*. And the Athenian says[65] [that] they have been said *nobly*. And that, I think, means[66] [that] both are noble, if you do not consider the difference. But [only one of the two can be correct],[67] and which remains to be seen. Yes?

**Mr. George Elias:** To my mind, it seems as if the second is a more general statement than the first. One of the purposes of the education of a child would be to implant in him the desire or the love to become a perfect citizen.

**LS:** Yes, but according to this statement it would be to implant in him, if possible, the desire for becoming a perfect human being. And that is perhaps not identical. It would depend a bit on what the status of political life is.

**Mr. Elias:** But I don't see them as two equal and different alternatives. They may be different, but one seems to grow out of the other, to be subordinate to the other.

**LS:** That may very well be. And you are perfectly entitled to do so, but we also would like to know what the Athenian Stranger has to say about it. Yes?

**Mr. Doskow:** Well, doesn't the definition in the first book say that the perfect citizen would be someone who knows how to rule and be ruled with justice, which would mean that . . . one could only be a citizen of a rational state? If he were in an irrational state and he tried to rule or be ruled with justice, he would be going contrary to what the state itself is doing. So in that respect, it seems to be that there would be a . . . difference between the definition in the first book and in the second. In other words, only a perfectly good man would be able to rule and be ruled with justice.

**LS:** The point is not that they are incompatible, the two views, but only that they are different.

**Mr. Doskow:** What I meant was, isn't the definition in the second book in a way a necessary precondition for the definition in the first? Unless you are a good man, how will you know how to rule and be ruled with justice?

**LS:** Well,[68] perhaps that depends upon a more precise understanding of what a good man is[69] than is given here.

**Mr. Doskow:** To hate what should be hated and to love what should be loved.

**LS:** Pardon?

**Mr. Doskow:** To hate what should be hated and to love what should be loved is what the . . .

**LS:** Yes. Yes, well,[70] but not only that but also to have the *logos* of what should be hated and what should be loved. Well, let us see. If the difference is minor; it will prove to be in the sequel.

Yes?

**Reader:**
ATH. Very good. Now these forms of child-training, which consist in right discipline in pleasures and pains, grow slack and weakened to a great extent in the course of men's lives; so the gods, in pity for the human race thus born to misery, have ordained the feasts of thanksgiving as periods of respite from their troubles; and they have granted them as companions in their feasts the Muses and Apollo the master of music, and Dionysus, that they may at least set right again their modes of discipline by association in their feast with gods. (653c-d)

**LS:** So[71] it seems that the safeguarding of education is supplied by these festivals, these holy days which men are supposed to celebrate together with the Muses, Apollo, and Dionysus. But from the sequel it will appear that [what] the Muses and Apollo[72] teach is education itself and not the safeguarding of education, whereas Dionysus, the god of wine, comes in only when the safeguarding of education is explicitly discussed later. Yes?

**Reader:**
ATH. We must consider, then, whether the account that is harped on nowadays is true to nature? What it says is that, almost without exception, every young creature is incapable of keeping either its body or its tongue quiet, and is always striving to move and to cry, leaping and skipping and delighting in dances and games, and uttering, also, noises of every description. Now, whereas all other creatures are devoid of any perception of the various kinds of order and disorder in movement (which we term rhythm and harmony), to us men the very gods, who were given, as we said, to be our fellows in the dance, have granted the pleasurable perception of rhythm and harmony, whereby they cause us to move and lead our choirs, linking us one with another by means of songs and dances; and to the choir they have given the name—they have given its name from the "cheer" implanted therein.

**LS:** So that's a pun,[73] yes? *choros*, [*charas*] in Greek. Yes?

**Reader:**
ATH. Shall we accept this account to begin with, and postulate that education owes its origin to Apollo and the Muses?

**LS:** [74]No—the *first* education,[75] the initial education, is through Muses and Apollo, song and dance.

**Reader:**
CLIN. Yes.
ATH. Shall we assume that the uneducated man is without choir-training, and the educated man fully choir-trained?
CLIN. Certainly. (653d-54b)

**LS:** So these things are now identified: education and choral discipline. Education, you

remember, is what is being done to the children and is in the first place choral discipline. "Discipline" is perhaps too harsh a word—choral training—and so it is not punishments and rewards, and coercion . . . but rather the pleasant, the pleasure deriving from singing and dancing, and from singing well and dancing well. Yes?

**Reader:**
ATH. Choir-training as a whole embraces of course both dancing and song.
CLIN. Undoubtedly.
ATH. So the well-educated man will be able both to sing and dance well.
CLIN. Evidently.
ATH. Let us now consider what this last statement of ours implies.
CLIN. Which statement?
ATH. Our words are,—"he sings well and dances well"; ought we or ought we not to add,—"provided that he sings good songs and dances good dances"? (654b-c)

**LS:** Yes, well, a little bit more literally: "he sings finely and dances finely." Must we not also add: if he sings fine things and dances fine things?[76] What is a most well-known case where the two things do not go together, where there is fine singing and dancing and yet what is sung and danced is not fine?

**Mr. Gary:** In the parades in Germany when the young students were all trained to sing and to dance in the marching for the purpose of showing the greatness of the Führer in his military might—

**LS:** I have never seen that.[77] I was thinking of something[78] of which Plato could know. Well, I believe comedy, Aristophanean comedy, has this character, that[79] [it] is finely sung, finely danced; and yet what is sung, the content of the songs, the content of the dances, is not fine but rather can be very ugly. But both things are needed: the form as well as the content must be fine. Yes?

**Reader:**
CLIN. We ought to add this.
ATH. How then, if a man takes the good for good and the bad—

**LS:** Yes, but *kalos*[80] means always "the fine," that is important, or "the noble," that is the same—or "the beautiful," that's the same thing. Never[81] "the good." Yes"

**Reader:**
ATH. if a man takes the noble for noble and the bad for bad—

**LS:** No, the "base"; "the base for base." Yes?

**Reader:**
and the base for base and treats them accordingly? Shall we regard such a man as better trained in choristry and music when he is always able both with gesture and voice to represent adequately that which he conceives to be good— (654c)

**LS:** "Noble," yes.

**Reader:**
that which he conceives to be noble, though he feels neither delight in the good nor hatred of the bad, or when, though not wholly able to represent his conception rightly by voice and gesture, he yet keeps right in his feelings of pain and pleasure, welcoming everything good and abhorring everything not good?
CLIN. There is a vast difference between the two cases, Stranger, in point of education. (654c-d) [iii]

**LS:** Yes. Now[82] there are altogether three cases. First, a man may finely sing fine things, and enjoy the fine things, and be disgusted at the ugly things. And then there is a man who sings finely, but does not enjoy[83] the fine things, and he is not repelled by the ugly ones. And the third case is a man who sings not too well, but he enjoys only the fine things and is disgusted by the ugly things. Do you recognize phenomena which you know by your own experience? Well, in our language, I believe the second case would be the good artist of bad character, and the third, the poor artist of a good character. Now there is a great difference between the two on both counts. And the most desirable would of course be the good artist of a good character—yes?—if we can get him. And we must at least seek for him. Yes?

**Reader:**
ATH. If then, we three understand what constitutes goodness in respect of dance and song, we also know who is and who is not rightly educated; but without this knowledge we shall never be able to discern whether there exists any safeguard for education or where it is to be found. Is not that so?
CLIN. It is.
ATH. What we have next to track down, like hounds on the trail, is goodness of posture and tunes in relation to song and dance; if this eludes our pursuit, it will be in vain for us to discourse further concerning right education, whether of Greeks or of barbarians. (654d-e)

**LS:** Yes. Is this not strange, that correct education may be barbarian, does not have to be Greek? Perhaps the reference to "human being" as distinguished from "man," with all its implications, has something to do[84] with that, with the fact that he is now concerned with correct education, regardless of Greek or barbarian.

**Reader:**
CLIN. Yes.
ATH. Well, then, however shall we define goodness of posture or of tune?

**LS:** [85]I cannot always correct it, but it is always the "noble" or "fine" or "beautiful," not the "good" in this case.Yes?

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[iii] The reader incorporates Strauss's corrected translations of *kalos* and *aischros*.

**Reader:**
ATH. Come, consider: when a manly soul is beset by troubles, and a cowardly soul by troubles identical and equal, are the postures and utterances that result in the two cases similar?
CLIN. How could they be, when even their complexions differ in colour?
ATH. Well said, my friend. (654e-55a)

**LS:** Not "friend," "comrade." "Comrade" would be a more literal translation. That[86] has a certain political implication because of certain oligarchic, aristocratic groups in Athens as well as elsewhere,[87] [who took] their bearings[88] [from] Sparta, and where ruddy outdoor complexion was regarded as a sign of the right kind of mind. Therefore the color. There is a reference to this color question also in the *Meno*, I believe. Am I not correct? Yes?

**Reader:**
ATH. Well said, my friend. But in fact, while postures and tunes do exist in music, which deals with rhythm and harmony, so that one can rightly speak of a tune or posture being "rhythmical" or "harmonious," one cannot rightly apply the choirmasters' metaphor "well-coloured" to tune and posture; but one can use this language about the posture and tune of the brave man and the coward, and one is right in calling those of the brave man good, and those of the coward bad. To avoid a tediously long disquisition, let us sum up the whole matter by saying that the postures and tunes which attach to goodness of soul or body, or to some image thereof, are universally good, while those which attach to badness are exactly the reverse.

**LS:** Now wait.[89] That is crucial, this general formulation.[90] We have been looking all the time for good songs and dances, or rather for fine songs and dances, [91]and now we get the principle involved: that which presents or expresses the virtue of body or soul, that is noble or fine.[92] And the same is true of that which presents vice, that is repulsive in the presentation. He says here, as it were in passing: regardless of whether it is virtue, or some *image* of virtue. Or some image of virtue. This complicates matters, doesn't it? We[93] seek for the standard of excellence in the imitative arts and then we are referred to human excellence, *arētē*, virtue, as the standard. That which imitates virtue is beautiful, and that which imitates vice is ugly and repulsive. And that is clear. But now things become complicated, because an image of virtue might be sufficient for the purpose. Now I have used the term "image" before without having been formally authorized by the text,[94] when I said that the law is an image of the *logos* or old age is an image of wisdom, but I think this passage supplies a retroactive legitimation. But an image in not the thing itself. And therefore for all practical purposes we will find legislators guided by images of virtue,[95] not by virtue itself, and therefore there will be all kinds of defects in their legislations. No reason is given why this is necessarily so.

**Reader:**
CLIN. Your pronouncement is correct, and we now formally endorse it.
ATH. Another point:—do we all delight equally in choral dancing, or far from equally?
CLIN. Very far indeed.
ATH. Then what are we to suppose it is that misleads us? (655a-c)

**LS:** Yes, that "confuses" us, and has confused or perplexed us. In other words, the straightforward, simple, unambiguous relation of virtue and beautiful presentations, a one-to-one relation, that is confused. We know already one reason: because an image of virtue might have the same effect as virtue. But the Athenian tries[96] now to give another explanation. Yes?

**Reader:**
ATH. Is it the fact that we do not all regard as good the same things, or is it that—

**LS:** Yes, "as beautiful."

**Reader:**
as beautiful the same things, or is it that, although they are the same, they are thought not to be the same? (655c)

**LS:** [97]Yes. And this could very well be applied to the question of the image of virtue, that there are many images of virtue as is indicated in the passage where he speaks of virtue, and therefore many opinions as to what constitutes goodness, excellence and[98] correspondingly—a very great variety of what pleases in imitations. Yes?

**Reader:**
ATH. For surely no one will maintain that the choric performances of vice are better than those of virtue, or that he himself enjoys the postures of turpitude, while all others delight in music of the opposite kind. Most people, however, assert that the value of music consists in its power of affording pleasure to the soul. But such an assertion is quite intolerable, and it is blasphemy even to utter it. The fact which misleads us is more probably the following—

**LS:** Now wait. So in other words,[99] some people have the nerve, as it were, to say: The only thing for which I care in art is pleasure. But that is an unbearable and unholy view. That must be dismissed. Now[100] before he said: No one will *say* that the presentations of vice are more beautiful than those of virtue. And he uses the word "saying" also later. But perhaps someone will *feel* it[101] and[102] [not] dare to say it because it is not decent to say it, but the feeling might very well be. And education of course will have to affect not only what people say, but also what they feel. Yes?

**Reader:**
CLIN. What?
ATH. Inasmuch as choric performances are representations of character, exhibited in actions and circumstances of every kind, in which the several performers enact their parts by habit and imitative art, whenever the choric performances are congenial to them in point of diction, tune or other features (whether from natural bent or from habit, or from both of these causes combined), then these performers invariably delight in such performances and extol them as excellent; whereas those who find them repugnant to their nature, disposition or habits cannot possibly delight in them or praise them, but call them bad. And when men are right in their natural tastes but wrong in those acquired by habituation, or right in the latter but wrong in the former, then by their expressions of praise they convey the opposite of their real sentiments; for whereas they say of a

performance that it is pleasant but bad, and feel ashamed to indulge in such bodily motions before men whose wisdom they respect, or to sing such songs (as though they seriously approved of them), they really take a delight in them in private. (655c-56a)

**LS:** Yes. Within themselves. They might not say it to anybody else, but they enjoy it. Now here he brings up another point, which is implied in what went before but not in these terms, and that is a distinction between nature and habit or habituation. Now if a man is well educated[103]—and only a man who has a good nature, to use a Greek term, can be well educated—[104][then] there is perfect harmony between nature and habituation.[105] But in many cases nature and habituation are at variance, and his nature might approve of something but his habituation might disapprove, or vice versa. And then[106] this confusion, this perplexity of which he spoke arises. And because—that is also said here—no one can help enjoying what is in conformity with his nature or his habit, it is necessary for him to praise it and to call it beautiful. He can prevent himself from uttering it because the utterance is regarded as indecent, but he cannot help feeling it.[107] And the case may arise, as is made clear in this speech, that someone might say these performances are pleasant, enjoyable, amusing, but wicked. Does this make sense, that one may form this judgment, say, on a picture, on a play, or on a poem, that it is pleasant or beautiful but wicked?[108]

And[109] this distinction between pleasant and wicked reminds of the distinction made in Plato's *Gorgias* by Polus, when he says doing injustice, that is good, but suffering injustice[110] is bad. But[111] inflicting injustice is noble. I believe that is the distinction which he makes.[iv]

**Student:** He says—

**LS:** Pardon?

**Student:** He says to inflict harm on other people is shameful.

**LS:** Yes, shameful, but good. Doesn't he?

**Student:** But[112] then he says, to suffer it is bad. And then Socrates goes on to show him what the consequences [are] of his[113] [saying this]. He says it's better to do[114] wrong than to suffer [it].

**LS:** Yes, but he uses here the distinction between the good and the base, the shameful. Yes. Something of this distinction is also underlying [the argument] here:[115] men could be, as it were, torn in two different directions.Yes? They regard as good one thing and as noble the other. And here it is the distinction between the pleasant and the good or the opposite, the wicked. Yes?

**Student:** This discussion and the discussion before about the education of children sort of assume that the kinds of songs we sing and the emotions they arouse, the feelings, and the way we dance, and consequently the emotions that are aroused in the dancer,[116] at least in the case of children, and maybe also in adults, [tend to] make that dancer or that singer be like what he is presenting, become what he is presenting, if only in the emotions he's feeling. So that[117] if you were to allow children to perform some sort of a play where they were bad men,[118] doing bad

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[iv] Plato *Gorgias* 474c-d. Polus does not say, however, that inflicting injustice is noble.

things, and enjoying it,[119] and [if] the children would seek pleasure from this, the only antidote would be somehow making them feel shame or fear that they were going to be shamed by the adults who would look down on this and say that this was bad, and this was shameful, to enjoy this kind of [thing].

**LS:** [120]Yes. Well, according to Plato's notions, such plays[121] or such choruses would simply not be tolerated; the children would not learn to dance and sing in such a way.

**Student:** Right, right. I mean, if a child started to sing or dance in a grotesque way, then immediately stopped,[122] it's possible the child could be enjoying it, but you would try, say, try to enforce on him that this kind of enjoyment—

**LS:** No, he would simply say: That's the wrong step you take. He would only be told that's the wrong step, or that's the wrong tone, and then he would gradually sing correctly and dance correctly, and this correctness would consist in imitating virtue or how virtue appears.

**Mr. Gottlieb:** Isn't that somewhat of a contradiction?

**LS:** Pardon?

**Mr. Gottlieb:** [123]I mean, if he says that[124] using the symposium to show[125] the Spartans and the Cretans their whole lives are a model or an attempted model[126] [of] virtue. I mean, they learn[127] how to suffer pains, you know, well . . . [128]but the Athenian says that this is wrong, [and that] you should also learn how to do the unvirtuous things so as not to be bothered by them. So[129] couldn't you bring the argument to the same effect that if you're going to dance well, you should also sometimes dance badly?

**LS:** [130]I see, in order to overcome this habit? Yes, but to begin with, all men would not dance well, and[131] this is the presupposition of the whole enterprise, that they should learn to dance well or to sing well.

**Mr. Kaplan:** To dance well and to dance good dances.

**LS:** Yes, sure. In both senses, yes.

**Mr. Kaplan:** For instance, square dances only. [Laughter]

**LS:** Yes, I believe they would be better than some other dances. [Laughter] From this point of view, yes. Yes?

**Mr. Gonda:** I wonder if this isn't confirmed in another way in the *Gorgias* by the fact that Callicles says that Polus . . . makes the distinction between the noble and the good because he feels one thing and says another.

**LS:** Yes, so that Callicles's position is simpler because there is no distinction between the noble and the good. For him, inflicting injustice is both good and noble. You know? And he can do it

because he says [that] what Polus meant by noble is merely conventional, and Callicles dismisses the conventional.[v] Mr. Berns?

**Mr. Berns:** Isn't there a problem for a statement in Plato[132] [about] someone who by nature desires what is bad or wicked?[133] If one thinks of the *Republic*, for instance.

**LS:** Well—

**Mr. Berns:** Or doesn't it mean that the word "nature" is at least ambiguous if it is possible for someone by nature to desire what is bad?

**LS:** I think that is possible, a bad nature; a rotten apple is possible. And from Plato's point of view I suppose there would be more[134] than we would assume.

**Mr. Berns:** Yes. But I mean sometimes one has the impression that in Plato the natural means the rational.

**LS:** Yes,[135] but look, [take] a man who has a cancer. Cancer is a natural phenomenon, and yet that is against the nature of the body, to destroy the body. That is, two meanings of nature, related but different. That causes no difficulty. Yes?

**Mr. Levy:** Yes, I wonder to what extent the observation about the distinction between habituation and nature applies specifically to Clinias in this context, whereas earlier we saw that Clinias[136] made no attempt to harbor his interest in the discussion about symposia, and the pleasures—

**LS:** Yes, yes.

**Mr. Levy:** He interrupts while the Athenian is speaking, apparently in surprise that the Athenian has said that it is blasphemous to judge art according to pleasure, whereas if he were familiar with this view, one would suspect that he wouldn't have interrupted. And therefore it seems to me that it would suggest that Clinias by habit has this contradiction between his nature and his habit in that he sort of takes a secret delight in certain kinds of pleasures that are prohibited.

**LS:** Yes, perhaps all men take a secret delight in forbidden things, at least that is what Plato occasionally suggests.[137] But the point is, as long as it remains only hidden and ineffective, it is all right. But nevertheless it could show itself in so-called artistic tastes, that people would like pictures and so on presenting things which they would never consider doing because they satisfy some forbidden desire. At any rate, the question which Plato discusses here is, in modern language, the relation of morality and art. And needless to say,[138] Plato takes absolutely the side of morality, but not without indicating the complexity of the issue. Yes?

**Mr. Elias:** What do you think is the influence of the present form of dancing on the character of the young?

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[v] Plato *Gorgias* 482c-86d.

**LS:** [139]I have not made any empirical studies, any fieldwork; and you know, without having done this kind of thing, no one is entitled any more to say anything. I can only say quite how it affects *me*, and I find it absolutely ugly.

**Mr. Elias:** Mr. Strauss, aren't you hiding behind the method of your opponents?

**LS:** Why? No, honestly,[140] I have never given it serious thought. But what I have seen repelled me. That is all I can say.

**Mr. Klein:** Mr. Elias, do you like it? [Laughter]

**LS:** And I only know that I have occasionally seen war dances of Central African negroes,[141] and that was also very barbaric but it had a dignity and a meaning[142] different from what I see here. That is all I can say. I have not engaged in any study. It did not impress me as worthy of a very serious study. Yes?

**Mr. Berns:** Well, I am still somewhat bothered by this problem of rotten apples[143] or bad natures. What it would seem to suggest then is that to insist that the rational is *the* natural is a kind of sophistry.

**LS:** That the natural—?

**Mr. Berns:** That if it is the case that one can by nature desire the wicked[144]—the problem of rotten apples—then that would seem to suggest that the identification of the natural with the rational is a sophistry.

**LS:** No,[145] if one can show that it is a morbid nature which craves for these things, then on the contrary, one would confirm it, that something is wrong with people who by nature desire these things. Is this not understandable?

**Mr. Gary:** Isn't that the thing that is so objectionable, though, about psychoanalysis: the attempt to say that those who are rotten apples are sick in the sense that they are simply beyond their own ability to control their rottenness? I think that it's important that even rotten apples be held responsible for their rottenness in the sense that those who, because of their stupidity, can't know the good could at least learn to follow those who did and thus not be so rotten.

**LS:** Yes. Well, I believe Freud had nothing against penal justice.

**Mr. Gary:** Yes, but he undermined it—

**LS:** Perhaps his successors more than he himself. And in addition, the notion which you suggest was developed prior to Freud by this British satirical utopist—how was it called? *Erewhon*. Butler?

**Student:** Samuel Butler.

**LS:** Yes, Samuel Butler—where he has this beautiful idea that in *Erewhon* sick people are punished, yes, but criminal people are sent into hospitals.[vi] Have you never read it? You should read it.

**Mr. Gary:** Okay.

**LS:** It's very topical. Yes?

**Reader:**
CLIN. Very true.
ATH. Does the man who delights in bad postures and tunes suffer any damage thereby, or do those who take pleasure in the opposite gain therefrom any benefit?
CLIN. Probably.
ATH. Is it not probable or rather inevitable that the result here will be exactly the same as what takes place when a man who is living amongst the bad habits of wicked men, though he does not really abhor but rather accepts and delights in those habits, yet censures them casually, as though dimly aware of his own turpitude? In such a case it is, to be sure, inevitable that the man thus delighted becomes assimilated to those habits, good or bad, in which he delights, even though he is ashamed to praise them. Yet what blessing could we name, or what curse, greater than that of assimilation which befalls us so inevitably? (656a-b)

**LS:** Well,[146] there are all kinds of great difficulties in that section, but the main point, I believe, is clear, that bad art has the same effect as bad company: that if you live with bad people—especially this is true of young people—then that corrupts you. You may resist it as well as you may, but in the long run you will adjust yourself. I believe[147] today they call it "identify," yes? Yes. Yes, and that is all that has to be said about it: it is bad company, bad art.[148] Good. And the conclusion: after it is understood that good art must be moral, he draws the conclusion; and after having indicated the great difficulties implied in this demand, he goes on as follows.

**Reader:**
CLIN. There is none, I believe.
ATH. Now where laws are, or will be in the future, rightly laid down regarding musical education and recreation, do we imagine that poets will be granted such license that they may teach whatever form of rhythm or tune or words they best
like themselves to the children of law-abiding citizens and the young men in the choirs, no matter what the result may be in the way of virtue or depravity?
CLIN. That would be unreasonable, most certainly.
ATH. But at present this license is allowed in practically every state, with the exception of Egypt. (656b-d)

**LS:** You see the reference to the barbarians is here now illustrated. Yes?

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[vi] *Erewhon*: *Or, over the Range* (1872), chapter 12.

**Reader:**
CLIN. How, then, does the law stand in Egypt?
ATH. It is marvellous, even in the telling. It appears that long ago they determined on the rule of which we are now speaking, that the youth of a State should practice in their rehearsals postures and tunes that are good: these they prescribed in detail and posted up in the temples, and outside this official list it was, and still is, forbidden to painters and all other producers of postures and representations to introduce any innovation or invention, whether in such productions or in any other branch of music, over and above the traditional forms.

**LS:** The ancestral, yes.

**Reader:**
ATH. the ancestral forms. And if you look there you, will find that the things depicted or graven there 10,000 years ago (I mean what I say, not loosely but literally 10,000) are no whit better or worse than the productions of to-day, but wrought with the same art.
CLIN. A marvellous state of affairs! (656d-57a) [vii]

**LS:** Yes. Now what is the reasoning here? Since art must be moral, the poets cannot be given licence but they must be supervised. And that is being done with marvellous success in Egypt, where ten thousand years ago, a very long time ago, certain forms of presentation—of music and poetic, and so on—were consecrated and frozen, and they are strictly preserved. No one is permitted to innovate. One term which he uses here for innovation, *epinoein*, in e3,[149] occurs especially in Thucydides as a term describing the Athenians, the Athenians with their lively, innovating minds, contrasted especially with the Spartans. But of course it is not clear: Are these Egyptian things good? I mean, that they have been consecrated and have lasted for such a long time is amazing, but if this is not good art itself, what about that? Now he tries to answer that question in the sequel.

**Reader:**
ATH. Say rather, worthy in the highest degree of a statesman and a legislator.

**LS:** But he should have followed the text at least to that extent, to say that it is fitting [for] the legislator and the statesman. Yes? One could say[150] [that that freezing and concentration] correspond more with the requirements of the legislative art than with those of the political art.[151] Yes—

**Reader:**
ATH. Still, you would find in Egypt other things that are bad. This, however, is a true and noteworthy fact, that as regards music it has proved possible for the tunes which possess a natural correctness to be enacted by law and permanently consecrated. To effect this would be the task of a god or a godlike man,—even as in Egypt they say that the tunes preserved throughout all this lapse of time are the compositions of Isis. Hence, as I said, if one could by any means succeed in grasping the principle of correctness in tune, one

[vii] The reader adopts Strauss's correction.

might then with confidence reduce them to legal form and prescription, since the tendency of pleasure and pain to indulge constantly in fresh music has, after all, no very great power to corrupt choric forms that are consecrated, but merely scoffing at them as antiquated. In Egypt, at any rate, it seems to have had no such power of corrupting—in fact, quite the reverse. (657a-b)

**LS:** Yes. So it is not questioned, the goodness of the Egyptian institutions in this respect, but they are traced by the Egyptians themselves to a goddess, to Isis, and this would of course explain why these things are perfect. The Athenian Stranger does not require the help of a god. He says this would be the work of a god or of some divine. That is the reading of the manuscripts. Editors ordinarily add "of some divine *man*."[152] That was not said by Plato, but it was left open: it could also be a divine woman—I mean, you know,[153] as it were a human Isis—who could have made these things. But however this may be, as soon as these right tones and dances have been found, one must consecrate them and therewith give them stability and endurance throughout the centuries. So we have now an answer to the question: We must only find what is virtue itself and not be satisfied with an image of virtue, and we must then on that basis see what are the noble, beautiful, and fine presentations. And once we have done that, we may consecrate them. The Egyptian model is of no help to us, it is implied here, because Plato doesn't say that the Cretans or elder people should take over Egyptian art. And this means that he is not satisfied with Egyptian art. Yes?

**Reader:**
CLIN. Such would evidently be the case, judging from what you now say.
ATH. May we confidently describe thc correct method, in music and play, in connexion with choristry, in same such terms as this: we rejoice whenever we think we are prospering, and, conversely, whenever we rejoice we think we are prospering? Is not that so?
CLIN. Yes, that is so.
ATH. Moreover, when in this state of joy we are unable to keep still.
CLIN. True.

**LS:** You see, by the way, that it is not important that we do well or, as he says, prosper; in fact, it is sufficient that we believe[154] [we] do well. Then we are elated and then we cannot keep quiet. So whether we are elated and have the basic condition for song and dance does not depend on knowledge, of course, and also not on true opinion but on opinion.

**Reader:**
ATH. Now while our young men are fitted for actually dancing themselves, we elders regard ourselves as suitably employed in looking on at them, and enjoying their sport and merry-making, now that our former nimbleness is leaving us; and it is our yearning regret for this that causes us to propose such contests for those who can best arouse in us through recollection, the dormant emotions of youth.
CLIN. Very true.
ATH. Thus we shall not dismiss as entirely groundless the opinion now commonly expressed about merry-makers—namely, that he who best succeeds in giving us joy and pleasure should be counted the most skillful and be awarded the prize. For, seeing that we

give ourselves up on such occasions to recreation, surely the highest honor and the prize of victory, as I said just now, should be awarded to the performer who affords the greatest enjoyment to the greatest number. Is not this the right view, and the right mode of action too, supposing it were carried out?
CLIN. Possibly. (657c-58a)

**LS:** Do you see? Now it is recognized more emphatically than ever before, that enjoyment[155] of course goes together with art. The question is: Whose enjoyment and whose pleasure deserve any authority? That is discussed in the sequel. Well, that is a very long speech and we cannot read any more today. The simple point is that different age groups, for example, find very different things enjoyable. Now which age group deserves to be listened to the most? And the three old men say, of course, "The old men," just as the wise men would say the wise men, and the fools would say the fools. This kind of relativity can apparently not be avoided, if it is relativity. Yes?

**Student:** I just wanted to ask what you saw of importance in the fact that the Athenian Stranger insists on the importance of the ten thousand years. Why doesn't he say "a very long time," for example?

**LS:** Well, in order to impress them, and because he regards that as an amazing phenomenon, to make an establishment that lasts for ten thousand years and not merely for two thousand five hundred.

**Student:** Does he really think it is that long?

**LS:** Why not? Now people say, who know all kinds of things which Plato did not know, [that] the art of Egypt in Plato's time was a representation of things done two thousand five hundred earlier, not ten thousand years earlier, as the Egyptians may have said at the time. But from Plato's point of view it would be a greater achievement to have something which can resist time for so long.

We have to stop here. I would mention only one point, to which this whole discussion leads up, and that is at 659d, where we find a new definition of education which is in a way final: that it is guidance of children toward that *logos* which is declared to be correct by the law. So in other words, not to the true *logos* but to the *logos* which the *law* has declared to be true. Therefore, a subordination of the logos to the law: the law would then be the sovereign, not the *logos*. We will see this next time.

[1] Deleted "also."

[2] Deleted "that is to say"

[3] Deleted "comes—one must—."

[4] Deleted "*nomos*."

[5] Deleted “is—.”

[6] Deleted ‘you know that.”

[7] Deleted “which corresp—.”

[8] Deleted “and here, therefore—but.”

[9] Deleted “of.”

[10] Deleted “if there are—.”

[11] Moved “only.”

[12] Deleted “in which the law;” moved “is the true *logos*.”

[13] Deleted “is solved—.”

[14] Deleted “say: is there compulsion or—I mean.”

[15] Deleted “ordinary crim—.”

[16] Deleted “unrational.”

[17] Deleted “could.”

[18] Deleted “was not—.”

[19] Deleted “which is something—.”

[20] Deleted “somewhat.”

[21] Deleted “I think—.”

[22] Deleted “their own—in.”

[23] Deleted “the—.”

[24] Deleted “the interests of—.”

[25] Deleted “of myself.”

[26] Deleted “and a little bit.”

[27] Deleted “like if, you couldn’t—like if—.”

[28] Deleted “if you take—if—yes—if—and that—.”

[29] Deleted “it’s like—we can’t identify—.”

[30] Deleted “he’s—if—.”

[31] Deleted “one.”

[32] Deleted “of—.”

[33] Deleted “that is—.”

[34] Deleted “come—.”

[35] Deleted “I mean—.”

[36] Deleted “yes, no.”

[37] Deleted “that would be—I mean.”

[38] Deleted “is—.”

[39] Deleted “how the—.”

[40] Deleted “consists—.”

[41] Deleted “‘the.’”

[42] Deleted “some.”

[43] Deleted “one—.”

[44] Deleted “that—.”

[45] Moved “this refers to phenomena which you all know, at least from the literature;” deleted “that leads.”

[46] Deleted “makes people—.”

[47] Deleted “learn—.”

[48] Moved “money,”

[49] Deleted “have.”

[50] Deleted “now—.”

[51] Deleted “that.”

[52] Deleted “we.”

[53] Deleted “a passage.”

[54] Deleted “and the.”

[55] Deleted “LS: What is the institution mentioned?

Reader: Institution mentioned.”

[56] Deleted “yes, sure.”

[57] Deleted “let us—.”

[58] Deleted “how does this—.”

[59] Deleted “from or with.”

[60] Deleted “the.”

[61] Deleted “who can—.”

[62] Deleted “and.”

[63] Deleted “under—.”

[64] Deleted “a perfectly just—.”

[65] Deleted “*nobly*.”

[66] Deleted “they are—.”

[67] Changed from “but correct can only be one of the two.”

[68] Deleted “that—.”

[69] Deleted “and—.”

[70] Deleted “and—.”

[71] Deleted “it seems—with the gods—now—or with gods, rather—so.”

[72] Moved “what;” deleted “they.”

[73] Deleted “that’s a pun.”

[74] Deleted “yes.”

[75] Deleted “the first education.”

[76] Deleted “where.”

[77] Deleted “I suppose—no.”

[78] Deleted “which—.”

[79] Deleted “this.”

[80] Deleted “it.”

[81] Deleted “not.”

[82] Deleted “what are the—.”

[83] Deleted “them.”

[84] Changed from “to do something.”

[85] Deleted “yes but the—.”

[86] Deleted “is—.”

[87] Deleteed “and taking.”

[88] Deleted “by.”

[89] Deleted “now wait.”

[90] Deleted “and everything depends—.”

[91] Deleted “and so.”

[92] Deleted “So—that which presents virtue is noble or fine and vice versa.”

[93] Deleted “want—we.”

[94] Moved “but I think this passage supplies a retroactive legitimation.”

[95] Deleted “and therefore.”

[96] Deleted “to—.”

[97] Deleted “so, this—.”

[98] Deleted “therefore.”

[99] Deleted “this—.”

[100] Deleted “here–.”

[101] Deleted “because it is—will feel it.”

[102] Deleted “there will be a—they don’t.”

[103] Deleted “then his nature.”

[104] Deleted “so.”

[105] Deleted “there is—there are—.”

[106] Deleted “there—these confusions—.”

[107] Deleted “now.”

[108] Deleted at this point is the following exchange, which was based on a misunderstanding: **Reader**: [inaudible words] useful, though; you included useful the last time you did that enumeration. **LS**: Pardon? **Reader**: You

presented the enumeration twice: the first time was with useful, pleasant, and beautiful. And the second time you just included beautiful and pleasant, but you didn't include useful. **LS**: I don't remember—I don't—honestly, I don't remember to what you refer. **Reader**: I don't understand your question. Does your question include the idea of the useful? **LS**: No, no, this—no, no—it is not necessary to bring this in here, because the wicked could very well include the harmful. That is not the point here. What I translated here by 'wicked' could very well mean also the 'harmful'. **Reader**: But did the—are the plays in any sense useful? That's the thing that— **LS**: No, that of course is denied. They are not useful. **Reader**: They're just beautiful and pleasant. **LS**: Yes, pleasant, yes, enjoyable. **Reader**: Then they could be wicked. **LS**: Pardon? **Reader**: Then they could be wicked. **LS**: Sure. **Reader**: But if they were useful— **LS**: Who said useful? **Reader**: Okay. **LS**: Wicked *means* harmful.

[109] Deleted "you see."

[111] Deleted "doing—."

[112] Deleted "it's—and."

[113] Deleted "I don't think he says—."

[114] Deleted "yes, he does says it's better to do."

[115] Deleted "one—."

[116] Moved "tend to;" deleted "make that."

[117] Deleted "if you were—."

[118] Changed from "were a bad man."

[119] Deleted "that the children might—."

[120] Moved "but."

[121] Deleted "would simply—."

[122] Deleted "even if he—and the child—."

[123] Deleted "isn't."

[124] Deleted "like."

[125] Deleted "well, like."

[126] Deleted "at."

[127] Deleted "how to—not to—."

[128] Deleted "but they don't—."

[129] Deleted "would it be just as well—."

[130] Deleted "you mean in—."

[131] Deleted "this would be—."

[132] Deleted "of."

[133] Deleted "doesn't that involve—."

[134] Deleted "as—."

[135] Deleted "but then is that it means—.'

[136] Deleted "didn't."

[137] Deleted "and—."

[138] Deleted "that."

[139] Deleted “I cannot—.”

[140] Deleted “well—I—honestly—.”

[141] Changed from “And I know only I saw war dances from—of central—Africa, war dances of central African negroes.”

[142] Changed from “but it had—it had a dignity, a dignity, and a meaning, a meaning.”

[143] Deleted “and—.”

[144] Deleted “that.”

[145] Deleted “if it is—.”

[146] Deleted “the main point—.”

[147] Deleted “how—.”

[148] Deleted “yes, and.”

[149] Deleted “is—.”

[150] Deleted “it is more legisla—.”

[151] Moved “that freezing and concentration.”

[152] Deleted “I believe it can as—.”

[153] Deleted “like—.”

[154] Deleted “to.”

[155] Deleted “is.”

**Session 6: no date**

**Leo Strauss:** I think we can begin now. Now let me remind you of the context, where we stand in the second book. The question is, of course, the value of symposia. And the first value was said to be, at the beginning of the second book, that they are useful for knowing the natures of one's fellow citizens. In the preceding reference to it, at the end of book 1, he had spoken of "natures and habits." Now he drops "habits." Does this make sense? How does wine, or hard liquor for that matter, work on us? Does it bring out our nature or our habits to a higher degree? As I have read in the literature on that subject, which is immense, it is more our natures which are revealed when we are drunk than our habits, because our habits recede into a state of dormancy. But this is only the first point. The main value of symposia was said to be the safeguarding of education, and not education but the safeguarding of education.[1] The Athenian therefore raises again the question "What is education?" and redefines it. The goal of[2] education is the perfect human being, he says now. He[3] no longer says the perfect man; in Greek, *anēr*.

Now these two words, human being, *anthrōpos* in Greek, and *anēr*, are in a somewhat complicated relation. From one point of view a man, an hombre, is of course[4] far superior to a mere human being. That is, a mere human being is just a member of one animal species among others, and there is nothing to be particularly proud of, but an hombre, that is someone impressive. The simplest statement on this difference you would find, if you are interested, in Xenophon's dialogue *Hiero*, chapter 7. But from another point of view, a human being, *anthrōpos*, is more than an *anēr*, a man. For example, Socrates is called occasionally at the symposium *kalos k'agathos anthrōpos*, not *kalos k'agathos anēr*: a noble and good human being, not a noble and good man. And the Greek word which we ordinarily translate by courage, *andreia*, means primarily manliness. And we have observed in Xenophon that manliness is never ascribed to Socrates as a virtue. *Anēr*, we can say, is the outgoing fellow, the outgoing gentleman farmer who rides to his fields to oversee his field hands and his bailiffs, and above all, of course he goes out to war. He goes out; he doesn't stay at home. But such fellows as Socrates stay, not exactly at home, but[5] if the weather is not altogether good in a covered place, [and] sit there and talk like women. That was thought in the olden times—today I know that it is a wrong distinction—so that in this respect[6] an individual like Socrates has more to do with a woman than with a man. And therefore the expression *anēr*, a man, cannot be easily applied to him.[7]

To follow now the argument, the Athenian[8] has redefined education and has to specify what education is. The main point was simple: education[9] consists primarily in music education, in singing, in dancing. Singing and dancing beautifully, of course, but, as is added, singing and dancing beautifully beautiful things. The term which I translate by "beautiful" means in Greek also fine and noble, and these connotations must always be considered. The view behind that is this: the beautiful or fine or noble presentations are presentations of virtue, or of an image of virtue[10]—that is still sufficient to make the presentations beautiful or fine. Now of course if you can speak of virtue or an image of virtue, you permit considerable ambiguity and therefore perplexity. How to overcome that perplexity? The Athenian gives the example of Egypt, not of the Dorians: in Egypt, where they consecrated what they regarded as fine songs and dances, and they were never changed and lasted for ten thousand years. But there is a difficulty: before the songs and dances can be consecrated, one must know them, because otherwise one might

consecrate the wrong things. The implication is that the Egyptians did not know it. So one has to[11] engage in a somewhat broader investigation. That investigation begins as follows. Music presentations have something to do with pleasure or enjoyment, but the view that their excellence is sufficiently determined by pleasure or enjoyment, is, as the Athenian says, unbearable and unholy. Now we must see what the more precise criteria for excellent artistic performances are. I propose that we reread[12] the speech of the Athenian which we have already[13] read last time, in 657[d] to e. Or is there any point of the things mentioned or alluded to in my summary which you would like to take up?[14]

**Reader:**
ATH. Thus we shall not dismiss as entirely groundless the opinion now commonly expressed about merry-makers,—namely, that he who best succeeds in giving us joy and pleasure should be counted the most skillful and be awarded the prize. For, seeing that we give ourselves up on such occasions to recreation, surely the highest honour and the prize of victory, as I said just now, should be awarded to the performer who affords the greatest enjoyment to the greatest number. Is not this the right view, and the right mode of action too, supposing it were carried out?
CLIN. Possibly.

**LS:** Yes,[15] I think that is clear, this . . . If enjoyment is the purpose of artistic performances, he who enjoys most men to the highest degree[i] is the best artist. Yes?

**Reader:**
CLIN. Possibly.
ATH. But, my dear sir, we must not decide this matter hastily; rather we must analyse it thoroughly and examine it in some fashion such as this: suppose a man were to organize a competition, without qualifying or limiting it to gymnastic, musical or equestrian sports; and suppose that he should assemble the whole population of the State and, proclaiming that this is purely a pleasure-contest in which anyone who chooses may compete, should offer a prize to the competitor who gives the greatest amusement to the spectators,—without any restrictions as to the methods employed,—and who excels all others just in doing this in the highest possible degree, and is adjudged the most pleasure-giving of the competitors:— (657d-58b)

**LS:** That is a necessary consequence of what was said before: if pleasure-producing is the only criterion, the competition is wide open for any pleasuremaker. And we don't have to define the activity: it may be racing with cars, or with horses or what have you. He says here the gymnastic, or music, or equestrian; but you will see soon that only music is preserved, because[16] the other two things are dropped for the simple reason that in a race, say, you don't give the prize to him who affords the greatest pleasure but to him who runs fastest. That's a different criterion. Or in a boxing match,[17] [to him] who boxes down the other. But only in the music arts[18] in the widest sense can it be said that pleasure-making is the sole goal of the contestants. Yes?

**Reader:**

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[i] That is, affords the greatest enjoyment to others.

ATH. what do we suppose would be the effect of such a proclamation?
CLIN. In what respect do you mean?
ATH. The natural result would be that one man would, like Homer, show up a rhapsody, another a harp-song, one a tragedy and another a comedy; nor should we be surprised if someone were even to fancy that he had the best chance of winning with a puppet-show. So where such as these and thousands of others enter the competition, can we say who will deserve to win the prize?

**LS:** Yes.[19] So you see, here there are only music performances, and puppet shows could also be understood, in a very wide sense of the word, as music performances,[20] [as] imitative. And there are five things mentioned: tragedy is in the center, just as music was in the center in the preceding speech. Now we will see this is a simple case; it will be explained in the sequel why tragedy is central.

**Reader:**
CLIN. An absurd question; for who could possibly pretend to know the answer before he had himself actually heard each of the competitors?

**LS:** Wait. What[21] does Clinias mean by questioning the reasonableness of the Athenian's question? Does he mean perhaps that it could be that the exhibiter of an excellent puppet-show would deserve to win over the exhibiter of a poor tragedy? It would make sense; so we would have to know what puppet show, what tragedy, and so on. But this is apparently not the case, as appears from what the Athenian is going to say now.

**Reader:**
ATH. Very well, then: do you wish me to supply you with the answer to this absurd question?[22]
CLIN. By all means.
ATH. If the tiniest children are to be the judges, they will award the prize to the showman of puppets, will they not?
CLIN. Certainly they will.
ATH. And older lads to the exhibiter of comedies; while the educated women and the young men, and the mass of people in general, will award it to the shower of tragedies.
CLIN. Most probably.
ATH. And we old men would very likely take most delight in listening to a rhapsode giving a fine recitation of the *Iliad* or the *Odyssey* or of a piece from Hesiod, and declare that he is easily the winner. (658b-d)

**LS:** Yes, now let us stop here for one moment. So that makes sense. But what did the Athenian mean with his seemingly absurd questions which Clinias did not understand? I think he[ii] did not consider that there are some generalities, some typical things here involved which do permit [one] to answer that question. And that is probably characteristic of Clinias. You see, by the way, here also the[23] [reason] why tragedy was in the center. It is obviously the most popular exhibition among all who are no longer children, and especially the educated women are mentioned here, so

[ii] That is, Clinias.

that is a sufficient justification for that.[24] So we see then the whole community consists[25] of four groups, and each enjoys most a different kind of performance. And so the question arises, as the Athenian restates it, at the end of the speech you began to read—

**Reader:**
ATH. Who then would rightly be the winner of the prize? That is the next question, is it not?

**LS:** Yes,[26] and what does this question imply? Obviously, which of these four groups is the most competent to judge. And no one would say, naturally, that the little children are the best judges simply; they may be good [enough] judges[27] of what pleases them, but pleasure is not the only criterion. And there are other pleasurable performances which the small children wouldn't understand at all, and yet are preferable to what the children enjoy.

**Reader:**
CLIN. Yes.
ATH. Evidently, we three cannot avoid saying that those who are adjudged the winners by our own contemporaries would win rightly. For in our opinion epic poetry is by far the best to be found nowadays anywhere in any State in the world. (658d-e)

**LS:** Yes,[28] "in all cities and everywhere." It is a strange expression, "in all cities and everywhere." Is not "in all cities" the same as "everywhere"? No?

**Mr. Gary:** How about countries?

**LS:** Yes,[29] but the Greeks used a different expression: they distinguished between the *poleis* and the *ethnē*, the tribes or nations. That is, *ethnē* has[30] [a] meaning kindred to what *goyim* means in Hebrew, so[31] they are non-Greeks. And there was an earlier passage where he had said they seek for the correct education, Greek or barbarian. But to come back to the Athenian's decision: there are four different groups of people. Which is most competent to judge? Answer: The old men think, of course, that *we* old men are competent to judge. And that seems to beg all questions, doesn't it? With what right can these old fogeys claim a higher competence than younger people? Is this not a reasonable objection?

**Mr. Gary:** Only if in the course of becoming old they forget all the stages that come before, such that when they are old they are unable to make a comparison.

**LS:** So otherwise you mean they know everything the others know and they know something in addition. That is a good point. But since it depends not only on experience but also on judgment, the question arises: Are the old men as old men superior in judgment to the less old?

**Mr. Gary:** [32]Well, they would not be, only if there were such a thing as the judgment of an old man.

**LS:** There are such things as judgments of old men.

**Mr. Gary:** But is it not the judgment of a man?

**LS:** Yes. But still, you see here [that] this judgment, for example, which the Athenian gave was explicitly the judgment of an old man, wasn't it?

**Mr. Gary:** What I mean is, is there an old judgment?

**LS:** No, but there is a judgment of old men. If an old man makes a certain judgment and, say, a young man makes a different judgment, then you have to consider the fact—at least you may have to consider the fact that they differ because the one is old and the other is young.

**Mr. Gary:** But then there is an old judgment.

**LS:** Not the judgment [but the judger] is old.[33]

**Mr. Klein:** Old, silly. *Silly* old men.

**LS:** This was clearly mentioned.

**Mr. Gary:** No, but I'm just thinking of the non-silly old men—

**LS:** Yes, yes, all right, let us forget—

**Mr. Gary:** and I'm asking if their judgment has to be dated by the fact[34] that it's the judgment of an old man or whether it can't be simply the reflection of a man, whether young or old . . . experience.

**LS:** Yes, that could be. In that case, the reflection on age wouldn't arise.

**Mr. Gary:** Yes.

**LS:** But[35] we must not try to be wiser than Clinias . . . We must try to *become* wiser, but to begin with we must understand Clinias as he understands himself. And there the situation is that we are confronted with a controversy between these four groups of human beings, and the question arises: Which is most competent? And the Athenian decides, and he is apparently speaking pro domo—you know what that expression means? For his own home,[36] in his own interest: well, we old men are the best judges. And needless to say, the two Dorians have no objection to that. Although, as Mr. Klein reminded you and as we have read before,[37] old age may be a second childhood, where all these advantages of old age, which you so rightly pointed out, lose much of their importance. So now let us continue.

**Reader:**
CLIN. Of course.
ATH. Thus much I myself am willing to concede to the majority of men,—that the criterion of music should be pleasure; not, however, the pleasure of any chance person; rather I should regard that music which pleases the best men and the highly educated as

about the best, and as quite the best if it pleases the one man who excels all others in virtue and education. (658e-59a)

**LS:** You see, he drops now the reference to the old men and he uses an expression which will[38] occur later on, and which has not been brought out by the translator: that "that will be the finest or the most noble muse which pleases the best and those who are adequately educated, but to the highest degree[39] the one which pleases the one man who excels by virtue as well as education." Yes. So that is a different proposition, that not the old men as old but the best as best should judge, and it is a matter of further inquiry whether the old as old have some superiority in this respect, and to what extent. But we are no longer concerned with the old as old. Yes?

**Reader:**
ATH. And we say—

**LS:** And you see, a single man, maybe. This single man excelling in virtue and education, who is concerned with the most noble muse: he is by far the most preferable judge. Yes?

**Reader:**
And we say that the judges of these matters need virtue for the reason that they need to possess not only wisdom in general, but especially courage.

**LS:** Yes, that is the word *phronēsis*, you know: sense, good sense. That they need, and[40] especially, we can say, courage. Why?

**Reader:**
ATH. For the true judge should not take his verdicts from the dictation of the audience, nor yield weakly to the uproar of the crowd or his own lack of education; nor again, when he knows the truth, should he give his verdict carelessly through cowardice and lack of spirit, thus swearing falsely out of the same mouth with which he invoked heaven when he first took the seat as judge.

**LS:** Invoked "the gods," namely, because the judges had to swear that they would give the award fairly, truthfully. You know? He refers to that. Yes?

**Reader:**
For, rightly speaking, the judge sits not as a pupil, but rather as a teacher of the spectators, being ready to oppose those who offer them pleasure in a way that is unseemly or wrong; and that is what the present law of Sicily and Italy actually does: by entrusting the decision to the spectators, who award the prize by show of hands, not only has it corrupted the poets, (since they adapt their works to the poor standard of pleasure of the judges, which means that the spectators are the teachers of the poets) but it has corrupted also the pleasures of the audience; for whereas they ought to be improving their standard of pleasure by listening to characters superior to their own, what they now do has just the opposite effect. What then is the conclusion to be drawn from this survey? Is

it this, do you suppose? (659a-c)

**LS:** Yes, now let us stop for a moment. Now first this is clear: the judge, and in the best case this one man of excellence, is a teacher of the poets as well as of the public. And if it is the other way around, if the poets unsupervised teach by what they present, and to say nothing of the public teaching itself, this is complete corruption. [That is as if][41] the drunken members of a symposium were given free rein and the sole sober ruler would be condemned to silence. Yes?

**Student:** I was wondering about where he mentions here, that the spectators ought to be improving their standards of pleasure.

**LS:** [Yes, what he says is that the present custom where the public gives its applause and this applause is decisive has corrupted the pleasures of the public.][42] The public enjoys these dirty things, to take an extreme case. There is no question about that. But this is a corruption, to enjoy such things instead of the fine ones.

**Student:** [43]Do they enjoy these things because of bad natures or because they have fallen into bad habits?

**LS:** Surely the most obvious reason is that,[44] lacking guidance, they have acquired bad habits. They would need some guide or guides who would keep them on the right way; and this they lack in the present condition—I mean of course the present of Sicily and Italy, not any other country. Yes?

**Student:** By saying that they need good guidance, though—

**LS:** I beg your pardon?

**Student:** By saying that guidance is what improves taste, are you implying that they have a good nature that needs to be led upward, or are you saying that they can improve upon a bad nature?

**LS:** Does not all education presuppose the educability of those undergoing the educational process, to use a very common expression? I mean[45], there are always marginal cases of completely uneducable ones; we may assume that. But most people are to some degree educable, is that not true? And now the question is, of course, they must get the right educators, and they must also[46] be protected against corrupters. You know? If the good educator tells them to enjoy noble songs, and then the corrupter entices them by wicked songs and they listen to the corrupter too much, then the effect of the educator would be considerably reduced. Does this not make sense? I believe[47] this question is always with us, and today particularly—only read[48] the newspapers.[49] It is no longer discussed in Platonic terms, but the problem is here, and some relics of what Plato means are even noticeable in that discussion but it is not clear, not strong enough. Yes?

**Mr. Levy:** Of the five examples that Plato speaks of in terms of the competition, only four are represented in terms of having people within the general population who listen to them or

appreciate them, and the harp song is dropped. Do you attach any significance to that fact that the harp song is mentioned and then just dropped from the later discussion?

**LS:** I cannot explain the dropping of the harp song. It is possible that it was brought in only in order to bring tragedy into the center. That is the best I can do; such things do happen. Yes?

**Reader:**
CLIN. What? (659c)

**LS:** Or is there any other point? I don't wish [to curtail questioning], because these are very grave issues. Yes?

**Dr. Kass:** It seemed that the beginning of this discussion was . . . the discussion of the education of young children . . . Yet what he is talking about here seems to be more the activity of adults.

**LS:** Yes. That is doubtless true, but is there not a connection between the two things?[50] Let us assume there is a very noble education of the small children[51] on the part of the city, but the homes are very corrupting from the point of view of what the city declares to be fine. The education of the small children wouldn't work, so you have also to educate the older ones. The city has to think of that, too. So it is that this whole education is an affair of the city, and the city of course addresses more directly the grown-ups than the children, especially[52] the small children. Is this—

**Dr. Kass:** Well, it's not unreasonable or unclear, but it seems rather a different way to approach the subject than is . . .

**LS:** Yes, but he never says that he will limit himself only to the question of what he calls the first education, the education given to children. He only says that he will speak of it first, and that he does. And then he gradually enlarges the subject[53] and, in addition, he will return[54] rather soon (we will not be able to read that today) to the subject with which he is concerned especially, and that is the safeguard of education. The discussion of education is only here in the service of the discussion of the safeguard of education, and that is where the[55] symposia will come in. We must never forget this overall context. [56] The children, and even the grown-ups, as hitherto discussed have nothing to do with wine drinking. But this is the context in which the whole discussion takes place. Yes?

**Mr. Doskow:** Could the judge not also be the best of the poets, on the analogy[57] [of] the judge of a physician being the physician who knows the most about medicine or the judge of good carpentry being the carpenter who knows most about carpentry? That is, I'm puzzled about the connection between poetry and virtue and education as it's stated here.

**LS:** You mean the question of the truth of what the poets say—say, regarding charioteering[58] or strategy or whatever else it might be? Do you mean that?

**Mr. Doskow:** No, I mean if you consider poetry as an art in the way that medicine is an art or charioteering is an art—

**LS:** Yes.

**Mr. Doskow:** Wouldn't the judge of that art also be the best practitioner of it?

**LS:** Yes, but that is a very long question, which will be taken up later on in this book, namely: To what extent is knowledge or truth or knowledge of the truth about the things spoken about, say, charioteering or whatever it may be, essential for[59] the judge of poets? That will be taken up. But we have to proceed step by step and you must not forget: Clinias,[60] to say nothing of Megillus, has not read a single Platonic dialogue, not even one of the smallest Xenophontic Socratic dialogues. So in a way, we are all way up higher than Clinias. But there is also a great danger in this certainty that we are so much wiser than Clinias, because we have to check on that, on our claim to greater knowledge. You see, that will come: they are wholly unprepared for this kind of question. For them, that is in the first place a sensational assertion: getting drunk should be conducive to education in sense of shame! But then this proves to be, although they are not fully aware of it, a bait, this extraordinary proposal, a bait to induce them to listen to a disquisition on education. And they are now engaged in it, but with what degree of attention and what degree of understanding, that is hard to say.[61] Megillus doesn't say a word in the whole second book; but whether Clinias—when he says "yes" or something of this kind, that doesn't prove he has understood what the Athenian has said. So at any rate, the question is now come, in a way, the question which Dr. Kass raised concerning the mature citizens, that they are the theme now. That comes out in the immediate sequel. Will you read that?

**Reader:**
CLIN. What?
ATH. This is, I imagine, the third or fourth time that our discourse has described a circle and come back to the same point—namely, that education is the process of drawing and guiding children towards that principle which is pronounced right by the law and confirmed as truly right by the experience of the oldest and the most just. So in order that the soul of the child— (659c-d)

**LS:** Yes, now let us wait here for one moment.[62] So the speech, the *logos* has now, in turning around, returned for the third or fourth time to the same point. Now this is no loose language: there are two passages in which education has been discussed, so it would be the third. But if we are a bit more intelligent, [we] know that the whole discussion of law and *logos*, even if not explicitly connected with the question of education, concerns education very much. If we take this further step, then it is the fourth time that he takes up now the question of education. So, and now it is said: It's drawing and guidance of the children to that *logos* which[63] has been declared correct by the law, and which[64] has been agreed upon by the most respectable and oldest men owing to their experience that the *logos* is truly correct. Now this is a grave step. Now the possibility of a conflict between the *logos* and the law has been excluded, because what is the correct logos? It[65] is declared to be such by the law. And there is no way here, it seems, to appeal from the law to the *logos*[66] [that] might conceivably qualify the law. Yes?

**Reader:**
ATH. So in order that the soul of the child may not become habituated to having pains

and pleasure in contradiction to the law and those who obey the law—

**LS:** Yes, and those who have been *persuaded* by the law. Yes?

**Reader:**
ATH. but in conformity thereto, being pleased and pained at the same things as the old man—

**LS:** You see, now[67] every qualification of the old man is forgotten. We have now the identification of the *logos* and the law and of the reasonable man with the old man. To that extent we are back to the starting point of the whole discussion. But as the sequel will show, that is not simply the case.

**Reader:**
ATH. for this reason we have what we call "chants," which evidently are in reality incantations seriously designed to produce in souls that conformity and harmony of which we speak. But inasmuch as the souls of the young are unable to endure serious study, we term these "plays and chants" and use them as such,— just as, when people suffer from bodily ailments and infirmities, those whose office it is try to administer to them nutriment that is wholesome in meats and drinks that are pleasant, but unwholesome nutriment in the opposite, so that they may form the right habit of approving the one kind and detesting the other. Similarly in dealing with the poet, the good legislator will persuade him—or compel him—with his fine and choice language to portray by his rhythms and gestures, and by his harmonies the tunes, of men who are temperate, courageous, and good in all respects, and thereby to compose poems aright. (659d-60a)

**LS:** Yes. So[68] the practical conclusion is the one which we already know: the representative or imitative artists must represent virtuous characters. That goes without saying. There is a qualification:[69] the legislator will persuade them, but if this does not work because the poetic men are not so easily persuaded by the legislator, then they must be compelled to do that. But[70] there are some points here mentioned before in this speech. The chants—the songs—the chants are called "enchantments." That is a play on words in Greek. Or incantations, as he says:[71] they should enchant the soul in the direction of the noble, fine, or beautiful things. And this is compared with what the physicians do. It is not explicitly said but almost suggested that the children, the little children, surely would enjoy all kinds of base things, of improper things. In our corrupted age I have only to mention the name of Freud, who has restored certain verities which Plato in principle knew. Or in other words, we can also say that[72] the gods, as Hesiod said,[73] have put sweat in front of virtue.[iii] So that requires a very great effort, and to that extent, for the untrained man the noble things are a kind of bitter medicine. And this bitter medicine must be sweetened; and the sweetening is done by the chants or songs which enchant the children and make them love the beautiful or fine. Yes?

**Mr. Gary:** It seems that there are two metaphors that are back to back which are completely opposite to each other. The first metaphor is as you described, where the thing that is good is

[iii] Hesiod *Works and Days* 289.

sweetened so that it would be swallowed. And the second metaphor, exactly the opposite happens: the thing that is good is placed with good food so that it would be swallowed.

**LS:** Yes. No, you must distinguish this . . . salutary food is made sweet, attractive.

**Mr. Gary:** More. Yes, more salutary.

**LS:** All right. And the unwholesome food—

**Mr. Gary:** Is made more disgusting.

**LS:** Yes. I read in a commentator that an example of the latter is to put mustard on a thumb of little children so that they don't suck. You see, assuming that sucking the thumb is bad, then you add something unpleasant to the thumb and you get the child away from it. Yes?

**Student:** You said that the poet should exemplify good people for the reader so that the readers could learn to live well with these examples in front of them. Well, does that include[74], say, the opposite . . . characteristic? Evil people meeting evil ends . . . Just like before in the dialogue, men should be tested through facing fear in order to overcome it, should people be exposed to evil, to[75] [the unhappy end that] evil people come to?

**LS:** You mean you cannot properly present the virtue of Matt Dillon,[iv] if you know who that is, without presenting some bad man whom he arrests. Yes? Yes, but the question is: What happens? That bad men must be imitated by a citizen. Now if he imitates a robber and killer, will this not affect his character?[76] We don't know yet anything about what should be done; whether bad characters, even if they are presented on the stage as deservedly punished,[77] should be imitated at all, [or] whether,[78] as the *Republic* says finally, in the best city there would only be hymns to the gods and praises of the virtuous. There is nothing said here of a representation, reproduction, imitation of the wicked. But[79] we must wait until he comes to the drama explicitly. You[80] mean it is rather narrow, the selection which he permits? Yes, one could say that, but—

**Student:** It sounds rather insipid . . .

**LS:** Insipid, yes. But we have perhaps been corrupted, by not only modern novels and dramas but by the whole history of drama. But Plato opposes, as you know, the poets altogetherl and wants to bring them back under proper supervision. We must see how he truly means it; for the time being we know only this.

Now here is an incision of the argument, and that is indicated by the following fact. At the beginning of the next speech of Clinias,[81] he uses an oath, which we shall translate "by Zeus," but the important thing is that is the first oath occurring in the *Laws*. Now think, we have read quite a bit, haven't we?[82] Unfortunately I do not have the statistics of the oaths in the *Laws* (such things are helpful), but they are obviously very rare, and therefore one should consider where they occur and why they occur where they occur. Now I will give this provisional suggestion. He

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[iv] Marshall Matt Dillon, character in the radio and television series *Gunsmoke*.

has spoken hitherto of songs and melodies and all kinds of things, but he has avoided one term as a content of what the imitative men produce, and that is the term *logos*. He has not spoken of any speeches, *logoi*, which the poets produce. What he is beginning here, and this will go until 664b2, is a discussion of the right kind of speeches, *logoi*, which the legislator should promote and should demand from the poets. In other words, this section which now begins is the equivalent of what in the *Republic* is called the *theologia*, the speeches about the gods. And I think this is indicated by this first oath. But we have to take a few steps until we have reached that point.

**Reader:**
CLIN. In heaven's name, Stranger, do you believe that that is the way poetry is composed nowadays in other States? So far as my own observation goes, I know of no practices such as you describe except in my own country and in Lacedaemon; but I do know that novelties are always being introduced in dancing and all other forms of music, which changes are due not to the laws, but to disorderly tastes; and these are so far from being constantly uniform and stable, like the Egyptian ones you describe, that they are never for a moment uniform. (660b)

**LS:** Yes. The legislator should lay down rules for the poets. Clinias says there is nothing of this kind except in Sparta and Crete. Everywhere else there is lawless liberty. The poets produce whatever they please or whatever pleases the public. He says here that what the poets now do with these pleasures is[83] very far from being "of the same things and in the same respects as you have said they are in Egypt." These are favorite expressions of Plato when he speaks of the ideas. The unchangeability of the arrangements for which Egypt is used as a model, is a reflection, a very dim reflection, of the immutability of the ideas. But even[84] Clinias does not say that this immutability is to be found in Sparta or Crete: that is found only in Egypt, so he is aware that Crete and Sparta do not live up to the standard proposed by the Athenian.

**Reader:**
ATH. Nobly spoken, O Clinias! If, however, I seemed to you to say that the practices you refer to are in use now, very likely your mistake arose from my own failure to express my meaning clearly; probably I stated my own desires with regard to music in such a way that you imagined me to be stating present facts. To denounce things that are beyond remedy and far gone in error is a task that is by no means pleasant; but at times it is unavoidable. And now that you hold the same opinion on this subject, come, tell me, do you assert that such practices are more general among the Cretans and the Lacedaemonians than among the other Greeks?
CLIN. Certainly.
ATH. Suppose now that they were to become general among the rest also—should we say that the method of procedure then would be better than it is now?
CLIN. The improvement would be immense, if things were done as they are in my country and in that of our friends here, and as moreover you yourself said just now they ought to be done. (660c-d)

**LS:** Yes, but[85] that refers to something which is not done in Crete and Sparta, but what the Athenian[86] proposes. And the difference is shown by the fact that Sparta and Crete do not have

the strict supervision which the Athenian found, said to have found in Egypt.

**Reader:**
ATH. Come now, let us come to an understanding on this matter. In all education and music in your countries, is not this your teaching? You oblige the poets to teach—

**LS:** No, you "compel." They don't persuade them, they compel. That would[87] [be] almost as impossible as to say Brezhnev persuades anyone. Yes, now?

**Reader:**
you compel the poets to teach that the good man, since he is temperate and just, is fortunate and happy— (660d-e)[v]

**LS:** "Blessed," "blessed" [*makarios*]. Yes?

**Reader:**
ATH. is fortunate and blessed, whether he be great or small, strong or weak, rich or poor; whereas, though he be richer even "than Cinyras or Midas," if he be unjust, he is a wretched man and lives a miserable life. Your poet says—if he speaks the truth—"I would spend no word on the man, and hold him in no esteem," who without justice performs or acquires all the things accounted good—

**LS:** . . . I didn't hear you. "All the things"?

**Reader:**
ATH. All the things accounted good.

**LS:** Yes,[88] "called noble."

**Reader:**
Called noble.

**LS:** Yes.

**Reader:**
and again he describes how the just man "drives his spear against the foe at close quarters," whereas the unjust man dares not "to look upon the face of bloody death," nor does he outpace in speed of foot "the north wind out of Thrace," nor acquire any other of the things called "noble." (660e-61a)[vi]

**LS:** "Good,"[89] "good." Yes. Yes, now one second.[90] "Your poet": that is the same Tyrtaeus with whom he had taken issue near the beginning of the dialogue, and some of the verses or parts of the verses are the same as he had quoted there. Now Tyrtaeus, we have seen, praised not the just

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[v] The reader adopts Strauss's correction of "compel" for "oblige."

[vi] The reader substitutes "noble" for "good" in the last line.

man but the excellent warrior. And now, by a manifest falsehood, the Athenian[91] makes him a praiser of the perfectly virtuous and especially the perfectly just man. That is only the beginning. Yes?

**Reader:**
ATH. For the things which most men call good are wrongly so described. Men say that the chief good is health, beauty the second, wealth the third; and they call countless other things "goods"—such as sharpness of sight and hearing, and quickness in perceiving all the objects of sense; being a king, too—

**LS:** Not "king," "tyrant."

**Reader:**
Being a tyrant.

**LS:** . . . "to do as a tyrannical ruler whatever one desires."

**Reader:**
and doing exactly as you please; and to possess the whole of these goods and become on the spot an immortal, that, as they say, is the crown and top of all felicity.

**LS:** Yes. This reminds you of the enumeration of what he called "the human goods" in an earlier passage, 631; and it is in the main the old story, the old things. But some things are added, especially this ruling as a tyrant, as you must have noticed. Now this[92] is said by the generality of men: [bliss is] to have the maximum of power, that means to be a tyrant, to have the maximum of power and to have[93] all these other advantages and, in addition, never to die. So not to have to fear death, this is bliss. And of course the Spartans and Cretans do not say these things. Their poet rejects this view. Yes?

**Reader:**
ATH. But what you and I say is this,—that all these things are very good as possessions for men who are just and holy, but for the unjust they are (one and all, from health downward) very bad; and we say too that sight and hearing and sensation and even life itself are very great evils for the man endowed with all the so-called goods, but lacking in justice and all virtue, if he is immortal for ever, but a lesser evil for such a man if he survives but a short time. (661a-c)

**LS:** Because then he can do the minimum of mischief. Yes?

**Reader:**
ATH. This I imagine is what you (like myself) will persuade or compel your poets to teach, and compel them also to educate your youth by furnishing them with rhythms and harmonies in consonance with this teaching. Am I not right? (661c)

**LS:** Now let us stop here again[94] [in] what is a very long speech. Now these things called good are good for the just and holy, and bad for the unjust and unholy. Apply it to any of these good

things: health, wealth, and so on. But even tyrannical rule[95] is good for the just and holy, because they would never use it for unjust and unholy purposes. That can be understood. Yes?

**Mr. Gary:** I have a question about that.

**LS:** Yes?

**Mr. Gary:** Isn't there a certain benefit to be gained by the private citizen in the exercise of a certain kind of self-government, which benefit he would not get if he was ruled by a tyrant, even by a good tyrant?

**LS:** Yes, that depends a bit on the circumstances, you know.

**Mr. Gary:** Yes.

**LS:** Well, later on it is said somewhere in this dialogue, when they speak of the optimal conditions for establishing the best political order,[96] to the extent to which that is considered in the *Laws*, then the optimal condition would be that the wise man elaborating a code is supported by a young tyrant. You know? If he is truly obedient to that wise man, then all the obstacles, all the vested interests, as it would be called today, can be disposed of very easily if someone has complete power. Is this not—

**Mr. Gary:** Yes. I was just thinking that maybe men could learn something and could become better by partaking in the guidance of the state; that is, maybe the most perfect state in theory is not the best state for making citizens more capable of being citizens.

**LS:** Yes, but you must first have a state, as you call it, in which it is possible to improve oneself. And that is a question with which Plato is concerned. How do you get such a state? And[97] in this passage which we will read later in this year, the answer is: the wise legislator, the wise elaborator of a code, helped by a tyrant. That is the parallel in the *Laws* to the rule of the philosophers in the *Republic*. Mr. Elias?

**Mr. Elias:** Why is piety as necessary as justice for the enjoyment of these goods?

**LS:** Yes, "holiness"[98] is I believe a better translation. Well, this cannot be answered separately from another question. He mentions here especially justice and holiness, and to some extent also moderation. According to that famous strategic principle, "Hit them where they ain't,"[vii] one must also—the reader must also[99] observe what is not there. Now which virtues are not here in this passage?

**Mr. Elias:** I thought that justice was being used in its broadest sense here . . . it included all virtues.

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[vii] A saying often used by Willie Keeler (1872-1923), baseball player for teams in Baltimore and New York and one of the greatest hitters of his time.

**LS:** Yes. Well,[100] he doesn't always stick like a professor or a writer of a textbook to the definition given on page 50 when he is on page 102, but he always returns to the ordinary understanding as the understanding of men like Clinias and Megillus. But to come back to the question: Which virtues are not mentioned in this context?

**Mr. Elias:** Wisdom.

**LS:** Yes. *Phronēsis*, good sense, to say nothing of wisdom. To use the Aristotelian expression, the intellectual virtues are not mentioned. And this lack is supplied by the introduction of holiness. Does this not make sense? That a saint[101] is more than a wise man—I mean, to use now a language more familiar to us. At any rate—well, you are not satisfied with that suggestion.

**Mr. Elias:** You mean in some way following the law of God supplies the lack—

**LS:** Yes, more. More—who is completely permeated by it, you know, and loves it and so on and so on, is this not more from a certain point of view, to make it simpler for you, than the intellectual virtues? But[102] we don't have to settle that question. We only note that the intellectual virtues are here absent and their place is supplied by holiness.[103] That is a long question, whether that is a wise exchange; and I believe Plato would want you to think about that but not to settle it on the basis of prejudices. Yes? Good. Yes?

**Reader:**
ATH. Just consider: what I assert is that what are called "evils" are good for the unjust, but evil for the just, while the so-called "goods" are really good for the good, but bad for the bad. Are you in accord with me, then,—that was my question,—or how stands the matter?

**LS:** [104]"You" means here in Greek—one can distinguish that—"both of you," "you and Megillus." And Clinias answers for both of them.

**Reader:**
CLIN. We are, apparently, partly in accord, but partly quite the reverse. (661c-d)

**LS:** Yes. So here the issue is joined. This is[105] the *logos* of *logoi*, we can say, which the legislator must establish, and which according to the Athenian means [that] the good things are good for the just and bad for the unjust. Why is Clinias not satisfied with that? Is it not true that a completely wicked man is better if he is paralyzed, so that he cannot shoot, and cannot strangle, and all the other things wicked people do? And also if he is repulsive, ya, so that no one will be attracted by him?

**Mr. Gary:** Yes, but the other side may not be true, that a perfectly good man is made better by being attractive and by being—

**LS:** Yes, that he says! That is—

**Mr. Gary:** But that's the part that might not be true.

**LS:** No. But very simply,[106] say, for a man like Socrates, it wouldn't do any harm to him if he were very handsome.

**Mr. Gary:** It wouldn't?

**LS:** It would not do any harm, no. It so happened that he was ugly, but he would not be for one moment induced to become a wicked man, a philanderer or what have you.

**Mr. Gary:** I was just thinking of—in the *Symposium*, Agathon's inability to become Socratic might be due to his beauty, his physical beauty, and that might serve as an impediment for some people, maybe not Socrates—

**LS:** Yes. Sure. That would prove that Agathon is of questionable goodness, because he becomes a prisoner of his own handsome face. Yes? Well, that would not disprove what he says here. But[107] let us understand this issue,[108] the discussion of which has now begun: whether there is a one-to-one relation—that is ultimately what this is about—between virtue and happiness, on the one hand, and vice and misery, on the other. That is what the Athenian is driving at. And that would of course simplify matters greatly, if that were so. And let us see what [more] he says[109] about it.

**Reader:**
ATH. Take the case of a man who has health and wealth and absolute power in perpetuity,—in addition to which I bestow on him, if you like, matchless strength and courage, together with immortality and freedom from all the other "evils" so-called,—but a man who has within him nothing but injustice and insolence: probably I fail to convince you that the man who lives such a life is obviously not happy but wretched?
CLIN. Quite true.
ATH. Well, then, what ought I to say next? Do you not think that if a man who is courageous, strong, beautiful and rich, and who does exactly as he likes all his life long, is really unjust and insolent, he must necessarily be living a base life? Probably you will agree at any rate to call it "base."
CLIN. Certainly.
ATH. And also a bad life?
CLIN. We would not go so far as to admit that.
ATH. Well, would you admit the epithets "unpleasant" and "unprofitable to himself"?
CLIN. How could we agree to such further descriptions? (661d-62a)

**LS:** Yes, let us stop. You see here that courage is counted among the many morally indifferent things, which are good for good men and bad for bad men. In plain English, courage is not a virtue. Well, we have seen intimations to this effect before, and I think it comes out quite clearly in the passage toward the end of the work which I read to you at an earlier meeting.[110] I mention this because that goes[111] [through] the whole book, the status of courage. Sometimes it is treated as morally indifferent; and if it is regarded as a virtue, it is said to be the lowest, and sometimes it has a higher status. We must watch these changes and must see[112] if we can find out about them. But here, what is the key difference between Clinias and the Athenian? Now that a crooked man

lives basely, he gladly grants. But that he lives wretchedly or miserably, he denies, because this crook[113], say, a Mafioso, [may] acquire big banks and become a director of a bank, and perhaps he might become a United States senator with his enormous amount of money.[114] And perhaps more, he would be admired by all people as a terrific fellow. They know that he is crooked, but he has everything which the heart desires. Can[115] you say of the life of such a man that it is wretched? This is the difficulty which Clinias has. It is exactly the same position which Polus takes in the *Gorgias*, in case you have read the *Gorgias*: that the life of an abominable tyrant, like this fellow in Thessaly, Archelaus, who has committed all kinds of crimes but is a successful tyrant, is this not a wonderful thing.[viii] It is true, it is disgraceful; but[116] is he not nevertheless happy, blessed, being in the possession of all these good things which life affords?[117]

You see now the task which the Athenian has: he has to prove that such a life is not only base or disgraceful but also miserable. And this thesis is the key assertion of the *logos* [that] the wise legislator would impose on the poets. The poets—that is perhaps somewhat more acceptable to this young man, tthe poets must never present vice as attractive. Would you admit that? It's bearable, yes?[118] And if they show that the vicious are wretched and come to ruin, as in such classical works of art as—this is sound and healthful, and it can also be done on a much higher level, without any question. But we do not always have to go to the highest level. Yes. And now we must see how this issue will be settled on the next two pages. And you must not forget that the discussion cannot be as extensive as[119] [those] in the *Gorgias* [and the *Republic*], because[120] Clinias and Megillus are not rhetoricians or dialecticians.[121] It must be done very briefly,[122] but still to the satisfaction of Clinias, and that is done on the next two pages. Now I think it is of no use to read on, because we have already read very much today. Yes?

**Mr. Gary:** I have one short question.

**LS**: Yes, sure.

**Mr. Gary:** Is it the case that courage is considered to be the lowest of the virtues because it is in a sense indifferent to the result? That is, when you speak about the Mafioso who becomes a senator, it might be that—

**LS:** That has never happened. But it could happen in a novel, for example.

**Mr. Gary:** It could happen, yes. If such a thing were to happen and he were to be a candidate for some one of the virtues, I couldn't think of any other virtues that he would be a candidate for [except] maybe[123] courage. Because at least he would have courage perhaps to have become a top dog in the Mafioso.

**LS:** Courage, and cleverness.

**Mr. Gary:** But that is not a virtue, cleverness, is it?

**LS:** Yes, but popularly understood, cleverness can in Greek be called wisdom.[124] So, courageous

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[viii] Plato *Gorgias* 471a-d.

and wise: these are the words which Callicles chooses in order to describe his hero—you know, the man who breaks[125] all the conventions and through whom what is by nature right shines through, as distinguished from what is merely right by convention.[126] [Callicles] calls him courageous and wise.[ix] And that is also in the *Protagoras*, by the way,[127] that question. And the problematic virtues in such a discussion are justice especially, and moderation also, in one sense,[128] [because] even the cleverest Mafioso might suffer or even die from overeating, for example.[129] But especially justice, that's the clear case: the[130] [virtue] which becomes a subject of discussion and debate is justice. And that is here the case too.

Is there any other point you wanted to bring up? But regarding courage,[131] you must be careful: these are all little sparks, for example, that[132] courage is not a virtue or is the lowest virtue. You must think about that and see how this fits together with the more noble things we mean by courage. Or differently stated, and that is true of all virtues, that they have a very large periphery, and what we mostly mean when speaking of them is something peripheral, and we must go deeper than that. And usually we are in between the periphery and a very small way toward the center. You know, not very high in thoughts. Now is there any other point you would like to bring up? If not, then next time, yes?

[1] Deleted "he—."

[2] Deleted "the."

[3] Deleted "does."

[4] Deleted "by."

[5] Deleted "stay."

[6] Deleted "a man—."

[7] Deleted "now."

[8] Deleted "has to redefine—."

[9] Deleted "is primarily—."

[10] Deleted "or of an image of virtue."

[11] Deleted "make—."

[12] Deleted "the paragraph—."

[13] Deleted "last time—."

[14] Deleted the following exchange, which was based on a misunderstanding: **Reader**: ATH. It is marvelous even in the telling. It appears that— **LS**: No, no, no. d-e, later. **Reader**: ATH. Say, rather— **LS**: No, give me your book, I'm sorry. Here. **Reader**: Ah, okay. **LS**: That is p.105 in the Loeb translation.

[15] Deleted "that is—."

[16] Deleted "in the two other cases—."

[17] Deleted "who—he."

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[ix] Plato *Gorgias* 483c-84b; 491c-d.

[18] Deleted “can it be—.”

[19] Deleted “now—.”

[20] Deleted “imitating—.”

[21] Deleted “does this mean, what.”

[22] Deleted “LS: Yes—so—yes—.”

[23] Deleted “answer.”

[24] Deleted “now—.”

[25] Deleted “of five groups or—let me see, no.”

[26] Deleted “who will—who will it—who—in other—.”

[27] Moved “enough.”

[28] Deleted “yes, no—this—.”

[29] Deleted “well, the—yes.”

[30] Deleted “the same.”

[31] Deleted “they are mostly—.”

[32] Deleted “only—.”

[33] Moved “but the judger;” deleted “old.”

[34] Deleted “that they’re.”

[35] Deleted “since we are here confronted.”

[36] Deleted “for his own—.”

[37] Deleted “in old age men may become—.”

[38] Deleted “come—.”

[39] Deleted “that—.”

[40] Deleted “yes, and.”

[41] Changed from “And that is so—as if—the members of—.”

[42] Changed from “Yes—no, what he says is—that is—this point especially—that the present custom where the public gives its applause, and this applause is decisive, this has corrupted the pleasures of the public.”

[43] Deleted “My question—what I had in my mind was, is it because.”

[44] Deleted “they—.”

[45] Deleted “does this not—well.”

[46] Deleted “that is at least great issue.”

[47] Deleted “we—.”

[48] Deleted “in.”

[49] Deleted “at least.”

[50] Deleted “will there not—.”

[51] Deleted “but—from the city.”

[52] Deleted “than.”

[53] Deleted “and you must—.”

[54] Deleted “at the—.”

[55] Deleted “symposium—.”

[56] Deleted “hitherto.”

[57] Deleted “that.”

[58] Deleted “and—.”

[59] Deleted “the good—for.”

[60] Deleted “and.”

[61] Deleted “that the—.”

[62] Deleted “for one second.”

[63] Deleted “is declared—.”

[64] Deleted “is—.”

[65] Deleted “has—.”

[66] Deleted “who.”

[67] Deleted “he is simply—.”

[68] Deleted “the end—.”

[69] Deleted “one must—.”

[70] Deleted “let us—.”

[71] Deleted “they are enchan—.”

[72] Deleted “this—.”

[73] Deleted “the gods.”

[74] Deleted “the.”

[75] Deleted “evil.”

[76] Deleted “So the—it is—hitherto.”

[77] Deleted “whether they.”

[78] Deleted “the—in other—.”

[79] Deleted “that.”

[80] Deleted “can—you.”

[81] Deleted “he says—.”

[82] Deleted “but that is—.”

[83] Changed from “He uses here the expression that these—what the poets now do with these pleasures, they are”

[84] Deleted “the.”

[85] Deleted “this means of course—.”

[86] Deleted “and he.”

[87] Deleted “mean, say—.”

[88] Deleted “‘called good—.’”

[89] Deleted ““good”—there—here [inaudible words].”

[90] Deleted “our.”

[91] Deleted “makes him say—.”

[92] Deleted “say—.”

[93] Deleted “the—.”

[94] Deleted “from.”

[95] Deleted “is good or may.”

[96] Deleted “as it—.”

[97] Deleted “then his answer is.”

[98] Deleted “he trans—.”

[99] Deleted “say.”

[100] Deleted “you must not—.”

[101] Deleted “does not—.”

[102] Deleted “I do not—.”

[103] Deleted “whether you can say—.”

[104] Deleted “we—.”

[105] Deleted “the *logos*, which.”

[106] Deleted “but it would be good.”

[107] Deleted “let us not—.”

[108] Deleted “which is absolutely—which is now—.”

[109] Moved “more.”

[110] Deleted “so courage is—.”

[111] Deleted “with.”

[112] Deleted “what we can find about it—.”

[113] Moved “may;” deleted “say a member of the.”

[114] Deleted “so he would—.”

[115] Deleted “you call such a man—can.”

[116] Deleted “is it not—.”

[117] Deleted “now what the—.”

[118] Deleted “so if someone—you know. That—that’s all right.”

[119] Deleted “it is.”

[120] Deleted “they are neither.”

[121] Deleted “nor are the discussion in the *Republic*.”

[122] Deleted “and—.”

[123] Deleted “than.”

[124] Changed from “is in Greek the same or can be—can be called wise.”

[125] Deleted “through.”

[126] Deleted “he.”

[127] Deleted “also.”

[128] Deleted “yes—if you overeat, you know.”

[129] Changed from “get all kinds—might—well, [inaudible words] that, but this wouldn’t do for more extreme cases of overeating, I suppose, yes? and—.”

[130] Deleted “justice.”

[131] Deleted “and—.”

[132] Deleted “virtue—.”

**Session 7: no date**

**Leo Strauss:** Now a brief reminder of the context. As you will see very soon, the *Laws* is devoted to the elaboration of a code of laws. But this elaboration of a code is animated by questions which are not necessarily raised by students of law or even legislators.[1] One could say[2] [that the conversations] are animated by a philosophy of law, if this were not a very ambiguous expression. It is simpler to say these conversations are animated by the question[3]: What is law? This question amounts to a questioning of law as such. Now this has been done by Plato in his dialogue called *Statesman*.[4] In the *Statesman* a stranger from Elea converses with two young Athenian mathematicians, but in the *Laws* a stranger from Athens converses with two old Dorian political men, and therefore the whole discussion has a radically different character. Now this problem of law which is the fundamental premise of the whole discussion, although this premise is not stated as clearly as it is in the *Statesman*, is this: that law, *nomos*, is something different from true *logos*. One can illustrate this[5] [premise] by some remarks of Aristotle, which taken together amount to the same. Toward the end of his *Nicomachean Ethics*, Aristotle says: "The law, being a *logos* coming from some good sense and intellect, has coercive power."[i] So the law is a *logos* coming from some *phronēsis* and intellect. He does not say which good sense, but he probably means the good sense of a man who has the legislative faculty. Now since this is the case, it follows, as Aristotle says elsewhere in the *Ethics*, that all things established by law are just in a sense, not simply just, because of the difference between law and true *logos*.[ii] Yet in his *Politics* he says that the law has no power of being obeyed against habit or outside of habit, which seems to imply that law has no evidence by itself and owes its entire efficacy to habituation.[iii] The Aristotelian as well as the Platonic reflections on law move between these two extreme positions: one in which law is almost identified with *logos*, and in the other where *logos* has almost disappeared.

Now this much as to the general question. The immediate context, as you remember, is the banquets, the symposia, which are said to be indispensable for education. The problem of law, as I stated it before, affects the question of education in this way: that the end of education is stated on one occasion to be the perfect citizen, and on another occasion, the perfect human being. That is also[6] a question [raised] by Aristotle in the third book of the *Politics*: Are the good man and the good citizen the same? And Aristotle says: Generally speaking, no; only under some very favorable conditions. And that is exactly what is here also [indicated]. Education, we have seen, is primarily choral education, education through song and dance; but through song and dance, or beyond song and dance, a *logos* is transmitted. And this *logos* says that the just man alone is blessed: for the just man alone are the good things good, the good things such things as health, wealth, and so on. Now Clinias, as we have seen, does not believe that this *logos* is true. The utmost he is willing to grant is that the unjust man lives disgracefully but may very well live pleasantly and happily.

This point we[7] reached[8] in our last session. And now the Athenian must try to convince,

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[i] Aristotle *Nicomachean Ethics* 1180a21-23.

[ii] *Nicomachean Ethics* 1129b12.

[iii] Aristotle *Politics* 1269a20.

persuade, or however you might call it, Clinias of the truth of the *logos* which he has stated. And I think we should begin at this point. That is 662b1.[9] Or is there any point you would like to bring up in connection with my introductory remarks?

**Mr. Simon Kaplan:** Mr. Strauss, I have one . . . I want to question about Aristotle. The Greek word for good sense, which you—

**LS:** *Phronēsis*. *Prudentia* in Latin.

**Mr. Kaplan:** In this text—

**LS:** No, well, I translate it by "good sense" for a change. I mean, we—

**Mr. Kaplan:** I wanted to know . . .

**LS:** Yes, *phronēsis*, yes. So now?

**Reader:**
ATH. "How?" do you ask? Only (as it seems, my friend) if some god were to grant us concord, since at present we are fairly at discord one with another.

**LS:** Yes, now wait.[10] In other words, this agreement can only be brought about by a god or some god. And he calls them here—the two men, of course—friends. This is, I believe, not brought out in the translation. The term "friend" occurs in this section more frequently than before. Yes. Now[11] how can a god or some god bring about that agreement? Yes?

**Reader:**
ATH. In my opinion these facts are quite indisputable—even more plainly so, my dear Clinias, than the fact that Crete is an island—

**LS:** Yes, perhaps one should understand this as follows: For me, the things he has said are so necessary that even Crete's being an island does not appear to me to be as evident.[12] Yes?

**Reader:**
ATH. and were I a legislator, I should endeavor to compel the poets and all the citizens to speak in this sense; and I should impose all but the heaviest of penalties on anyone in the land who should declare that any wicked men lead pleasant lives, or that things profitable and lucrative are different from things just—

**LS:** "From"—yes, well—[13] "these things are profitable and lucrative and others are more just." So the profitable and lucrative things are just, but others are more just, which implies of course that the more just things are not lucrative. Yes, he will compel the poets and all the citizens to believe that. He does not speak here of persuading them. Yes?

**Reader:**
ATH. and there are many other things contrary to what is now said, as it seems, by

Cretans and Lacedaemonians,—and of course by the rest of mankind, which I should persuade my citizens to proclaim. (662a-c)

**LS:** Yes. You see, here he says "I would persuade," in the case of the citizens. In the case of the poets, he would compel them. Apparently the poets cannot be as easily[14] [persuaded] as the citizens, which makes sense. Yes?

**Reader:**
ATH. For come now, my most excellent sirs, in the name of Zeus and Apollo—

**LS:** Yes, that is the first oath made by the Athenian Stranger in the whole book, and altogether the second oath since the beginning. Yes?

**Reader:**
ATH. suppose we should interrogate those very gods themselves who legislated for you, and ask: "Is the most just life the most pleasant; or are there two lives, of which the one is most pleasant, the other most just?" If they replied that there were two, we might well ask them further, if we were to put the correct question: "Which of the two ought one to describe as the happier, those that live the most just or those that live the most pleasant life?" If they replied, "Those that live the most pleasant life," that would be a monstrous statement in their mouths.

**LS:** Yes. Now let us stop here. So here we have[15] a dialogue within the dialogue, a dialogue with the legislating gods, Zeus and Apollo. And the dialogue is of course in fact a monologue, because the answers are given by the same Athenian who asked the gods. Still, it is a kind of dialogue, and therefore we may say the three old men here have a conversation with the gods. They do what Minos and Lycurgus had done of old, and this would be their ultimate justification or alleged justification for their becoming legislators, since they have spoken to the legislating gods. Now the question is clear, I believe. The gods would say: These are two ways of life, the justest and the pleasantest. And[16] the question that arises: Which of the two lives is preferable? And if the gods would say, "the most pleasant," then their speech would be strange or absurd, as the speech of gods. Why this is so is not explained. But we will see from what follows why this answer would be absurd in the mouth of legislating gods. Yes?

**Reader:**
ATH. But I prefer not to ascribe such statements to gods, but rather to ancestors and lawgivers—

**LS:** No, fathers [*pateroi*] and law, legislators. Yes?

**Reader:**
but rather to fathers and lawgivers: imagine, then, that the questions I have put have been put to a father and lawgiver, and that he has stated that the man who lives the most pleasant life is the happiest. In the next place I would say to him this: "O father—" (662c-e)

**LS:** In other words, the Athenian is speaking to his father, and so makes it quite, as they say, personal. Yes?

**Reader:**
ATH. "O father, did you not desire me to live as happily as possible? Yet you never ceased bidding me constantly to live as justly as possible." And hereby, as I think, our lawgiver or ancestor would be shown up as illogical and incapable of speaking consistently with himself. But if, on the other hand, he were to declare the most just life to be the happiest, everyone who heard him would, I suppose, enquire what is the good and charm it contains which is superior to pleasure, and for which the lawgiver praises it.

**LS:** "And for which the law praises it." Now why would the father say that? Are there no wicked fathers who would bring up their sons in the life of wickedness? And could the same not also be true of the legislators? Think of a legislator like Hitler or, for that matter, Stalin. So that is a question.[17] But the Athenian must have something in mind, when he says every father wants to bring up his son as a just man, and the same would be true of the legislator. Yes?

**Mr. Berns:** Well, if he means by "just," do what the authorities tell you—

**LS:** Yes, that's it. In other words,[18] even the wicked father would wish the son to be obedient to him. And this obedience is justice of a kind. And the same would of course be true of a legislator, who as such has the greatest interest in having his laws obeyed. So these authorities, as Mr. Berns said, will naturally give the good answer, if they want to be and to remain authorities. Now he is clear why the gods would give the same answer, because these two gods were legislating gods. Whether Aphrodite would give the same answer is another matter. But this we would have to figure out for ourselves.

**Reader:**
ATH. For, apart from pleasure, what good could accrue to a just man? "Come, tell me, is fair fame and praise from the mouths of men and gods a noble and good thing, but unpleasant, while ill-fame is the opposite?" "By no means, my dear lawgiver," we shall say. And is it unpleasant, but noble and good, neither to injure anyone nor be injured by anyone, while the opposite is pleasant, but ignoble and bad?
CLIN. By no means. (662e-63a)

**LS:** So that is in a way the proof: the link between justice and pleasure is established by the fact that good fame with gods and men is pleasant; and since men and gods give such good fame only to the just, only the just life is pleasant. This argument occurs in the *Republic* in the second book, where Adeimantus presents that argument but in a very different spirit. He regards it as pernicious because[19] it destroys the purity of the concern with justice if we wish to be just only because of the rewards or the pleasures attending it. But one can say Adeimantus is an unusually austere and exacting young man, and here these two Dorians are not so exacting. Yes?

**Reader:**
ATH. So then the teaching which refuses to separate the pleasant from the just helps, if nothing else, to induce a man to live—

**LS:** Yes,[20] there is something else: the *logos*, which does not separate the pleasant and the just, and the good and the noble. So the pleasant and good are on one side, and the just and noble on the other side. This speech would be persuasive, "if nothing else." Yes?

**Reader:**
ATH. if nothing else, to induce a man to live the holy and just life, so that any doctrine which denies this truth, is, in the eyes of the lawgiver—

**LS:** No, "for a lawgiver." Would be "for the lawgiver."

**Reader:**
ATH. for the lawgiver, most shameful and most hateful; for no one would voluntarily consent to be induced to commit an act, unless it involves as its consequence more pleasure than pain. Now distance has the effect of befogging the vision of nearly everybody, and of children especially; but our lawgiver will reverse the appearance by removing the fog, and by one means or another—habituation, commendation, or argument—will persuade people that their notions of justice and injustice are illusory pictures, unjust objects appearing pleasant and just objects most unpleasant to him who is opposed to justice, through being viewed from his own unjust and evil standpoint, but when seen from the standpoint of justice, both of them appear in all ways entirely the opposite.
CLIN. So it appears.

**LS:** Yes. So is it clear? So it is now in a way settled, at least this much: it is a very persuasive argument; it is a necessary speech for the legislator to say, then. And[21] the legislator will trace the different view, which prevails in all the world, to a kind of optical illusion. And he will remove that optical illusion by hook and by crook, by habituations and praises and speeches. And then[22] through these means people will come to see that the just is pleasant and the unjust is unpleasant. Yes?

**Reader:**
ATH. In point of truth, which of the two judgements shall we say is the more authoritative,—that of the worse soul or that of the better?
CLIN. That of the better, undoubtedly. (663a-c)

**LS:** Yes. So[23] this last speech of the Athenian which we just read means [that] previously the truth of that *logos* has not been established, only that it is most salutary: that has been established, but not its truth. And the truth[24] is established here in the few lines we read by this consideration: Whose judgment deserves more respect, that of the worse or that of the better soul? And the answer is, of course, presumably—the Greek word is ambiguous: that of the better soul. And that seems to settle it. And[25] [this], stated very generally, makes of course good sense. But the ambiguity is contained in the word "better."[26] There are many strata of being good or better, and it is a question whether the[27] people called by politicians "the good people of this district" are truly good,[28] I mean,[29] from a nonpolitician's point of view. Yes?

**Reader:**
ATH. Undoubtedly, then, the unjust life is not only more base and ignoble, but also in very truth more unpleasant, than the just and holy life.
CLIN. It would seem so, my friends, from our present argument.

**LS:** Yes, you see—"friends," he says again. The word "friends" occured here about three or four times in what we have read today. That is very important for the context, because they differed on a view of utmost importance, and[30] the two others have been converted; some agreement has been brought about; they have become friends. Yes?

**Reader:**
ATH. And even if the state of the case were different from what it has now been proved to be by our argument, could a lawgiver who was worth his salt find any more useful fiction than this (if he dared to use any fiction at all in addressing the youths for their good), or one more effective in persuading all men to act justly in all things willingly and without constraint?
CLIN. Truth is a noble thing, Stranger, and an enduring; yet to persuade men of it seems no easy matter.

**LS:** Yes. Now let us first understand that. The Athenian says: Assuming that this salutary speech should not be true, should be a falsehood, then could one find a more salutary falsehood than this one? And what does Clinias say to this?[31] Of course the act of lying in such matters or in any matter is an act of daring, as he states here.[32] A legislator who has no courage could not be a competent legislator. So this was no difficulty. But what is the difficulty? Clinias says truth is noble and lasting, but it seems not to be easy to be able to persuade [people of it]. So Clinias means perhaps it is the truth, what the Athenian has established; but people cannot be persuaded of it, and therefore one must lie. But[33] [it] is not necessary that he means it this way. It can also mean that[34] it is too difficult to persuade people of the truth; one must deviate from it by telling such a lie. The Athenian understands Clinias to mean that[35] it is not easy to persuade people of an untruth, of a lie; and[36] he answers accordingly. Yes?

**Reader:**
ATH. Be it so: yet it proved easy to persuade men of the Sidonian fairy-tale, incredible though it was, and of numberless others.

**LS:** Yes. So that should be, note: one can persuade people easily of "many, many things." Yes, and Clinias asks then "which" in the plural, namely, which of these innumerable other things: give me some example. And the Athenian refuses to do so in his next speech.

**Reader:**
CLIN. What tales?
ATH. The tale of the teeth that were sown, and how armed men sprang out of them. (663d-e)

**LS:** Yes.[37] In the *Republic* there is an explicit discussion of the noble lie; and the one example given here reminds of that noble lie, but here that is of course stated with the

greatest brevity. Well, I can just read this to you.[38]

"What kind of fiction do you mean? said Glaucon. Nothing new, said Socrates, but a sort of Phoenician tale. [And Phoenician and Sidonian, that is almost the same—LS] Something that has happened ere now in many parts of the world, as the poets aver and have induced men to believe, but that has not happened, and perhaps would not be likely to happen in our day; and demanding no little persuasion to make it believable."[iv]

Yes. And[39] then Socrates is hesitant and he thinks he lacks audacity to tell it, but he nevertheless can be persuaded to tell it. And the story is this: that the rulers and the soldiers, and then the rest of the city let it be told that all our training and education of them were things that they imagined and happened to them as it were in a dream. But in truth, at that time they were down within the earth being molded and fostered themselves while their weapons and the rest of their equipment were being fashioned. So they are also coming out of the earth, and are generated within the earth. And then he tells a story which is quite long—I remind you only of the end of this.[40] Socrates asks: Do you see any way of getting them to believe this tale? No, not these themselves, Glaucon says, but I do their sons and successors and the rest of mankind who come after. Well, Socrates says, I think I understand more or less what you mean. In other words, what the contemporaries of the story teller will not believe, future generations may very well believe on the basis of the tradition which has to become worship.

There is a very nasty passage in Gibbon's *Decline and Fall*, where he reflects on the fact that the contemporaries of Moses who were eyewitnesses of these great miracles nevertheless did not believe in them, as was shown by their disobedience; whereas later generations, who knew of these things only by hearsay, had a firm faith in them. And Gibbon says this contradicts all known laws of human nature, which in Gibbon's mouth of course has to be taken with a grain of salt. But at any rate, this passage about the noble lie corresponds to that in the *Republic*. Of course there is a difference between the two passages. In the *Republic*, one can say the whole work is devoted to the proof that the just life is the most pleasant life. The proof is only given in book 9, finally, of the *Republic*, towards the end.[v] And furthermore, the noble lie as told in the *Republic* is meant to make possible the good city, the good city which at this stage is a city of an armed camp;[41] there are no philosophers there yet. But it is not meant to make possible the best human being. This we must keep in mind. Yes?

**Reader:**
ATH. The tale of the teeth that were sown, and how armed men sprang out of them. Here, indeed, the lawgiver has a notable example of how one can, if he tries, persuade the souls of the young of anything, so that the only question he has to consider in his inventing is what would do most good to the State, if it were believed; and then he must devise all possible means to ensure that the whole of the community constantly, so long as they live, use exactly the same language, so far as possible, about these matters, alike in their songs, their tales, and their discourses. If you, however, think otherwise, I have no objection to your arguing in the opposite sense.

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[iv] Plato *Republic* 414c-d.

[v] Plato *Republic* 576c-88a.

CLIN. Neither of us, I think, could possibly argue against your view. (663e-664b)

**LS:** Yes. So we have now an equivalent to that law of laws. You will remember the law of laws: that[42] the whole community must say with one voice that the laws are good, since they have been given by gods. This *logos* takes the place of the law of laws, but it differs from the law of laws by this fact: that the law of laws is not applicable to old men discussing[43] the laws in strict privacy. Here this cannot be questioned even in the strictest privacy. So it is much more substantial.[44] And here a new section begins. Now is there any point you would like to raise? After all, this is a great question.

**Mr. Gary:** It seems to me[45] that Clinias's statement, that "neither of us can possibly argue," is maybe due to the character of Clinias, but I would propose an argument.[46] There are only two alternatives presented here. The one is the alternative in which the truth is understood by everybody, and the truth is that the just life is the most worthy life and that pleasure is secondary to justice. The other view is that a lie must be told, and the most salutary lie is the best one and therefore the one that should be told, the one that will have the best effect. Now I think there's another alternative, and that is to have a mixing of as much truth as possible with as much habituation and the other things that are part of the salutary lie that can be given without making a lie. That is, it's possible to try to have a due measure between telling a lie just for the sake of making people good, which is completely false and—

**LS:** Yes, but is it completely false from the point of view of the Athenian Stranger, or for that matter of Socrates?

**Mr. Gary:** Well, the idea of sowing the teeth is metaphorical. I mean, if there is a truth in it that transcends the—

**LS:** Yes, but that[47] is not here recommended as an example of metaphorical speech, but of nonmetaphorical speech. People are told this story and they believe it. And if there are people, sophisticated people, who say, "Well, you must not take this so literally, it doesn't mean what it says, it means something else," then that is another question, with which we are not now concerned.

**Mr. Gary:** Yes, but there's still no presentation of any third alternative.[48] I mean, isn't it possible to level with people up to a certain point, and then to tell them lies?

**LS:** What is the advantage of that?

**Mr. Gary:** Well, first of all, the lies would become much more easy to swallow because they wouldn't be so complete, they wouldn't be—

**LS:** But if you mean "level up," you said; so if you raise their level, they will be less susceptible of being fooled, you know? According to Lincoln's famous saying—

**Mr. Gary:** You see, I was using an idiom. What I mean by "level with" is to speak—

**LS:** Oh, I'm sorry.

**Mr. Gary:** to speak plainly to people up to a certain point, and to tell them exactly what you mean.

**LS:** Yes, I also prefer that, but the question is[49] whether the Athenian Stranger means that. He starts from the premise that in very interesting cases you can't be level.

**Mr. Gary:** How about with the question of justice and pleasure? You can't be level at all about that? That . . .

**LS:** It all depends. With[50] sensible and good people, you can be frank; that is said in the *Republic*. But to people who are not sensible and not good, and in addition perhaps also hostile, that is a different question. Yes?

**Mr. Rogoff:** Well, it seems to me that—you said that there is a transition here from looking at the good citizen to good human being . . . there's a transition. Supposedly now he's talking about the good human being as opposed to before, he's talking about the good citizen . . .

**LS:** That I did not say. I said there is this difference between the *Laws* and the *Republic*, that[51] in the *Republic* the noble lie is told in order to render possible the good city. It is not told in order to make possible the best life for a human being.

**Mr. Rogoff**: No, I meant . . . in book 1, you said the talk was about the good citizen, and now . . .

**LS:** Yes.[52] Well, you can say the distinction between the good man and the good citizen is in the back of the present discussion, the presupposition of it, but it is not immediately involved. So well, if we have admitted all these things which we have read, we can go on.

**Reader:**
ATH. Our next subject I must handle myself.

**LS:** Yes.[53] [What comes next], that is my business to say. That is to say, up to this point he had not spoken. This was the speech of the legislator, if not of the legislating gods. Yes?

**Reader:**
ATH. I maintain that all the three choirs must enchant the souls of the children, while still young and tender, by rehearsing all the noble things which we have already recounted, or shall recount hereafter; and let this be the sum of them: in asserting that one and the same life is declared by the gods to be both most pleasant and most just, we shall not only be saying what is most true, but we shall also convince those who need convincing more forcibly than we could by any other assertion.
CLIN. We must assent to what you say. (664b-c)

**LS:** Yes. Now he says the same life is most pleasant and the best. He does not say here the most

noble. And in addition, he doesn't say that this is so, but they are said by the gods to be the same. This we must say, and in saying so we would at the same time speak most truthfully and most persuasively. And what is in that statement true, and what is persuasive, that is our business to disentangle.

**Reader:**
ATH. First, then, the right order of procedure will be for the Muses' choir of children to come forward first to sing these things with the utmost vigor and before the whole city—

**LS:** [*hapasei spoudei*]—"with the most," "with the greatest seriousness." Yes?

**Reader:**
ATH. with the greatest seriousness and before the whole city. Second will come the choir of those under thirty, invoking Apollo Paian as witness of the truth of what is said, and praying him of his grace to persuade the youth. The next singers will be the third choir, of those over thirty and under sixty; and lastly, there were left those who, being no longer able to uplift the song, shall handle the same moral themes in stories and by oracular speech. (664c-d)

**LS:** Yes, all right. So[54] that is of the greatest importance[55], because he will now speak of the difference[56] [between] the three choruses, and the most important is naturally the choir of Dionysus, the god of wine, because that is the subject with which we are chiefly concerned. Of the Muses and Apollo we have heard before. Now there are some differences. These people who are no longer children but still rather young, up to thirty: they call the healer god Apollo as witness for the truth of what is said, and they pray to him that he should be gracious to them and give them persuasion. The children do not do that. The children sing with full seriousness, but these people who are beyond childhood have lost their childlike simplicity or innocence and they need a healer who [can] assure them of the truth of what they sing. Yes?

**Student:** Would it be right to say that if the Athenian doesn't believe that the just life is the happy life and also most pleasant life,[57] [then] in setting up the children to sing and invoking the gods, he[58] can't believe in the gods either.

**LS:** The children?

**Student:** No, the Stranger. Because the Stranger is proposing that the children sing songs and—or rather, no, I'm sorry. The choir of those under thirty will be invoking Apollo.

**LS:** Yes, they will need some support, because they[59] can no longer sing with that full seriousness with which the children sing. I believe you have only to look at a class of small children singing serious songs, patriotic or religious, to understand immediately what he means. Now[60] the healer god is of course Apollo; this is the second chorus. And then there is a third one: those over thirty, up to sixty. And finally the old ones, after sixty will no longer sing at all,[61] for reasons which will be explained later, but they will tell myths on the basis of divine utterance. Yes. Now there is a great difficulty,[62] because he has said practically nothing about the third chorus, and Clinias reminds the Athenian of that.

**Reader:**
CLIN. Whom do you mean, Stranger, by these third choristers? For we do not grasp very clearly what you intend to convey about them.
ATH. Yet they are in fact the very people to whom most of our previous discourse was intended to lead up.

**LS:** Yes, of course. We know that, don't we? Because the god of wine, wine, symposia, that was the great theme throughout. But Clinias has not followed that. Yes?

**Reader:**
CLIN. We are still in the dark: try to explain yourself more clearly still.
ATH. At the commencement of our discourse we said, if we recollect, that since all young creatures are by nature fiery, they are unable to keep still either body or voice, but are always crying and leaping in disorderly fashion; we said also that none of the other creatures attains a sense of order, bodily and vocal, and that this is possessed by man alone; and that the order of motion is called "rhythm," while the order of voice (in which acute and grave tones are blended together), is termed "harmony," and to the combination of these two the name "choristry" is given. We stated also that the gods, in pity for us, have granted to us as fellow-choristers and choir-leaders Apollo and the Muses,—besides whom we mentioned, if we recollect, a third, Dionysus.
CLIN. Certainly we recollect. (664d-65a)

**LS:** Now this is, as the Athenian indicates, a repetition of an earlier statement made at the beginning of the second book . . . beginning of the work as a whole. There are, as always in such cases, differences: in the first statement he did not say that the motions of the young are disordered or irregular; that is brought in here, and[63] here he does not say, as he said in the beginning, that the sense of rhythm and harmony belongs to man by nature. But there he said it was given by the Muses and Apollo. There may be other differences of which I am not aware;[64] one must always look that up. But in the main it is a repetition of what was said before. But as I have had occasion to observe earlier,[65] although I cannot prove that because I have not studied with the necessary care the whole work of Plato, but as a general rule I would say I don't believe that there is a single literal repetition but there is always some difference. Sometimes the difference may be due only to the different context—that is another matter—but here the content differs. Yes?

**Reader:**
ATH. The choir of Apollo and that of the Muses have been described, and the third and remaining choir must necessarily be described, which is that of Dionysus.
CLIN. How so? Tell us; for at the first mention of it, a Dionysiac choir of old men sounds mighty strange,—if you mean that men over thirty, and even men over fifty and up to sixty, are really going to dance in his honour.
ATH. That is, indeed, perfectly true. It needs argument, I fancy, to show how such a procedure would be reasonable.
CLIN. It does.
ATH. Are we agreed about our previous proposals?

CLIN. In what respect?
ATH. That it is the duty of every man and child—bond and free, male and female—and the duty of the whole State, to charm themselves unceasingly with the chants we have described, constantly changing them and securing variety in every way possible, so as to inspire the singers with an insatiable appetite for the hymns and with pleasure therein. (665a-c)

**LS:** Yes, now wait. So this is said with reference to the chorus of Dionysus.[66] Dionysus was originally said to be needed for the safeguarding of education, as distinguished from education itself. Here we get the first inkling of what that safeguarding means; here he says something which differs considerably from what he had said earlier, on this same subject. You remember[67] why he referred to the example of Egypt: the Egyptians who had consecrated ten thousand years ago the songs and melodies and do not permit any deviation? And now here we see that what the city has to do is constantly to change and to exhibit, literally translated, mighty colors, meaning the opposite of simplicity. Because if people are to enjoy these songs and dances, then they must be varied; and this variation, that is the true safeguarding of education and that will be entrusted to the men between thirty and sixty, who are here called the older men, not the ones beyond sixty. They will not sing at all, they will only tell stories, as we have seen. Yes?

**Dr. Kass:** Do you attach any significance to the fact that [there is] a distinction here between the citizens and the slaves, or the bondmen?

**LS:** Yes, that is a good point.[68] The slaves must of course also be good slaves, must they not? They should not be thievish and they should not be lazy, they should not run away and what[ever] other things are required. Well, you know[69] there are virtues of slaves, and therefore they also must be convinced of the *logos*. He doesn't say that slavery[70] will be abolished;[71] it will be preserved, but it will also be a part of the civic institutions and therefore be inspired by the same spirit as all other civic institutions. Yes.[72] The question of whether slavery is defensible and under what conditions is not taken up here. That will be taken up later. The free man and the slave are mentioned here in this enumeration in the center: grown up men and child, free and slave, female and male. So you were quite right to draw our attention to this passage. Yes?

**Reader:**
CLIN. Assuredly we would agree as to the duty of doing this.
ATH. Then where should we put the best element in the State,—that which by age and judgment alike is the most influential it contains,—so that by singing its noblest songs it might do most good? Or shall we be so foolish as to dismiss that section which possesses the highest capacity for the noblest and most useful songs?
CLIN. We cannot possibly dismiss it, judging from what you now say.
ATH. What seemly method can we adopt about it? Will the method be this?
CLIN. What? (665c-d)

**LS:** Yes. Now we come to this question, but I would like to make a remark in advance because it might conceivably help with the reading. So we come now to the best part of the city, and the question is: Is this best part of the city identical with the citizens between thirty and sixty? That would be the question. Now let us assume for one moment that it is not identical. Then we would

have five parts of the city: the children; those up to thirty; those between thirty and sixty; and then the men older than sixty; and then, finally, the best part. Now we have seen that the Athenian on an earlier occasion speaks of five age groups in the city, with a view to the preferences: children preferring puppet shows and so on, and the old men preferring Homer and Hesiod. Do you remember that? And we had some difficulty, at least I had, [with] why these five things are mentioned, because only four are used in the context. I believe that this has to do with that. There are five parts of the city, and that is indicated by the five in that earlier passage, 658b to d. Now we will—yes?

**Mr. Gary:** Are there five parts in the soul?

**LS:** [73]No, I don't think so. Five age groups.

**Mr. Gary:** No, but there are four parts on the divided line. And then there is the thing that is off the divided line.

**LS:** What is that off the divided line?

**Mr. Gary:** The One.

**LS:** But this is not a part of the soul, is it?

**Mr. Gary:** Well, it's certainly a part of the things that enter into the consciousness of the soul.

**LS:** Yes, that is something different. But here I don't think that there is any direct connection. At least I would need some further convincing[74]. So now we come to this question: this best part of the city, whether it is identical with one of the four other parts or not,[75] is to sing the most beautiful songs. Yes. But here a difficulty arises. The Athenian spells [it] out now.

**Reader:**
ATH. Every man as he grows older becomes reluctant to sing songs, and takes less pleasure in doing so; and when compelled to sing, the older he is and the more temperate, the more he will feel ashamed. Is it not so?
CLIN. It is.
ATH. Surely, then, he will be more than ever ashamed to get up and sing in the theater, before people of all sorts. Moreover, if old men like that were obliged to do as the choristers do, who go lean and fasting when training their voices for a competition, they would assuredly find singing an unpleasant and degrading task, and they would undertake it with no great readiness. (665d-e)

**LS:** Yes. So there can be no question of their singing in public, as choruses are supposed to do. Yes. What is the solution?

**Reader:**
CLIN. That is beyond a doubt.
ATH. How then shall we encourage them to take readily to singing? Shall we not

pass a law that, in the first place, no children under eighteen may touch wine at all, teaching that it is wrong to pour fire upon fire either in body or in soul, before they set about tackling their real work, and thus guarding against the excitable disposition of the young? And next, we shall rule that the young man under thirty may take wine in moderation, but that he must entirely abstain from intoxication and heavy drinking. But when a man has reached the age of forty—

**LS:** Yes,[76] or when he is "moving towards forty." It is not quite so[77] clear what that means. Yes?

**Reader:**
ATH. when a man is moving toward the age of forty, he may join in the convivial gatherings and invoke Dionysus—

**LS:** Yes. First, remember, he should have ample common meals, unlike[78] those people who are preparing for singing choruses, who have to fast and to undergo other deprivations. So they will eat well and amply. Yes?

**Reader:**
ATH. above all other gods, inviting his presence at the rite (which is also the recreation) of the elders, which he bestowed on mankind as a medicine potent against the crabbedness of old age, that thereby we men may renew our youth, and that, through forgetfulness of care, the temper of our souls may lose its hardness and become softer and more ductile, even as iron when it has been forged in the fire. Will not this softer disposition, in the first place, render each one of them more ready and less ashamed to sing chants and "incantations" (as we have often called them), in the presence, not of a large company of strangers, but of a small number of intimate friends? (666a-c)

**LS:** So in other words, they need wine,[79] [not] in order to overcome their shame[80] to sing in public because they won't sing in public, but to safeguard education. Safeguarding education means varying songs, and so on. That requires flexibility, and this flexibility is supplied to some extent by wine. Yes. And we may perhaps add here the other consideration: this refers to ordinary old men, but there may be wise men who also happen[81] to be old. Now the wise men as wise men do not need wine for becoming flexible, because as wise they are flexible; but they need wine for the opposite reason, namely, to undergo a certain obfuscation of their perception. And[82] so by a certain obfuscation of the wise and an enlarging of the horizon of the less wise, a harmony between the wise and the less wise is produced, and that harmony[83] is moderation in the highest sense. And that is the function of wine. But we have gone beyond what was said here. Now let us go on.

**Reader:**
CLIN. Yes! Much more ready.
ATH. So, then, for the purpose of inducing them to take a share in our singing, this plan would not be altogether unseemly.
CLIN. By no means.
ATH. What manner of song will the men raise? Will it not, evidently, be one that suits

their own condition in every case?
CLIN. Of course.
ATH. What song, then, would suit godlike men?

**LS:** Say "divine men."

**Reader:**
ATH. divine men. Would a choric song?

**LS:** Which was a common expression in Sparta for a man whom one admired: *theos aner*. But we should . . . Yes?

**Reader:**
CLIN. At any rate, Stranger, we and our friends here would be unable to sing any other song than that which we learnt by practice in choruses. (666c-d)

**LS:** Yes. So now the radical difference between the chorus which the Athenian is trying to introduce, if it can be called a chorus, and the choruses known to the Dorians will become quite clear. Yes?

**Reader:**
ATH. Naturally; for in truth you never attain to the noblest singing.

**LS:** "Song," "the most noble or most beautiful song." Yes?

**Reader:**
ATH. For your civic organisation is that of an army rather than that of city-dwellers, and you keep your young people massed together like a herd of colts at grass: none of you takes his own colt, dragging him away from his fellows, in spite of his fretting and fuming, and puts a special groom in charge of him, and trains him by rubbing him down and stroking him and using all the means proper to child-nursing, that so he may turn out not only a good soldier, but able also to manage a State and cities—in short, a man who (as we said at the first) is more of a warrior than the warriors of Tyrtaeus, inasmuch as always and everywhere, both in States and in individuals, he esteems courage as the fourth in order of the virtues, not the first. (666c-67a)

**LS:** Yes, now this is[84] perhaps the strongest statement against these Dorians that we find in the book: that their cities, their political life, is a life of armed camps. They[85] are not urban, urbanized, urbane; and they bring up their young as if they were colts in a herd at grass. No one takes out his colt, a single colt, takes it away from the herd, and gives it a private education. And that is of course, as you know from the Platonic dialogues, exactly what Socrates[86] [does]. Socrates never talks to herds, or to multitudes, except in the *Apology*, where he was under legal obligation to do so.[87] He ordinarily talks to a single man even if other men are present. Yes. And Clinias's reaction?

**Reader:**

CLIN. Once again, Stranger, you are—in a sort of a way—disparaging our lawgivers.
ATH. It is not intentionally, my friend, that I do so—if I am doing it—

**LS:** Why does he say, "if I am doing it"? Well, had he spoken of the legislator here? He had only spoken of the way of life of the Dorians; he had not traced it to the legislators. Yes?

**Reader:**
ATH. but whither the argument leads us, thither, if you please, let us go.

**LS:** Yes, "let us go there, if you *wish.*" We follow because the guidance by the *logos*, as we have heard, is gentle, and therefore one cannot impose that. One must see whether the other people wish. Yes?

**Reader:**
ATH. If we know of a music that is superior to that of the choirs or to that of the public theatres, let us try to supply it to those men who, as we said, are ashamed of the latter, yet are eager to take a part in that music which is noblest.
CLIN. Certainly.

**LS:** Yes. So we are now seeking then for the most noble Muse, a Muse which is more noble than that of the choruses; and what could the most noble Muse [mean] in the mouth of Plato, who after all was the author of this book?[88] [Plato speaks in other dialogues not exactly of the most noble Muse, but of a highest or greatest Muse.][89] Well, philosophy. And philosophy[90] is here always in the background in this discussion, and this is also implied, I think, in the best part of the city, and it will come out in another way in what follows. Yes?

**Reader:**
ATH. Now in the first place, must it not be true that everything which possesses charm as its concomitant, that its most important element is either this charm in itself, or some form of correctness, or, thirdly, utility? For instance, meat and drink and nutriment in general have, as I say, for concomitant that charm which we should term pleasure; but as regards their correctness and utility, what we call the wholesomeness of each article administered is precisely the most correct element they contain. (667a-c)

**LS:** So in the case of food and drink and kindred things, there the correctness and the utility coincide. And we mean this when we speak of "wholesome," that is the correct thing to eat and at the same time it is useful.[91] That's the first thing. There are three points of view, as you see: charm or grace; correctness; and usefulness. And this will be illustrated by three examples. The first we have read: food and drink. The second is learning, and the third is the imitative arts. And of course the imitative arts are the theme here. The three subjects [are] viewed[92] [with a view to] three ends. Now we come to the next one.

**Reader:**
CLIN. Certainly.
ATH. Learning, too, is accompanied by the element of charm, which is pleasure; but that which produces its correctness and utility, its goodness and nobleness, is truth.

CLIN. Quite so.

**LS:** Yes. Now here we see the three ingredients are there, and the relation of the correctness and the utility is not here discussed but they are distinguished. And what provides the correctness and utility is not the wholesomeness, as in the case of food, but the truth. Yes?

**Reader:**
ATH. Then how about the imitative arts which produce likenesses? If they succeed in their productions, should not any concomitant pleasure which results therefrom be most properly called "charm"?
CLIN. Yes.

**LS:** Yes, well, the text is a bit stronger: he doesn't use such expressions in other cases. Here we would speak with special justice of charm or grace, so we would not speak[93] with equal propriety of the charm or grace of food and drink, or of learning. But here in the case of the imagemaking arts we would. Yes?

**Reader:**
ATH. But, speaking generally, the correctness of these things would be the result not, primarily, of pleasure, but of equality in respect of both quality and quantity. (667c-d)

**LS:** Yes. So not the truth but equality, in qualitative and quantitative respects, is the thing that gives correctness to the works of the image-making arts.[94] That is hard to understand, and perhaps unintelligible, but it will be explained, and slightly modified, very soon, in this text. Yes?

**Reader:**
CLIN. Excellent!
ATH. Then we shall rightly judge by the criterion of pleasure that object only which, in its effects, produces neither utility nor truth nor similarity, nor yet harm,—

**LS:** Yes, now wait. Here, you see, truth and similarity are of course distinguished. And from this it would seem to follow[95] that the imagemaking arts have to do with similarities and not with truth. The truth would be the prerogative of learning. Yes?

**Reader:**
ATH. and which exists solely for the sake of the concomitant element of charm,—which element will best be named "pleasure" whenever it is accompanied by none of the other qualities mentioned.
CLIN. You mean only harmless pleasure.
ATH. Yes, and I say that this same pleasure is also play, whenever the harm or good it does is negligible.
CLIN. Very true. (667d-e)

**LS:** "Is not worthy of seriousness or speech." Yes?

**Reader:**
CLIN. Very true.
ATH. Should we not then assert, as a corollary, that no imitation should be judged by the criterion of pleasure or of untrue opinion, nor indeed should any kind of equality be so judged?

**LS:** For the works[96] of the imitative art received their correctness from equality. Yes?

**Reader:**
ATH. The reason why the equal is equal, or the symmetrical symmetrical, is not at all because a man so opines, or is charmed thereby, but most of all because of truth, and least of all for any other reason.

**LS:** So we[97] find now again that truth is the overriding consideration also in the imagemaking or imitative arts. What he means by that,[98] we must wait[99] [to find out]. Yes?

**Reader:**
CLIN. Most certainly.
ATH. We assert, do we not, that all music is representative and imitative?

**LS:** Well, "music"[100] [means] every art inspired by the Muses. Yes? This doesn't refer merely to what we mean by music. Yes?

**Reader:**
CLIN. Of course.
ATH. So whenever a man states that pleasure is the criterion of music, we shall decisively reject his statement; and we shall regard such music as the least important of all (if indeed any music is important) and prefer that which possesses similarity in its imitation of the beautiful. (667e-68b)

**LS:** "Which possesses[101] or gives similarity to the imitation of the beautiful." That's a dark passage, yes? We remember an earlier distinction between virtue itself and an image of virtue. An image of virtue would be such an imitation of the beautiful. And perhaps this is here intended. [To a second reader:] In 668b.

**Reader 2:**
ATH. Thus those who are seeking the best singing and music must seek, as it appears, not that which is pleasant, but that which is correct; and the correctness of imitation consists, as we say, in the reproduction of the original in its own proper quantity and quality.

**LS:** Yes?

**Reader 2:**
CLIN. Of course.
ATH. And this is certainly true of music, as everyone would allow,—

**LS:** Yes, "music" always in this broad sense. Yes?

**Reader 2:**
ATH. that all its productions are imitative and representative; that much, at least, they would all admit,—poets, audience and actors alike,—would they not?
CLIN. They would.
ATH. Now the man who is to judge a poem unerringly must know in each particular case the exact nature of the poem; for if he does not know its essence,—what its intention is and what the actual original which it represents,—then he will hardly be able to decide how far it succeeds or fails in fulfilling its intention. (668b-c)

**LS:** Yes. He uses here a term which[102] does not stem from philosophy but was appropriated by philosophy, especially by Plato, namely,[103] *ousia*, the being; namely, what it intends. Yes, one can say he refers primarily here to the poem and what it intends, and of what it is truly an image. So he must of course also know not only the essence of the poem, but also the essence of the thing imitated in the poem. Only then[104] can he be a competent judge. Yes?

**Reader:**
CLIN. Hardly, to be sure.
ATH. And would a man who does not know what constitutes correctness be able to decide as to the goodness or badness of a poem?

**LS:** Yes, this[105] is the same as what was formerly called utility or disutility. Yes?

**Reader:**
ATH. But I am not making myself quite clear: it might be clearer if I put it in this way—
CLIN. In what way?
ATH. As regards objects of sight, we have, of course, thousands of representations.
CLIN. Yes.
ATH. How, then, if in this class of objects a man were to be ignorant of the nature of each of the bodies represented,—could he ever know whether it is correctly executed? What I mean is this: whether it preserves the proper dimensions and the positions of each of the bodily parts, and has caught their exact number and the proper order in which one is placed next another, and their colors and shapes as well,—or whether all these things are wrought in a confused manner. Do you suppose that anyone could possibly decide these points if he were totally ignorant as to what animal was being represented?
CLIN. How could he? (668c-e)

**LS:** Yes. But you see[106] we are still speaking of the judges of what is now called works of art, but for some reason the Athenian[107] no longer speak[s] now of poems but of paintings and of the imitations of bodies. And here the judge must know, in the first place: Is the imitated body that of a human being or of a horse or of a donkey? And then he must know of course also[108] the proper number and relative position of the parts. For example, if he would give it two noses, or two mouths and only one ear,[109] there would be something wrong with that. And also the relative position is easy to see. Good. But the question is now this. What he says here applies of course

also with the necessary modifications to poetry. But in poetry we do not have this kind of imitation of bodies as we have in paintings, but the imitation of the soul. So the good judge of poetry must know the nature of the soul. But does not the painter also require knowledge of the nature and the parts and the relative position of the parts of the body? I mean not only the judge of paintings, but also the good painter. And if this is so, would not the poet also need knowledge of the nature of the soul, and not merely the judge of poetry? And then this would make the understanding of the relation of poetry and philosophy somewhat more difficult than it is according to the ordinary understanding of the tenth book of the[110] [*Republic*], you know, where the poets are expelled from the city because they are imitators of imitators. But this is perhaps not too bad, if we have to reconsider that. Yes?

**Reader:**
CLIN. How could he?
ATH. Well, suppose we should know that the object painted or moulded is a man, and know that art has endowed him with all his proper parts, colors and shapes,—is it at once inevitable that the person who knows this can easily discern also whether the work is beautiful, or wherein it is deficient in beauty?
CLIN. If that were so, Stranger, practically all of us would know what animals are beautiful. (668e-69a)

**LS:** So in other words, that is[111] based on a contrary-to-fact condition. We do not know[112] which aspects or parts of animals are beautiful. That can mean all kinds of things. It can mean that, say, a very good expert in cattleraising would be a much better judge of what is good in animals than a nonexpert. It could also refer to the appearance, and above all it refers[113] ultimately, since that is our concern here,[114] [to] the people who know what the thing is[115] and the nature of the thing and whether it has been correctly reproduced. Are they by this very fact good judges of what would now be called artistic excellence? That is a third consideration. And Clinias says: No, that is another consideration. And perhaps one has to bring [in] here the expertise of the imitative artists. But let us see; that will come later. Yes?

**Reader:**
ATH. You are quite right. In regard, then, to every representation—whether in painting, music or any other art—must not the judicious critic possess these three requisites: first, a knowledge of the nature of the original; next, a knowledge of the correctness of the copy; and thirdly, a knowledge of the excellence with which the copy is executed?
CLIN. It would seem so, certainly. (669a-b)

**LS:** Yes, now let us stop here. Let us see whether there are there any points you would like to discuss. The most beautiful or the most noble use—this in a Platonic text surely reminds one of philosophy and[vi] —that best part of the city, who is to act as judges of the works of art, and which must possess knowledge of the nature of the body as well as the soul—this is somehow here in the background, but we see that as it were through a veil. Philosophy would not be a feasible subject of discussion with Clinias and Megillus as it is in the *Republic*, where Socrates converses with Glaucon and Adeimantus. But through that veil it is nevertheless here. Is there

[vi] There is a break in the tape at this point.

anything you would like to bring up? Yes?

**Mr. Jerry Kaplan:** At the end of book 1 the use of the symposium was discussed, and I thought that they concluded that it could be useful to test the citizens to give some indications as to their nature. And then here when they discussed wine drinking,[116] they had [already] discussed who could drink wine and to what extent, which seems to indicate that they already knew the natures of the souls of the men to whom they were prescribing the amounts of wine. And it would seem that is a contradiction, or else has the test already been applied?

**LS:** Yes, that is surely a great difficulty, because if no one up to eighteen is permitted to drink, and no one up to thirty is permitted to drink heavily, how can you make this test of character with people up to thirty? So this would apply to the grown-up citizens, where you cannot do very much in the way of educating them. Is this what you were driving at?

**Mr. Kaplan:** Well . . . can the test be practically used? I mean, what's the use of it, if—

**LS:** Oh, I suppose it can be used. I suppose it has been used more than once by, say, a very clever diplomat, who can stand any amount of liquor [and] can have a conversation with the opposite number before his negotiations and[117] find out something about his character. Yes, good. That would indeed not be the thing of which the Athenian Stranger speaks, but it all amounts to this: that what is said about the banquets is strange. First he[118] says they are indispensable for education. And the point he makes toward the end of the first book is [that they are useful] in order to see, through the concealments of ordinary reserve, what a fellow truly is. That is one thing, but it is obviously not sufficient. And the second book deals with a very different subject, what is called the safeguarding of education, and that means, as[119] has already partly become clear,[120] the supervision not only of the songs and dances but also of the variations of the songs and dances. And that is to be achieved by wine,[121] for this reason: Who can best be trusted with changes? And then common opinion would say: Old people. But then the problem arises that[122] the old people are averse to change. They are terribly conservative. How can they be made flexible? And then the Athenian says: "Let us drink wine." We must not forget also another purpose or function of this discussion of wine here, and that is the *discussion* of wine. The Athenian is talking to two old Dorians who are wholly alien, even averse, to the most beautiful Muse. Yes? And[123] also to other things not of this high order, but also which Plato would regard as preferable. I mean,[124] to transform a city of an armed camp into a true city, they[125] are averse to that. How can he induce them to look with some favor at a change in this desirable direction? And the answer is, I think, by a *conversation* about wine, which conversation is a kind of vicarious enjoyment of wine and which therefore partakes to some extent in the effect of actual wine drinking. So Clinias and Megillus will be changed men, by the conversation on wine, symposia, and then after this discussion is completed, at the end of the second book,[126] the Athenian begins with a discussion of politics proper. But he has brought them into the proper mood by that preparatory discussion. I believe our time is up.

[1] Deleted "the question—."

[2] Deleted "they."

[3] Deleted “of.”

[4] Deleted “but.”

[5] Deleted “question.”

[6] Deleted “an Arist—.”

[7] Deleted “have.”

[8] Deleted “at our—.”

[9] Deleted “no, we don’t—yes, B1, that is correct.”

[10] Deleted “only—.”

[11] Deleted “how can we—.”

[12] Changed from “Yes, that is—perhaps one should understand this as follows: for me, the things (namely, which he has said) are so necessary as not even Crete's being an island is—appears to me as evident.”

[13] Deleted “‘lucrative and profitable things are—.’”

[14] Deleted “compelled.”

[15] Deleted “a kind—.”

[16] Deleted “if the gods—.”

[17] Deleted “so—.”

[18] Deleted “he would surely—.”

[19] Deleted “it is—.”

[20] Deleted “why does he not—.”

[21] Deleted “he—.”

[22] Deleted “the—.”

[23] Deleted “hitherto—.”

[24] Deleted “will be—.”

[25] Deleted “here we are—which.”

[26] Deleted “which can.”

[27] Deleted “view of.”

[28] Deleted “except—.”

[29] Deleted “in a—.”

[30] Deleted “they have—.”

[31] Deleted “it is—.”

[32] Deleted “toward—if he would dare to lie to the young for some good—but this daring—well.”

[33] Deleted “that.”

[34] Deleted “he says.”

[35] Deleted “Clinias had said.”

[36] Deleted “his answer is.”

[37] Deleted “this is.”

[38] Deleted “he says—Socrates says here.”

[39] Deleted “here—.”

[40] Deleted “do you see.”

[41] Deleted “not yet—.”

[42] Deleted “everyone must say—.”

[43] Deleted “their laws—.”

[44] Deleted “so—.”

[45] Deleted “that there—the—.”

[46] Deleted “that—.”

[47] Deleted “is not—it.”

[48] Deleted “which would be—.”

[49] Deleted “of.”

[50] Deleted “the right kind—with.”

[51] Deleted “in the *Laws*.”

[52] Deleted “but I—there is—.”

[53] Deleted “the next—what—that—what—thereafter.”

[54] Deleted “we—.”

[55] Deleted “now.”

[56] Deleted “of.”

[57] Deleted “that.”

[58] Deleted “doesn’t—.”

[59] Deleted “do not longer—.”

[60] Deleted “these are—that—.”

[61] Deleted “because—.”

[62] Deleted “what does—.”

[63] Deleted “here also—.”

[64] Deleted “but there may be—.”

[65] Deleted “there is—.”

[66] Deleted “and that chorus was—.”

[67] Deleted “what he—.”

[68] Deleted “that we should—they are also—they—.”

[69] Deleted “certain—.”

[70] Deleted “it.”

[71] Deleted “that is, I mean, that is.”

[72] Deleted “whether—.”

[73] Deleted “I don’t—I don’t—.”

[74] Deleted “would have to be done.”

[75] Deleted “they.”

[76] Deleted “that—yes.”

[77] Changed from “that is not so quite.”

[78] Changed from “he should eat—should have an ample common meals, and not like.”

[79] Deleted “less.”

[80] Deleted “than—.”

[81] Deleted “who may happen.”

[82] Deleted “through—.”

[83] Deleted “that.”

[84] Deleted “a very—.”

[85] Deleted “are not true—they.”

[86] Deleted “is.”

[87] Deleted “but other—.”

[88] Deleted “mean, the most noble Muse. There are—.”

[89] Changed from “Plato speaks of—not exactly of the most noble Muse, but he speaks of a highest or greatest Muse in other dialogues.”

[90] Deleted “is now invo—and that.”

[91] Deleted “there are the—.”

[92] Deleted “from—.”

[93] Deleted “of the charm or gra—.”

[94] Changed from “So here—not the truth, but equality, in qualitative and quantitative respect, that is the thing, that art which gives correctness to the works of the image-making arts.”

[95] Deleted “that—.”

[96] Changed from “For they have—in—the works—works.”

[97] Deleted “come—.”

[98] Deleted “that.”

[99] Deleted “finish the section.”

[100] Deleted “that is—has a completely different meaning.”

[101] Deleted “which.”

[102] Deleted “is—which is.”

[103] Deleted “he who doesn’t know the.”

[104] Deleted “can he—is—.”

[105] Deleted “refers—that.”

[106] Deleted “what—.”

[107] Deleted “does.”

[108] Deleted “what.”

[109] Deleted “other things.”

[110] Deleted “*Laws.”*

[111] Deleted “a contrary—to—fact—.”

[112] Deleted “all which animals—.”

[113] Deleted “to.”

[114] Deleted “are.”

[115] Deleted “and whether it—.”

[116] Deleted “they had;” moved “already;” deleted “assigned—.”

[117] Deleted “to.”

[118] Deleted “brings in—.”

[119] Deleted “becomes clearer—.”

[120] Deleted “that is.”

[121] Deleted “because—.”

[122] Changed from “But then the question arises, but.”

[123] Deleted “how can he—and.”

[124] Deleted “something—.”

[125] Deleted “would—.”

[126] Deleted “then.”

**Session 8: no date**

**Leo Strauss:** [1]I remind us of the context. We are still concerned with symposia, the theme which started rather early in the first book. They are to be justified by their usefulness for education, and that is how the subject of education came in. Now education is primarily through song and dance, over which the Muses and Apollo preside. Where do symposia, where does wine, where does Dionysus the god of wine, come in? The answer given was: In safeguarding education. That safeguarding consists in the supervised variation of the traditional songs and dances, for the supervisors must be old or oldish men, who as such are averse to variation, to change: they are in need of rejuvenation, and this rejuvenation is effected by wine. There are to be three choruses, one of the Muses, the children; one of the young, the chorus of Apollo; and one of the older men, the followers of Dionysus.[2] The chorus of Dionysus is dedicated to the most noble Muse, which is not a Muse of choruses. Which or what is that Muse? The Athenian discusses three subjects with a view to three ends. The three subjects are food, learning, and the likeness-producing or imitative arts. The ends are pleasure, correctness, and utility. In the case of learning, it is truth which produces the correctness and the utility; and learning is accompanied by charm, that is to say, by pleasure. In the case of the imitative arts, it is equality which produces the correctness of the imitations. Equality, however, means truth. Hence competent judges of poems and the other imitative arts, that is to say, the chorus of Dionysus, must know the *ousia*, the nature, the essence of what is imitated. For instance, in the case of painting, the judges of paintings must know what kind of animal is imitated as well as the number and the relative position of the parts of that animal. We are thus forced to wonder: Must the judge of poetry not possess knowledge of the nature of the soul? But we must go one step further. Just as the good painter, and not only the judge of paintings, must possess knowledge of the human body, must the good *poet* not also possess knowledge of the human soul, of the nature of the human soul? But if this [is] so, is then there no difference between poetry and philosophy? At any rate, through the most noble Muse spoken of here, we discern as if through a veil the truly most noble Muse, which is philosophy. Now as for the difference between philosophy and poetry, the utility of learning coincides with its correctness, with its being true, whereas the utility of poetry does not consist in its being true; otherwise the poets would not have to be compelled, as here we are told they must be, to be useful. This usefulness is external to poetry; what it is will be made clear in the sequel. Now we should now continue[3] at 669b5.

**Reader:**
ATH. Let us not hesitate, then, to mention the point wherein lies the difficulty of music.

**LS:** Yes, "music" in the wide sense: everything due to the Muses. Yes? Not only what we understand by music. Yes?

**Reader:**
ATH. Just because it is more talked about than any other form of representation, it needs more caution than any. The man who blunders in this art will do himself the greatest harm, by welcoming base morals; and, moreover, his blunder is very hard to discern, inasmuch as our poets are inferior as poets to the Muses themselves. (669b-c)

**LS:** So in other words, the standard for judging poetry may not be simply unpoetic, because we defer to the Muses and the Muses are better poets than the human poets. Yes?

**Reader:**
ATH. For the Muses would never blunder so far as to assign a feminine tune and gesture to verses composed for men, or to fit the rhythms of captives and slaves to a tune and gestures framed for free men, or conversely, after constructing the rhythms and gestures of free men, to assign to the rhythms a tune or verses of an opposite style. Nor would the Muses ever combine in a single piece the cries of beasts and men, the clash of instruments, and noises of all kinds, by way of representing a single object; whereas human poets, by their senselessness in mixing such things and jumbling them up together, would furnish a theme for laughter to all the men who, in Orpheus' phrase, "have attained the full flower of joyousness." For they behold all these things jumbled together and how also, the poets rudely sunder rhythm and gesture from tune, putting tuneless words into meter, or leaving tune and rhythm without words, and using the bare sound of harp or flute, wherein it is almost impossible to understand what is intended by this wordless rhythm and harmony, or what noteworthy original it represents. Such methods, as one ought to realize, are clownish in the extreme in so far as they exhibit an excessive craving for speed, mechanical accuracy, and the imitation of animals' sound, and consequently employ the pipe and the harp without the accompaniment of dance and song; for the use of either of these instruments by itself is the mark of the mountebank or the boor.

**LS:** This point is, I believe, immediately intelligible[4] to whatever contemporary things Plato may refer. And he possibly refers also to comedy: sounds of animals and so on. But one point I think is immediately clear: the separation of music, in our sense of the word, from words[5] is a fundamental mistake, because then one cannot recognize what characters are imitated in the imitations.

**Reader:**
ATH. Enough, then, of that matter: now as to ourselves. What we are considering is, not how those of us who are over thirty years old, or beyond fifty, ought not to make use of the Muses, but how they ought to do so. Our argument already indicates, I think, this result from our discussion,—that all men of over fifty that are fit to sing ought to have a training that is better than that of the choric Muse. For they must of necessity possess knowledge and a quick perception of rhythms and harmonies; else how shall a man know which tunes are correct?
CLIN. Obviously he cannot know this at all. (669c-70b)

**LS:** Yes, well, he[i] omits a certain passage which has been deleted[6] by some editors. We don't need that now. Yes?

**Reader:**
ATH. It is absurd of the general crowd to imagine that they can fully understand what is

[i] The translator.

harmonious and rhythmical, or the reverse, when they have been drilled to sing to the flute or step in time; and they fail to comprehend that, in doing each of these things, they do them in ignorance. But the fact is that every tune which has its appropriate elements is correct, but incorrect if the elements are inappropriate.
CLIN. Undoubtedly.
ATH. What then of the man who does not know in the least what the tune's elements are? Will he ever know about any tune, as we said, that it is correct?
CLIN. There is no possible means of his doing so.

**LS:** Well, here he says first what the judges of the music arts must know. And he continues that in the sequel. Yes?

**Reader:**
ATH. We are now once more, as it appears, discovering the fact that these singers of ours (whom we are now inviting and compelling, so to say, of their own free will to sing) must almost necessarily be trained up to such a point that every one of them may be able to follow both the steps of the rhythms and the chords of the tunes, so that, by observing the harmonies and the rhythms, they may be able to select those of an appropriate kind, which it is seemly for men of their own age and character to sing, and may in this wise sing them, and in the singing may not only enjoy innocent pleasure themselves at the moment, but also may serve as leaders to the younger men in their seemly adoption of noble manners. If they were trained up to such a point, their training would be more thorough than that of the majority, or indeed of the poets themselves. For although it is almost necessary for a poet to have a knowledge of harmony and rhythm, it is not—

**LS:** So that they have both in common, the judge and the poets. Yes?

**Reader:**
ATH. it is not necessary for him to know the third point also, namely, whether the representation is noble or ignoble; but for our older singers a knowledge of all these three points is necessary, to enable them to determine what is first, what second in order of nobility; otherwise none of them will ever succeed in attracting the young to virtue by his incantations. The primary intention of our argument— (670b-71a)

**LS:** Now let us stop here for one moment. So there are certain things which both the judges and the poets must know; and there are other things which the poets as poets do not have to know. The poets as poets do not have to know the noble and base, which correspond roughly with what is now called the moral or immoral.[7] The judges will watch that.[8] But the other things both must know. Now the question is this. The poets must learn from the judges the noble and the base. Must the judges not also learn certain things from the poets, so that there would not be a simple subordination of the two kinds of men? Well, what is discussed here and already in the preceding passages reminds everyone who has read the *Republic* of the *Republic*. And here there are two passages which I believe are particularly instructive. I will read them to you. They are at the beginning of the third book, 387d.[9] Now he quotes a few verses from Homer and Hesiod, and strongly disapproves of them. And then he says: “We will beg Homer and the other poets not to be angry if we cancel those and all similar passages. Not that they are not poetic and pleasing to

most hearers, but because the more poetic they are, the less are they suited to the ears of boys and men who are destined to be free, and to be more afraid of slavery than of death." Adeimantus says, "By all means." So these rejected passages are poetic, and that the poets who deserve the name know very well, and they are the best judges of that.

Let me take another example which is perhaps[10] [simpler] to interpret; we don't have to go into complicated matters. In 390a:

Soc. But what of this sort of thing? "Heavy with wine, with the eyes of a dog and the heart of a deer." And the lines that follow, are these well, and other impertinences in prose or verse, of private citizens to their rulers?
Ad. They are not well.
Soc. They certainly are not suitable for youth to hear for the inculcation of self-control. But if from another point of view, they yield some pleasure, we must not be so surprised. Or what is your view of it?
Ad. I agree, he said.[ii]

So this verse here[11] is from what Achilles says near the beginning of the *Iliad* to Agamemnon. That is pleasurable or, to use the more furtive term used by him before, poetic. Agamemnon has the eyes of a dog and the heart of a deer. If you turn them around, each of these animals has certain noble qualities; for example,[12] a dog can be a very good fighter, and a deer is something very noble in its stature. But if you make the combination which Homer or Achilles made—the eyes of a dog, extremely submissive; and the heart of a deer, extremely fearful—then you have the very opposite of what a warrior should be. And[13] since this hits the nail [on the head, since] it is a perfect insight,[14] it is poetic and therefore pleasurable to hear. But it is not good to hear: this kind of pleasure we must forbid our citizens, because they must never think of saying insolent things to their rulers. So the poets[15] are the judges and even the best judges of the poetic, and in this respect the judges, the supervisors, have to learn;[16] whereas regarding the noble and base, the poets have to learn from the judges, from the supervisors. Sometimes when reading the second and third books of the *Republic*, to say nothing of the tenth, one might have the impression that Plato would have been satisfied with pious tracts praising virtue and blaming vice. I believe that is not true. Plato wanted truly poetic praises of virtue and blames of vice, however he may have restricted the area of poetry. Yes?

**Reader:**
ATH. The primary intention of our argument, which was to demonstrate that our defence of the Dionysiac chorus was justifiable, has now been carried out to the best of our ability. Let us consider if that is really so. Such a gathering inevitably tends, as the drinking proceeds, to grow ever more and more uproarious; and in the case of the present day gatherings that is, as we said at the outset, an inevitable result.
CLIN. Inevitable. (671a-b)

**LS:** So here he repeats now earlier statements on the effect of wine: but a repetition is never identical. What does he say next?

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[ii] Republic 390a. Presumably Strauss's translation.

**Reader:**
ATH. Everyone is uplifted above his normal self, and is merry and bubbles over with loquacious audacity himself, while turning a deaf ear to his neighbours, and regards himself as competent to rule both himself and everyone else.
CLIN. To be sure.

**LS:** So this, the *parresia*, the willingness or ability to say everything, that was mentioned before, and[17] also the other things; but[18] he had not spoken before of the unwillingness to listen, unwillingness to hear. This is indeed only the other side of the willingness and ability to say everything: that one is unwilling to listen, not only to the other fellows at the drinking party, but most importantly, to authority.[19] Yes?

**Reader:**
ATH. And did not we say that when this takes place, the souls of the drinkers turn softer, like iron, through being heated, and younger too; whence they become ductile, just as they were when young, in the hands of the man who has the skill and ability to train and mould them.

**LS:** Yes, what he translates by "train" is the same word which was already translated by "educate." So these old or oldish men are still in the process of education by the legislator, while partaking in these symposia: the education has no end as long as they live. Yes?

**Reader:**
ATH. And now, even as then, the man who is to mould them is the good legislator; he must lay down banqueting laws, able to control that banqueter who becomes confident and bold and unduly shameless, and unwilling to submit to the proper limits of silence and speech, of drinking and of music, making him consent to do in all ways the opposite,—laws able also, with the aid of justice, to fight against the entrance of such ignoble audacity, by bringing in that most noble fear which we have named "modesty" and "shame."
CLIN. That is so. (671b-d)

**LS:** You see, shortly before the end of the long speech of the Athenian he speaks of "silence and speech," "drinking and the Muse." There is a correspondence here: silence and drinking belong together, and speech and the Muse. Obviously you cannot speak in the process of drinking. So speech and the Muse, that means here especially singing, they also belong together. But there is at least one instance known to Plato which makes it necessary to be silent when one uses it, and that is the flute. And that is an objection to the flute, according to Plato and Aristotle.[20] Apart from other defects which [the] flute and flute music[21] have, it also has this defect: that while playing the flute, you cannot use articulate words. Yes?

**Reader:**
ATH. And as law-wardens of these laws and co-operators therewith, there must be sober and sedate men to act as commanders over the un-sober; for to fight drunkenness without these would be a more formidable task than to fight enemies without sedate leaders. Any

man who refuses willingly to obey these men and the officers of Dionysus (who are over sixty years of age) shall incur as much disgrace as the man who disobeys the officers of Ares, and even more.
CLIN. Quite right.

**LS:** Yes, Ares is of course the god of war, and just as the officers of Ares are simply the military officers, the commanders or officers of Dionysus are[22] the superviors of the symposia.

**Reader:**
ATH. If such was the character of the drinking and of the recreation, would not such fellow-drinkers be the better for it, and part from one another better friends than before, instead of enemies, as now? For they would be guided by laws in all their intercourse, and would listen to the directions given to the un-sober by the sober.
CLIN. True, if it really were of the character you describe.
ATH. Then we must no longer, without qualification, bring that old charge against the gift of Dionysus, that it is bad and unworthy of admittance into a State. (671d-72a)

**LS:** So now the discussion of the symposia is finished; the Athenian has succeeded in persuading the Dorians to accept that institution . . . And now he adds one important point.

**Mr. Kaplan:** Mr. Strauss—

**LS:** Pardon?

**Mr. Kaplan:** Mr. Strauss, he mentioned . . . the previous—the Athenian Stranger mentioned in the previous speech, "Any man who refuses willingly to obey these men, and the officers of Dionysus." I don't see who are these men and who are the officers of Dionysus. Are they—

**LS:** No, I think that is an explanation: the leaders, the commanders of Dionysus, in connection with Dionysus, i.e., those over sixty.

**Mr. Kaplan:** Yes . . .

**LS:** Yes, but I did not point out too [as] we went, there were frequent references to the age class of this Dionysus chorus,[23] and they are not all in agreement. I have explained this before. Because[24] the third chorus has two meanings: first, the older citizens; and there it is hard to say where oldness begins, whether with thirty or with fifty. And then on the other hand it[25] [means] the cream of the city. And then the age does not play such a great role; I mean, they do not belong to any particular age class.

**Mr. Kaplan:** They have to be sober and sedate, it says here.

**LS:** Yes, sure.

**Mr. Kaplan:** Sure. And—but these sober and sedate people have also to get something from Dionysus . . .

**LS:** But[26] just as a good pilot is a man who is immune to seasickness, so they are immune to drunkenness.

**Mr. Kaplan:** Yes, but[27] the good pilot doesn't partake of the wind or water, but these[28] have to partake of something which is opposite to any sedateness or soberness; namely, the wine.

**LS:** Yes, but they have—

**Mr. Kaplan:** I want to . . . strange irony which . . . the sober man partaking in the symposium shouldn't be entirely unaffected by . . .

**LS:** Yes, but they join in the drinking.

**Mr. Kaplan:** Yes, I know, but—

**LS:** And they also became gayer than they were before. But that does not mean [that] they become subdued by the wine.

**Mr. Kaplan:** Yes, I understand.[29] I should like to say that there is some opposition between wine and soberness . . . here always stresses . . . people are overcome . . .

**LS:** Well, long after Plato, somebody who knew Plato very well coined the expression "sober drunkenness."[iii]

**Mr. Kaplan:** Sober drunkenness?

**LS:** Sober inebriety.

**Mr. Kaplan:** This is very interesting, sober drunkenness—

**LS:** Yes, but that is according to that view the same as philosophy. Sober and—

**Mr. Kaplan:** . . . the drunkenness of the . . . the intoxication of the . . . the intoxication of the bacchanals of the . . .

**LS:** Yes, but they are not truly intoxicated. I mean, that is meant by sobriety.

**Mr. Kaplan:** But can . . . sobriety . . . something which is entirely the opposite, but in order to have this real sobriety, the sobriety which presides over these young drunkards, you have to get a little bit of this poison, which is not yet poison, but . . .

**LS:** But must a training in courage not also be accompanied by exposure to fear?[30] [Some]

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[iii] Philo *De Ebrietate* 36. See, e.g., H. A. Wolfson, *Philosophical Foundations of Religious Philosophy*, vol. 2 (Cambridge, MA: Harvard University Press, 1947), 49-50.

people became fearful simply as they hear; [likewise], the less trained ones become simply drunk, as he said at the beginning of this discussion. So he has now proved, as far as it goes, that the symposia are useful, and even indispensable. And yet he adds something unexpected. Yes?

**Reader:**
ATH. Indeed, one might enlarge considerably on this subject, for the greatest benefit that gift confers is one which one hesitates to declare to the multitude, since, when declared, it is misconceived and misunderstood.

**LS:** Yes. So in other words, the greatest good provided by wine has not yet even been mentioned, and he will mention it now.

**Reader:**
CLIN. What is that?
ATH. There is a secret stream of story and report to the effect that the god Dionysus was robbed of his soul's judgement by his stepmother Hera, and that in vengeance therefore he brought in Bacchic rites and all the frenzied choristry, and with the same aim bestowed also the gift of wine. (672a-b)

**LS:** So Dionysus, in order to avenge himself, gave men wine. To avenge himself, to punish; wine is given to men as a punishment. That is that story[31] to which the Athenian refers. Now what does he say?

**Reader:**
ATH. These matters, however, I leave to those who think it safe to say them about deities; but this much I know,—

**LS:** Yes, now that is important. So he does not contradict that story about Hera and Dionysus. He leaves it open. But what comes now he *knows*; this distinction between what he knows and what is said about the gods, that has occurred before in a few passages. Now what does he know?

**Reader:**
ATH. that no creature is ever born—

**LS:** Say "no animal."

**Reader:** "No animal"?

**LS:** Yes.

**Reader:**
ATH. that no animal is ever born in possession of that reason, or that amount of reason, which properly belongs to it when fully developed; consequently every animal, during the period when it is still lacking in its proper intelligence, continues all in a frenzy, crying out wildly—

**LS:** "Is in a state of madness." Yes ?

**Reader:**
ATH. is in a state of madness, crying out wildly, and, as soon as it can get on its feet, leaping wildly. Let us remember how we said that in this we have the origin of music and gymnastic. (672b-c)

**LS:** Yes. Now[32] what *logos* does the Athenian oppose to that old *logos* about Dionysus? The old *logos* says that madness, and in particular the madness induced by wine, is a punishment, an act of revenge. And the truth is that madness is the original state of all living things. Madness is not a punishment, but natural. Now let us see what follows.

**Reader:**
CLIN. We remember that, of course.
ATH. Do we not also remember how we said that from this origin there was implanted in us men the sense of rhythm and harmony, and that the joint authors thereof were Apollo and the Muses and the god Dionysus?
CLIN. Certainly we remember.
ATH. Moreover, as to wine, the account given by other people apparently is that it was bestowed on us men as a punishment, to make us mad; but our own account, on the contrary, declares that it is a medicine given for the purpose of securing modesty of soul and health and strength of body.
CLIN. You have recalled our account admirably, Stranger.

**LS:** So wine is a cure for madness, a remedy for madness, not productive of madness. Madness is the primary condition of all living beings. Yes? And that is the greatest good, that one realises that, that one realises the error underlying that old story and the truth of the present *logos*. Yes?

**Reader:**
ATH. We may say, then, that the one half of the subject of choristry has now been disposed of. Shall we proceed at once to deal with the other half in whatever way seems best, or shall we leave it alone? (672c-e)

**LS:** Now you see we are at the end[33] of the discussion of music in the wide sense of the word "music," but another subject is closely connected with it. Yes?

**Reader:**
CLIN. What halves do you mean? How are you dividing the subject?
ATH. In our view, choristry as a whole is identical with education as a whole; and the part of this concerned with the voice consists of rhythms and harmonies.
CLIN. Yes.
ATH. And the part concerned with bodily motion possesses, in common with vocal motion, rhythm; besides which it possesses gesture as its own peculiar attribute, just as tune is the peculiar attribute of vocal motion.
CLIN. Very true.
ATH. Now the vocal actions which pertain to the training of the soul in excellence we

ventured somehow to name “music.”
CLIN. And rightly so.
ATH. As regards the bodily actions which we called playful dancing, —if such action attains to bodily excellence,—

**LS:** No, “which we call dancing in the case of those who do it playfully”; because there are other trainings of the body except dancing. Yes?

**Reader:**
ATH. we may term the technical guidance of the body to this end “gymnastic.”
CLIN. Quite rightly.
ATH. As to music, which was referred to when we said a moment ago that the one half of choristry had been described and disposed of,—let us say the same of it now; but as to the other half, are we to speak about it, or what are we to do?
CLIN. My good sir, you are conversing with Cretans and Lacedaemonians, and we have discussed the subject of music; what reply, then, to your question do you suppose that either of us will make, when the subject left still untouched is gymnastic?
ATH. You have given me a pretty clear answer, I should say, in putting this question. Although it is a question, I understand it to be also (as I say) an answer—or rather, an actual injunction to give a full account of gymnastic. (672e-73c)

**LS:** Questions can be answers, yes? That is of some importance in connection with all Platonic dialogues. Yes? There is no question which does not presuppose an answer . . . of course, in this special case that is[34] of less interest, but the general formulation which he uses is quite striking, that[35] being a question, it is the answer. Yes?

**Reader:**
CLIN. You have grasped my meaning excellently: please do so.
ATH. Do it I must; and indeed it is no very hard task to speak of things well known to you both. For you are far better acquainted with this art than with the other.
CLIN. That is about true.
ATH. The origin of the play we are speaking of is to be found in the habitual tendency of every living creature to leap; and the human creature, by acquiring, as we said, a sense of rhythm, generated and brought forth dancing; and since the rhythm is suggested and awakened by the tune, the union of these two brought forth choristry and play.
CLIN. Very true. (673c-d)

**LS:** Here that is the last word on this subject. So the whole of choristry and its starting point is altogether natural; the restlessness of the young, this madness, is according to nature. And then the human animal, as distinguished from the other animals, has generated the choristry. There is no reference here any more to the gods. Yes?

**Reader:**
ATH. Of choristry we have already discussed the one part; and we shall next endeavor to discuss the other part. (673d)

**LS:** Yes. Immediately after. Now that would mean "we will now turn to gymnastic," but that is not done. Not only is there a brief passage concluding the second book, but the whole third book does not deal with gymnastics, it deals with the city. With the city.[36] Can the city and the body—for it is the body with which gymnastics is concerned—[37] be interchangeable, and from what point of view? Now if you remember again the *Republic*, there that first city which Glaucon calls the city of pigs is called by Socrates the true city. Now this true city is concerned only with the satisfaction of bodily wants.[iv] On the day of his death, Socrates says that the bodily desires are the thing from which the wars stem.[v] Now the city and war, they somehow are inseparable from one another. If war stems from that, the body, the city too stems from the body. So[38] I think this difficulty is soluble. Yes. Mr. Berns?

**Mr. Berns:** Why do you say that the healthy city is only concerned with the satisfaction of bodily wants, since they also sing hymns?

**LS:** Yes, there is a certain difficulty here, but[39] perhaps regarding the other ends which the city has, they[40] cannot be understood in the way in which the city pursues them, except in the light of the fact that the city is concerned with the body. There is a certain limitation of the other ends, a limitation induced by the body.

**Mr. Berns:** Do you mean that they only understand the gods insofar as the gods provide them with bodily wants?

**LS:** I beg your pardon?

**Mr. Berns:** Do you mean that they only understand the gods as those who provide them with their bodily needs?

**LS:** But how do you bring the gods in?

**Mr. Berns:** Well, the hymns in the healthy city.

**LS:** [41]Oh yes, in the *Republic*?

**Mr. Berns:** Yes.

**LS:** Yes, but[42] would this not be true, that the only songs you find in that first city are hymns to the gods? Now what are they concerned with, the citizens of the first city? With satisfying their bodily needs, procreation, and living peacefully with one another. Yes? And then the gods would come in[43] within this context. Now let us first finish the second book. Yes?

**Reader:**
CLIN. By all means.
ATH. But, if you both agree, let us first put the finishing stroke to our discourse on the

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[iv] Plato *Republic* 369b-372d.

[v] Plato *Phaedo* 66c.

use of drink.
CLIN. What, or what kind of, finish do you mean?
ATH. If a State shall make use of the institution now mentioned in a lawful and orderly manner, regarding it in a serious light and practicing it with a view to temperance, and if in like manner and with a like object, aiming at the mastery of them, it shall allow indulgence in all other pleasures, —then they must all be made use of in the manner described.

**LS:** That is not developed in any way,[44] what he says here, "all other pleasures, insofar as they serve self-control, must be permitted," but this is a big "insofar." That has nothing to do with permissiveness, but with the opposite of permissiveness. Yes?

**Reader:**
ATH. But if, on the other hand, this institution is regarded in the light of play, and if anyone that likes is to be allowed to drink whenever he likes and with any companions he likes, and that in conjunction with all sorts of other institutions,—then I would refuse to vote for allowing such a state or such an individual ever to indulge in drink, and I would go even beyond the practice of the Cretans and the Lacedaemonians;—

**LS:** Now listen carefully:[45] as regards unsupervised symposia[46] or unsupervised drinking, he would go even further than the Dorians,[47] which seems to imply that the Dorians were not so strict in forbidding wine drinking as we were sometimes induced to believe. Now what would he do?

**Reader:**
ATH. and I would go even beyond the practice of the Cretans and the Lacedaemonians; and to the Carthaginian law, which ordains that no soldier on the march should ever taste of this potion, but confine himself for the whole of the time to water-drinking only, I would add this, that in the city also no bondsman or bondsmaid should ever taste of it; and that magistrates during their year of office, and pilots and judges while on duty, should taste no wine at all; nor should any councillor, while attending any important council; nor should anyone whatever taste of it at all, except for reasons of bodily training or health, in the day-time; nor should anyone do so by night—be he man or woman—when proposing to procreate children. (673d-74b)

**LS:** Yes. It is not quite clear whether all these things were permitted, or at least not sufficiently prohibited, in Sparta. But there is a clear indication[48] in the very beginning of the passage here that, as for unsupervised drinking, the Spartan or the Dorian practice is too lax for the Athenian's taste. Yes?

**Reader:**
ATH. Many other occasions, also, might be mentioned when wine should not be drunk by men who are swayed by right reason and law. Hence, according to this argument, there would be no need for any State to have a large number of vineyards; and while all the other agricultural products, and all the foodstuffs, would be controlled, the production of wine especially would be kept within the smallest and most modest dimensions. Let

this, then, Strangers, if you agree, be the finishing stroke which we put to our discourse concerning wine.
CLIN. Very good; we quite agree. (674b-c)

**LS:** So[49] almost the whole first two books are devoted to the speech or the discourse on wine. And we have seen what the Athenian made with this proposal which arose naturally in the discussion because, as you remember, the Athenian was attacked by the Dorians because he had questioned[50] the Spartan and Cretan *syssitia*, common meals. And then they replied: But what about your common drinking, your symposia? And then the Athenian had to justify this Athenian institution, and so on. I do not have to repeat that now. [This led] to a discussion of the laws; and of special importance was that passage in the first book at 631 and 2, where he presented the ends which the legislator must have in view. We can say with a slight exaggeration,[51] [these ends] are the virtues[52] in their proper rank, established by nature. And one can say: Is this not enough for the legislator, and why does he not show in the sequel how the various virtues are fostered by the good city in proper proportion? Why does he have to go into a complex argument regarding the city and even the genesis of the city? I believe we must raise this question. Could one not write principles of legislation, as someone did, without raising the question of the city? Especially if the ends are so massive and so impressive as the virtues and their intrinsic order. But—

**Mr. Gary:** Doesn't it become a question of what the meaning of government is? If it is to induce people to live a good life, or if it is to make possible among many people that some people live a good life? It seems that here these laws are being made for the purpose of having everyone live a life that is of some merit, some value.

**LS:** Well, is this not, prior to investigation, the more sensible objective? Why should one unnecessarily restrict it to a few, if all can participate in it?

**Mr. Gary:** Maybe all can't participate in it.

**LS:** Yes, we haven't heard anything to this effect yet.

**Mr. Gary:** But that would be a reason.

**LS:** Perhaps, yes, but I believe one could say more simply that perhaps one does not understand these virtues of which you have spoken unless one takes into consideration the city, which these virtues serve even when they transcend the city. So one must understand the city if one wants to have an understanding of the virtues. And that, incidentally, is in perfect agreement with the *Republic*, because there[53] the question concerns one virtue above every other, justice, and[54] Socrates cannot clear up what virtue is without a study of the city. The[55] political reasoning of Socrates in the second book begins with the words *gignetai polis*:[56] "a city comes into being." And in the same way he speaks here also of the coming into being of the cities. But it is important also to consider the difference between the *Republic* and the *Laws*. In the *Republic* Socrates says to his interlocutors, they should look together at the coming into being of the city. But it appears soon that they do not merely look at something which happens without their doing something, but that they are makers of the city, founders of the city, and then[57] reason is in

control from the very beginning because Socrates, Glaucon, Adeimantus take care of that. And at the end of this process, reason in its highest and purest form controls the city in broad daylight. That is the situation in the *Republic*. And in the *Laws*[58] [the Athenian Stranger] proceeds in an entirely different way. In the *Laws* he speaks of the coming into being of cities as it actually happened, and there is no question of the Athenian Stranger and the two Dorians making or founding a city. Why should he proceed so differently here? Is[59] there something unsatisfactory in the *Republic*, in the procedure of the *Republic*?

**Mr. Gary:** Maybe there's something incomplete.

**LS:** Pardon?

**Mr. Gary:** Maybe there's something incomplete. Maybe with respect to what the *Republic* is doing it is satisfactory, but it is incomplete with respect to the whole.

**LS:** To which whole?

**Mr. Gary:** Well, the political things, I suppose, involve those political things which can be effected on the level of action; those political things which are not to be effected on the level of action, but which are to be striven for above the level of legislation—

**LS:** In the *Republic*?

**Mr. Gary:** In the *Republic*, and in the *Laws* there might be some suggestions which are more specific in the sense that they're more capable of becoming concrete.

**LS:** Is not the whole city as presented in the *Republic*, in the whole *Republic*, this perfect city? And the imperfect cities of the *Republic* come into being through the decay of the best city. But is this wonderful city somewhere?

**Mr. Gary:** No, it is *utopos*.

**LS:** [60]Yes, one can say that, "utopia."[61] The man who coined that term knew Plato very well, the *Republic* surely.[vi] One can say that, yes. So[62] to use an expression which Plato uses, that is something for which one would long or pray or wish, but which would not attract the spontaneous interest of experienced political men. And here he talks with experienced political men, and therefore he begins differently.

**Mr. Gary:** Could you[63] help me to get even more concrete by going into this and just giving a description of how a symposium would be, what exactly the members of the Dionysian chorus, the ones that were responsible for being the masters of the symposium—could you tell how it would happen, what kinds of things would they do? Would they have a stick, or what? How would they handle the people?

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[vi] The name "utopia," meaning "no place," was coined by Sir Thomas More.

**LS:** [64]Not *they*, but there might very well be a kind of policemen around. Yes? Probably slaves, who would take care of people who are too unruly.

**Mr. Gary:** And they would do so under the direction of the masters.

**LS:** Yes, yes, of the banquet master, of the master of ceremony. But I don't see the connection with[65] the beginning of the third book.

**Mr. Gary:** Oh, no, I wasn't . . . of that.

**LS:** Yes. Now let me come back to one point,[66] looking back at the *Republic*. In the *Republic*, to repeat, the best city precedes the imperfect cities of various kinds, and in the *Laws* that is not so. The imperfect cities precede the best city here discussed. Now we have found something similar in the discussion of wine drinking. There we learned that the primary state of man, of all living beings and in particular of man, is madness, i.e., the extreme of irrationality. In the *Republic* we have complete rule of reason in the formation of the city and within the city itself. But here we start from the opposite premise, the primacy of irrationality, and therefore we can speak about the cities that have been and of which one has some knowledge.

**Student:** Could you explain what sober drunkenness is?

**LS:** I beg your pardon?

**Student:** Sober drunkenness . . . what sober drunkenness is?

**LS:** Yes,[67] Plato didn't[68] use that term in this form. That was coined after Plato, by Philo.

**Student:** . . . seems like a contradiction.

**LS:** Yes. Well,[69] if you speak of sane madness, that is also a contradiction. Yes? And can this not mean something? I mean,[70] there is madness, but there is also a madness which is sober. And by this I do not mean a madness which has method, because that would be worse than ordinary madness.[71] There is a madness which antedates order, yes, puppies and so, but also human puppies. And there is also madness which transcends the order, namely, the legal order. But because it transcends the legal order, it has an ingredient of sobriety which ordinary madness does not have. Does this make sense? Yes?

**Student:** Mr. Strauss, I believe I heard you speak of a poetical praise of the virtues that Plato would approve of, as opposed to a mere tract. One might gather this is . . . *Republic* . . .

**LS:** Yes, one could get the impression, could one not? Yes. I do not know any modern examples. But I believe we all have read in school[72] praises of virtues and blames of vice which we found later on very insipid[73] because they lacked that poetic quality. Yes? I do not know whether you know that poem by Kipling—what is the title? I like it very much, but that is of course my simplicity. Oh, that is so well known.

**Different student:** . . . "White Man's Burden".

**LS:** "If" "If," "If." Yes. Can you quote[74] a stanza?

**Student:** I'm afraid not.

**LS:** Yes, you should be afraid.

**Student:** "If you can keep your head while all about are losing theirs, then you'll be a man, my son."

**LS:** Yes, well, with the decay or destruction of the British Empire,[75] Kipling has lost very much of his former reputation. Yes? But at any rate[76] this would be such a—

**Student:** Well, what I was wondering about was the specifically poetical character of this praise . . . the pleasure that one would receive in hearing it . . . You speak of the poetic character of the praise, which I think would be not at real odds with what Plato is saying, but its poetical character would be the praise, it would be the pleasure . . . praise?

**LS:** Yes, that would be a good question, but at any rate I cannot answer your question. I cannot give an example now. But does it not make sense to make this distinction[77] between would-be poems praising virtue and blaming vice and true poems which do that?

**Student:** Wasn't that what Socrates . . .

**LS:** Pardon?

**Student:** Socrates in the *Republic* talks about the beginning of the *Iliad* as just without all the poetic elements—that . . .

**LS:** Yes,[78] you mean omitting the meter and all these things. But that is in a different context.[79] Of course, also by omitting[80] such words as those used by Achilles against Agamemnon and so on; one could say that. But then it is no longer poetic. Yes, that would be the right answer.[81] Socrates takes the poetry out of it in order to put poetry down.

**Student:** But wouldn't that be permitted in the city?

**LS:** Pardon?

**Student:** But would not that story be admitted into the city?

**LS:** But Socrates uses that for a very particular, special reason, namely, in order to make clear—to Adeimantus, I believe—what the difference between a drama and a narrative is, and not in order to make clear what good poetry is.

**Mrs. Kaplan:** . . . poetry. May I return to—this is at page 151. At the beginning, he said that "It

is not necessary for the poet, for him, to know this third point also, namely, whether the representation is noble or ignoble, base." Well, frankly, I don't—that is a very strange statement. I don't understand how the poet can be truthful to truth without distinguishing between the noble and the base. And if he definitely knows this . . . according to the Cretan . . . two pages before, he is not—this is not a real art.

**LS:** Yes, yes.

**Mrs. Kaplan:** So—

**LS:** That is one way of looking at it.

**Mrs. Kaplan:** So he has to understand. But[82] maybe this means that he is not obliged—

**LS:** Yes, but—yes?

**Mrs. Kaplan:** to present always the knowledge he knows—

**LS:** Yes, but he—

**Mrs. Kaplan:** maybe he presents the . . . and then the state decides what can definitely—

**LS:** But he says explicitly, there is no necessity for the poet[83] to *know* these things. It is not a matter of uttering or not uttering, but of knowing. That is something which comes in from the outside. Now[84] let us assume this were not so.

**Mrs. Kaplan:** But that is my point: it cannot be coming from outside, because that way art would be not art, in the understanding of Plato. Without knowledge of what is truth, you cannot be an artist. Without [knowledge of what] in truth is noble and ignoble, base. If a poet looks at something which is base and does not know that it is base, he cannot—it cannot . . .

**LS:** Yes,[85] there are some differences, there is a certain ambiguity [about] what is noble and what is base. For example, say, on any reading of the *Iliad,* the baseness of Thersites is made very clear. But what Achilles says to Agamemnon is[86] not base from every point of view, unless you are very strict as to what subjects might say to their rulers.

**Mrs. Kaplan:** Well, maybe it is not strict. I may—I have another quarrel . . . both ancient and till our time, speak—the poets speak of poetical madness. They talk and they speak as if inspired, without knowledge. But it starts with Plato. Plato, in *Ion*, just does not want this. You have to know what you talk about. So this is—I mean, I don't, I just, it strikes me . . . it strikes me as kind of strange.

**LS:** Yes, it is very strong, but I think it is intelligible. For example, what Achilles says to Agamemnon is not simply base. It is only base[87] if you take such a strict view of civil obedience as Plato takes in the *Republic*. Then it is bad. But otherwise, if a man in some important respects superior[88] to Agamemnon, as Achilles is, becomes impatient and gives him a piece of his mind,

it is hard to find that base.

**Mrs. Kaplan:** Well, we can say that . . . Homer knew what he was doing with full knowledge that . . . answers. This I repeat: I don't understand how it is completely possible to exclude the knowledge of the noble and base and any knowledge . . .

**LS:** Then one can easily add, as understood by the Stranger here, they don't know truly the noble and the base. But without some knowledge of them one couldn't talk about human beings. But on the other hand, if you were right, then the poets would not be in need of supervision and they would be the rulers of the city. And that is not possible for other reasons.

**Mrs. Kaplan:** No, I mean, the state, the republic . . .

**LS:** Pardon?

**Mrs. Kaplan:** The republic, the state, the law-creator, the lawmaker need supervision, because[89] base poetry is not good for citizens. But the base poetry done with knowledge of [a] poet who knows . . . So supervision is necessary, I guess. It's necessary—I mean, in the *Republic* it is there, and leads to their needing supervision, finally.

**LS:** Here is supervision.

**Mrs. Kaplan:** Yes.

**LS:** In the *Republic* it is in some ways much more strict than [here].

**Mrs. Kaplan:** Yes. But you say the truth—truly knowledge—it is really difficult, because what is good and what is bad . . . supervisor does not know—the state does not know either; you know, that the—take the example of the contemporary Russian state that . . . know which poets . . .

**LS:** [90]But that is a tyranny, that is the worst possible regime. And[91] you cannot expect anything decent there except in opposition to the regime.

**Mr. Gary:** Mr. Strauss? I was thinking in connection with what Mrs. Kaplan was saying about the possibility of a poet who was not a philosopher but[92] had a certain amount of philosophical insight, and he maybe would write poetry not about the noble things but about things that were not so noble. And yet perhaps his poetry would be permissible: I'm thinking now of Moliere's *Tartuffe*.[vii]

**LS:** Yes.

**Mr. Gary:** Or perhaps *Henry the Fourth, Part I*.[viii] Something like that, is that what—

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[vii] Tartuffe pretends to be pious but attempts to seduce his stepmother in the play.

[viii] Henry and Falstaff become involved in criminal activities in Shakespeare's "*Henry IV*."

**LS:** And from a certain point of view, even *Madame Bovary*.[ix]

**Mr. Gary:** *Madame Bovary*.

**LS:** As a blame of adultery—[it] can be read that way.

**Mr. Gary:** Would these be the kind of things that would be admissible?

**LS:** Yes, but that is the question, you see, because in Flaubert's time—and by the way also in Moliere's time[93]—there was a great big outcry on the part of the proper people in France, that this is an immoral novel, you know, because one shouldn't describe such things as he describes.

**Mr. Gary:** What do you think?

**LS:** Well, I think Flaubert gave a good answer. He said: What could he do, but that he brought her to every possible indignity, including suicide. So that is not a recommendation of adultery, and I believe that is a . . . case. But Plato would not tolerate that.

**Mr. Gary:** He would not tolerate *Tartuffe* either?

**LS:** That is another matter because, after all, he wrote the *Euthyphro*, which is not identical with the *Tartuffe*, of course, but[94] [Euthyphro] has some few things in common with Tartuffe. The problem of false piety, that is common to both, only Euthyphron is not what they call a hypocrite. He is crazy. But still, it is also a false form of piety. Yes, that is of course a great question: To what extent would the Platonic dialogues be possible in the Platonic state?
And I think Plato could very well say: Well, if that state is established, then they should burn my dialogues.

**Mr. Gary:** Yes?

**LS:** Beause that is—

**Student:** Including the *Republic*?

**LS:** Perhaps, yes. Say,[95] including book 1 of the *Republic*—you know, Thrasymachus and all that sort of thing. Yes, but this is however a very vain and idle speculation, because the Platonic republic hasn't existed, doesn't exist, and will not exist; and therefore we still need the Platonic dialogues.

**Mr. Kaplan:** Mr. Strauss, I think we have to exclude also the book in which he says that the good ones don't know the right number . . .

**LS:** It might, yes.[96] There are some other difficulties. Yes?

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[ix] Flaubert's novel is a tale of adultery.

**Student:** What[97] Plato is arguing against in the *Republic* is[98] not poetry as such or pleasurable imitation, but pleasurable imitation which hinders the citizens in the practice of their moral virtues. Is that right?

**LS:** Yes. Yes, sure, sure.

**Student:** Then the poetry which would be left over would serve a function similar to that of religion for the city.

**LS:** Yes, that is hard to say. That's hard to say.

**Student:** What I was thinking is that the people at large, not all being of the intelligence of the philosopher, may need an essential embodiment even though it may be grossly inaccurate; but what they hold or what they are told is true[99] may fall short of anything the philosopher will require because it falls short of pure truth. But it may be necessary for the body of the community at large to have embodied the truth in a . . . shape so that they can contemplate it, especially if it complements the exercise of their civic duties.

**LS:** You remember that he spoke somewhere of "virtue, or some *image* of virtue." And one may very well have to be satisfied with some image of virtue, and that would mean this kind of thing you have in mind. Yes? But that of course also leads to difficulties, because [some] people[100] mistake the image for the original, what in the language of the Bible would be called idolatry.[101] Something must be done to prevent that. Yes, we have perhaps not answered one question, or did we?[102] It is simple to understand that in order to understand the virtues properly, one must know the city, what it is, [but] why the concern with the genesis of the city? And he begins the third book with the question of the genesis of the city. And I do not know whether we have answered that yet. In book 3, the Athenian Stranger gives something which in our language would be called a history of the human race, from the beginning up to historical time, the Persian Wars. But of course the[103] very word "history" is not applicable to what Plato has in mind. We must try to understand it without using that word and, on the other hand without falling back on artificial substitutes for it. We must see that. Yes?

**Dr. Kass:** I'm not sure I understand the drift of the question. Is the question you are asking why does the discussion begin with the origin of real cities, or why does one look for virtue beginning with the origins? Since the latter question you could ask of both the discussion of the *Republic* as well as this discussion.

**LS:** Yes. Well, in both cases, I meant the question of origin in general. I mean, assuming that it is clear that they must start with the city, why the origins of the city? This is indeed the same in both works. And I believe it is the case that without going into the question of the origin, one cannot understand the context within which cities exist: the conditions as well as the limitations of cities cannot be understood otherwise. And the two alternatives are presented here by the *Republic* on the one hand and the *Laws* on the other. In the *Republic*, reason is in complete control in the foundation of the city and also within the city itself. Here, original madness—to exaggerate a little, but also to show the link with the second book—original madness, disorder,

and how this can become order. Those are the kind of questions with which later thinkers also were concerned, men like Hobbes and Locke, and what came to be called the question of the state of nature. There are many agreements[104] on particular points between Hobbes and Plato; there are not less negligible differences. Now is there anything else you would like to discuss? Mr. Berns?

**Mr. Berns:** The laws of the first state might tend to deter things; or those things which were first. Let me put it this way: Why should the things which were first give a fundamental clue to the things which are always?

**LS:** . . . Men's original condition, and that is first. And what do you mean by "what is always"?

**Mr. Berns:** Well, from one point of view people have argued that Plato is indifferent to history—

**LS:** Yes, but this—the world doesn't—

**Mr. Berns:** Because he doesn't represent the true nature of man.

**LS:** Oh, this simplistic . . . yes. No, this is surely not sufficient. I mean, how could he be concerned with such proof as the difference between the Dorians and the Athenians, and whether the victory in the Persian Wars was due chiefly to the land forces or to the navy? These are all what they would call today historical questions. To say nothing of Socrates himself, who also was a man who lived in the flesh and whom Plato imitates throughout this work. But this doesn't make sense, as if one could not see through the perishable the imperishable. One doesn't have to know Plato to see that. Thucydides, who is regarded as a historian and even as a scientific historian, and he writes a possession for all times: Why? Because he has seen through the Peloponnesian War and everything going with that, in its political history; he has seen what is always. And the modern objection is that what they have seen is not truth eternal but only the impermanent. That it was true only as Thucydides understands it; and after Alexander the Great he goes into the dustbin of history, as I believe some people call it, yes? But this doesn't make sense.

**Mr. Berns:** Well, I'm really not clear about the answer you gave to that question. To understand the context—

**LS:** Well, let me state it differently. Does it not make a difference whether the human race had a perfect or an imperfect beginning? Because if it had a perfect beginning, its imperfection could be seen: its present imperfection could be due to human fault or sin. But if the beginning was imperfect, then it is possible that all the troubles we have are only[105] a modified version of the imperfections our first ancestors had, so to speak, from the very beginning. So the question of whether the beginnings were perfect or imperfect is, I believe, of some importance for understanding the city. Compare only the account which he gives in the beginning of the third book with the biblical account, especially with the biblical account as traditionally understood—and one sees, I think, there is nothing here of a golden age, to use the Greek, but fear, solitude, poverty.

**Mr. Berns:** But even if the beginnings were imperfect, that does not tell one that these imperfections were rooted in the permanent nature of things.

**LS:** Yes, but . . . you mean one could abolish these imperfections. I know, that is a possible supposition that was made, and is being made, if I am informed of what is going on, up to the present day. Yes, that *could* be, surely; but then the question arises . . . you see, it would come up in a somewhat different manner. For instance, the view which is underlying the popular notion today, somehow connected with science: there was a beginning of the human race and there will be an end of the human race. The human race is perishable. Could this perishability not show itself in unexpected quarters as the reason of defective arrangements, and so on? That is the question. I believe one cannot do what Friedrich Engels did, when he said: Well, we don't have to worry about that end because we are still on the ascending scale, and what becomes later on is none of our worry.[x] I believe it's not a practical worry, but it is, I believe, something we have to consider. But at any rate, the question of the imperfect or perfect beginning with which we have to deal here throws light on the city and on all human affairs. But as we read here, there is no question of a first man in Plato, because[106] what we call the first men are only the survivors of a flood. There were those before them, so that there are no first men, strictly speaking. I think we should stop here.

[1] Deleted ". . . . that we have met, and so I suppose it is particularly necessary that."

[2] Deleted "Which or what—."

[3] Deleted "in."

[4] Deleted "to whatever Plato's—."

[5] Deleted "that."

[6] Deleted "by the–."

[7] Deleted "that—."

[8] Deleted "now—."

[9] Deleted "225."

[10] Deleted "more simple."

[11] Deleted "that."

[12] Deleted "the heart of a dog."

[13] Deleted "this."

[14] Deleted "that."

[15] Deleted "are the—."

[16] Deleted "but not—."

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[x] Engels, *Ludwig Feuerbach und der Ausgang der deutschen Philosophie* (1886). Translated in English as *Ludwig Feuerbach and the End of German Classical Philosophy*.

[17] Deleted “to some—.”

[18] Deleted “of—.”

[19] Changed from “This—it is indeed only the other side of the willingness and ability to say everything, that one is unwilling to hear, not only to the other fellows at the drinking-party, but, the most important case, to authority.”

[20] Deleted “because—well.”

[21] Deleted “has but.”

[22] Deleted “the men who are in control, in supervision, are.”

[23] Changed from “yes, there was—we—but I have not pointed out too that while we went there were frequent references to the age class of this Dionysus chorus.”

[24] Deleted “there are—.”

[25] Deleted “is.”

[26] Deleted “they are—.”

[27] Deleted “the good pilot—.”

[28] Deleted “partake—they.”

[29] Deleted “what I want to say is that—.”

[30] Deleted “to fear, and to—even to—.”

[31] Deleted “which—.”

[32] Deleted “what does—.”

[33] Changed from “so now we have really—we are now at the end final.”

[34] Deleted “more—.”

[35] Deleted “a question—.”

[36] Deleted “in—.”

[37] Deleted “can the city and body—and the body.”

[38] Deleted “this—.”

[39] Deleted “perhaps—.”

[40] Deleted “are—.”

[41] Deleted “at the begi—.”

[42] Deleted “is this not true, that—.”

[43] Deleted “in this context.”

[44] Deleted “but.”

[45] Deleted “he would—.”

[46] Deleted “he would—.”

[47] Deleted “so this—.”

[48] Deleted “here.”

[49] Deleted “the—.”

[50] Deleted “of.”

[51] Deleted “this end.”

[52] Deleted “is virtue.”

[53] Deleted “he does not deal—.”

[54] Deleted “then he cannot clear up—.”

[55] Deleted “reasoning of—the.”

[56] Deleted “‘a polis comes—.’”

[57] Deleted “they bring about here in that city which they produce—.”

[58] Deleted “he.”

[59] Deleted “something—is.”

[60] Deleted “one—.”

[61] Deleted “that was a—.”

[62] Deleted “it is.”

[63] Deleted “help—could you.”

[64] Deleted “no, possibly they have—also.”

[65] Deleted “this here, what—with.”

[66] Deleted “in—.”

[67] Deleted “no.”

[68] Deleted “call—.”

[69] Deleted “you can also say, if you use—someone—.”

[70] Deleted “there is—there is both—.”

[71] Deleted “A transcen—a madness which—.”

[72] Deleted “very—.”

[73] Deleted “and—.”

[74] Deleted “a ver—.”

[75] Deleted “this—.”

[76] Deleted “this is—.”

[77] Deleted “between poetry which merely—I mean.”

[78] Deleted “that is not quite—without—with certain—.”

[79] Deleted “It would still retain—yes.”

[80] Deleted “the words—.”

[81] Deleted “the—he—.”

[82] Deleted “he—.”

[83] Deleted “to know—.”

[84] Deleted “what would the.”

[85] Deleted “it all dep—.”

[86] Deleted “not so ba—.”

[87] Deleted “when you—.”

[88] Deleted “to Achilles—.”

[89] Deleted “the base—.”

[90] Deleted “No, yes, well—no.”

[91] Deleted “they.”

[92] Deleted “he.”

[93] Changed from “Yes, but that is the question, you see, because at—in Flaubert's time, there was—by the way also in Moliere's time—but in Flaubert’s time.”

[94] Deleted “which has—he.”

[95] Deleted “including Books two—no.”

[96] Deleted “that would—.”

[97] Deleted “would be exclude—what.”

[98] Deleted “that it’s.”

[99] Deleted “this.”

[100] Deleted “who.”

[101] Deleted “this is then—.”

[102] Deleted “that while.”

[103] Deleted “word—.”

[104] Deleted “between.”

[105] Deleted “in.”

[106] Deleted “these are.”

**Session 9: no date**

**Leo Strauss:** [In progress] —it irrationality. I remind you[1] of the myth of the *Statesman*, where it is explained that human rule over men, human government, is necessary in that period in which the god has withdrawn from the government of the world,[i] that is to say, in a period in which reason does not rule. Now[2] this beginning [will] be characterized by complete irrationality, but the Athenian looks at the beginning in the light of the grievous defects of human life as we know it. Viewed in that light the beginnings appear to be rather good. Now this is in conformity with the view which suffuses the conversation of the three old men, that the good is the old and hence the best is the oldest, that is to say, the opposite of what I suggested shortly before: complete irrationality or the best. We must see how the Athenian overcomes this difficulty. And so[3] let us turn to the text, unless[4] I have not succeeded in making clear the fundamental difficulty underlying this whole section we are going to read. On the one hand the suggestion of complete irrationality, and on the other of being best. What is the true situation? Now Mr. Gary, will you begin to read, please?

**Reader:**
ATH. So much for that, then! Now, what are we to say about the origin of government? Would not the best and easiest way of discerning it be from this standpoint?

**LS:** From "this," namely, from[5] [what] he[6] is going to explain, yes? "From the following standpoint," we might say. Yes?

**Reader:**
CLIN. What standpoint?
ATH. That from which one should always observe the progress of States as they move towards either goodness or badness.
CLIN. What point is that?
ATH. The observation, as I suppose, of an infinitely long period of time and of the variations therein occurring.
CLIN. Explain your meaning.
ATH. Tell me now: do you think you could ever ascertain the space of time that has passed since cities came into existence and men lived under civic rule?
CLIN. Certainly it would be no easy task.
ATH. But you can easily see that it is vast and immeasurable?
CLIN. That I most certainly can do.
ATH. During this time, have not thousands upon thousands of States come into existence, and, on a similar computation, just as many perished? (676a-b)

**LS:** Now let us stop here just for one moment. He does not say unambiguously that there is an infinite time, but surely[7] it is much longer than any man can count; and also the human race is immeasurably old. But cities have come into being and perished and undergone other changes to our knowledge, as we have observed, and therefore cities are not always. The human race, and

[i] Plato *Statesman* 268-274e.

time, is always, at least as far as we know. Yes?

**Reader:**
ATH. And have they not in each case exhibited all kinds of constitutions over and over again? And have they not changed at one time from small to great, at another from great to small, and changed also from good to bad and from bad to good?

**LS:** He[8] mentions all kinds of changes, of course with the exception of local change; ordinarily a city, if it changes its place, is no longer the city it was before. It could happen, but it is unlikely. But qualitative, quantitative changes, as well as comings-into-being and perishings,[9] them we know. Yes?

**Reader:**
CLIN. Necessarily.
ATH. Of this process of change let us discover, if we can, the cause; for this, perhaps, would show us what is the primary origin of constitutions, as well as their transformation.

**LS:** Yes, that is a hard sentence, isn't it? That we want to discover the cause or the ground of this change: coming into being, getting smaller, getting better, and so on. And if we know the cause of that change, we will know what the beginning of political life is. Yes?

**Reader:**
CLIN. You are right; and we must all exert ourselves,— you to expound your view about them, and we to keep pace with you.
ATH. Do you consider that there is any truth in the ancient tales?
CLIN. What tales?

**LS:** So in other words, the ancient tales, to which he has not referred hitherto, are not said to be simply true. They may contain some truth; and even Clinias agrees with that, that they are not simply true, which is very important in the light of what we have seen at the beginning of the *Laws*. Yes?

**Reader:**
ATH. That the world of men has often been destroyed by floods, plagues, and many other things, in such a way that only a small portion of the human race has survived. (676c-77a)

**LS:** Yes.[10] In other words, the human race is always, but there are catastrophes from time to time in which *almost* the whole human race perishes. Why the human race doesn't perish as a whole, that is not stated here, and it is never explicitly stated by Plato. And in other ancient doctrines[11] the opposite was assumed, and on the basis of this argument: if almost the whole human race can be destroyed by catastrophe, why should not[12] the whole human race in this way be destroyed? It is not quite easy to give an answer to that. But Plato and Aristotle assume that there will always be a small remnant. Yes?

**Reader:**

CLIN. Everyone would regard such accounts as perfectly credible.
ATH. Come now, let us picture to ourselves one of the many catastrophes,—namely, that which occurred once upon a time through the Deluge.

**LS:**Yes, through a flood. So in other words, there are many[13] various kinds of causes; and now[14] we consider a single one, and one which has occured through a flood. Alternatives are not considered here: not any flood, but one particular flood,[15] of which they know through the ancient speeches, ancient *logoi*. Yes?

**Reader:**
CLIN. And what are we to imagine about it?
ATH. That the men who then escaped destruction must have been mostly herdsmen of the hills, scanty embers of the human race preserved somewhere on the mountain-tops.
CLIN. Evidently.
ATH. Moreover, men of this kind must necessarily have been unskilled in the arts generally, and especially in such contrivances as men use against one another in cities for the purposes of greed and rivalry and all the other villainies which they devise one against another.
CLIN. It is certainly probable.
ATH. Shall we assume that the cities situated in the plains and near the sea were totally destroyed at the time?
CLIN. Let us assume it. (677a-c)

**LS:** Yes, one could perhaps translate somewhat more literally: "Let us posit that." That is one particular assumption, because there is an alternative that is discussed in the *Timaeus*, where the destruction happens through fire and[16] where the people living on mountains are destroyed and those living in the plain are preserved.[ii] Why the Athenian concentrates on the destruction by a flood, that must appear from what follows. Hitherto he has not given any explanation. Only he has indicated that this is not necessary, to begin with a flood; it could also be a catastrophe of a different kind. Yes?

**Reader:**
ATH. And shall we say that all implements were lost, and that everything in the way of important arts or inventions that they may have had,—whether concerned with politics or other sciences,—perished at that time? For, supposing that things had remained all that time ordered just as they are now, how, my good sir, could anything new have been ever invented?
CLIN. Do you mean that these things were unknown to the men of those days for thousands upon thousands of years, and that one or two thousand years ago some of them were revealed to Daedalus, some to Orpheus, some to Palamedes, musical arts to Marsyas and Olympus, lyric to Amphion, and, in short, a vast number of others to other persons, all dating, so to say, from yesterday or the day before? [iii]

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[ii] Plato *Timaeus* 21e-26d.

[iii] Daedalus was a legendary artist, craftsman, and inventor in Crete; Orpheus was a singer, musician, and poet; Palamedes was credited with inventing some letters of the alphabet, numbers, coinage, and the

ATH. Are you aware, Clinias, that you have left out your friend who was literally a man of yesterday?
CLIN. It is Epimenides you mean?
ATH. Yes, I mean him. For he far outstripped everybody you had, my friend, by that invention of his of which he was the actual producer, as you Cretans say, although Hesiod had divined it and spoken of it long before. (677c-d)

**LS:** So the fact that we know of the first inventors of the various arts proves that there was a time in which no arts existed. And then he mentions altogether seven such first inventors, and in the center we find Marsyas, who—as is not said here; as we know from elsewhere—who contended with Apollo for wisdom, and was indeed defeated by Apollo. But still, apparently Marsyas was a first inventor. This is of some interest with a view to what we have heard about Apollo in the first two books. Yes?

**Reader:**
CLIN. We do say so.
ATH. Shall we, then, state that, at the time when the destruction took place, human affairs were in this position: there was fearful and widespread desolation over a vast tract of land; most of the animals were destroyed, and the few herds of oxen and flocks of goats that happened to survive afforded at the first but scanty sustenance to their herdsmen?

**LS:** So that seems to suggest fear, solitude, scarcity, almost like a Hobbean state of nature. But we must wait. Yes?

**Reader:**
CLIN. Yes.
ATH. And as to the matters with which our present discourse is concerned—States and statecraft and legislation,—do we think that they could have retained any memory whatsoever, broadly speaking, of such matters?
CLIN. By no means.
ATH. So from those men, in that situation, there has sprung the whole of our present order—States and constitutions, arts and laws, with a great amount of both evil and of good? (677e-78a)

**LS:** Yes. "Much wickedness, but also much virtue." So if this much wickedness and much virtue has arisen later, then in the early stage they will be without any virtue or vice to speak of. Let us see whether that is correct.

**Reader:**
CLIN. How do you mean?
ATH. Do we imagine, my good Sir, that the men of that age, who were unversed in the ways of city life—many of them noble, many ignoble,—were perfect either in virtue or in vice?

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games of draughts and dice; Marsyas was a satyr credited with inventing a double oboe; Olympus was a flautist and student of Marsyas; and Amphion a son of Zeus who was also a musician.

CLIN. Well said! We grasp your meaning.

**LS:** So they were "neither good nor bad," against both Hobbes and Rousseau. Yes?

**Reader:**
ATH. As time went on, and our race multiplied, all things advanced—did they not?—to the condition which now exists.
CLIN. Very true.
ATH. But, in all probability, they advanced, not all at once, but by small degrees, during an immense space of time.
CLIN. Yes, that is most likely.

**LS:** Yes, that is stated more than once, that it took a very very long time; and that is important in Greek . . . as we will see later. Yes?

**Reader:**
ATH. For they all, I fancy, felt as it were still ringing in their ears a dread of going down from the highlands to the plains.
CLIN. Of course.
ATH. And because there were so few of them round about in those days, were they not delighted to see one another, but for the fact that means of transport, whereby they might visit one another by sea or land, had practically all perished along with the arts? Hence, intercourse, I imagine, was not very easy. For iron and bronze and all the metals in the mines had been flooded and had disappeared; so that it was extremely difficult to extract fresh metal; and there was a dearth, in consequence, of felled timber. For even if there happened to be some few tools still left somewhere on the mountains, these were soon worn out, and they could not be replaced by others until men had rediscovered the art of metal-working. (678a-d)

**LS:** So we see, at any rate, that these early men were not so filled with distrust of one another as they would be according to Hobbes, but precisely because they were so solitary they were glad to see other human beings.

**Reader:**
CLIN. They could not.
ATH. Now, how many generations, do we suppose, had passed before this took place?
CLIN. A great many, evidently.
ATH. And during all this period, or even longer, all the arts that require iron and bronze and all such metals must have remained in abeyance?
CLIN. Of course.
ATH. Moreover, civil strife and war also disappeared during that time, and that for many reasons.
CLIN. How so?
ATH. In the first place, owing to their desolate state, they were kindly disposed and friendly towards one another; and secondly, they had no need to quarrel about food. For they had no lack of flocks and herds (except perhaps some of them at the outset)—

**LS:** Yes, that is[17] a not unimportant clause: "except some of them at the beginning perhaps." Now there might have been great scarcity at the beginning with the consequence, of course, that they would fight one another for these scanty means of livelihood. Yes?

**Reader:**
ATH. and in that age these were what men mostly lived on: thus they were well supplied with milk and meat, and they procured further supplies of food, both excellent and plentiful, by hunting. They were also well furnished with clothing and coverlets and houses, and with vessels for cooking and other kinds; for no iron is required for the arts of moulding and weaving, which two arts God gave to men to furnish them with all these necessaries, in order that the human race might have means of sprouting and increase whenever it should fall into such a state of distress. (678d-79b)

**LS:** So a god had given them the arts of weaving and forming, but they also had fire. Apparently fire was not given to them by the god, or by a god. Whether this is an allusion to Prometheus's theft of fire one cannot say, but it is strange that the origin of the fire is not indicated, while the origin of the two other arts is. Yes?

**Reader:**
ATH. Consequently, they were not excessively poor, nor were they constrained by stress of poverty to quarrel one with another; and, on the other hand, since they were without gold and silver, they could never have become rich. Now a community which has no communion with either poverty or wealth is generally the one in which the noblest characters will be formed; for in it there is no place for the growth of insolence and injustice, of rivalries and jealousies. So these men were good, both for these reasons and because of their simple-mindedness, as it is called; for, being simple-minded, when they heard things called bad or good, they took what was said for gospel-truth and believed it.

**LS:** "Gospel truth" is of course an addition of a modern translator.

**Reader:**
ATH. For none of them had the shrewdness of the modern man to suspect a falsehood; but they accepted as true the statements made about gods and men, and ordered their lives by them. Thus they were entirely of the character we have just described. (679b-c)

**LS:** Yes. So they were rather good people. But perhaps we should now first consider how the Athenian knows all these things, especially also that it took such a very long time to develop. Now the men of Plato's age, or . . . of Socrates's age[18] had experienced very profound and very quick changes which had taken place after the Persian Wars. You find this described for instance in the first book of Thucydides, the enormously quick change in naval warfare and other matters in this period. And a comparison between present-day Athens and ancient Athens, or between present-day Athens and old-fashioned Sparta and other retarded places in Greece, they are the starting points for the argument which says that the much slower changes in former times must have required much longer times for the emergence of cities in general, and of Greeks as Greeks,

and so on. Yes?

**Reader:**
CLIN. Certainly Megillus and I quite agree with what you say.
ATH. And shall we not say that people living in this fashion for many generations were bound to be unskilled, as compared with either the antediluvians or the men of to-day, and ignorant of arts in general and especially of the arts of war as now practised by land and sea, including those warlike arts which, disguised under the names of law-suits and factions, are peculiar to cities, contrived as they are with every device of word and deed to inflict mutual hurt and injury; and that they were also more simple and brave and temperate, and in all ways more righteous? And the cause of this state of things we have already explained.

**LS:** Yes. Now there is a statement about their moral superiority to present-day men,[19] and all the four cardinal virtues are in a way mentioned. They were more courageous, more moderate, and more just than we are today. But they are not said to be wiser. Instead of wise or more prudent, they are called simple-minded, good-natured—a word which easily comes to mean simple, but which we can translate "simple-minded" or "good-natured." So they have no wisdom of any kind, no good wisdom or evil wisdom. Now from this we can draw an inference that these early men did not live in the Golden Age, in the age of Kronos, as it is described in the middle of the *Statesman*,[iv] for there it is said that the judgment on the age of Kronos depends on whether men in that stage philosophised or did not philosophise. It is implied [that] they could have philosophised. Men[20] in the Golden Age, in the age of Kronos, could philosophize. Whether they availed themselves of this opportunity is another matter. These people could not have philosophized, and therefore they did not live in the Golden Age. Yes?

**Reader:**
CLIN. Quite true.
ATH. We must bear in mind that the whole purpose of what we have said and of what we are going to say next is this,—that we may understand what possible need of laws the men of that time had, and who their lawgiver was. (679d-80a)

**LS:** Yes. Now we must watch carefully.

**Reader:**
CLIN. Excellent.
ATH. Shall we suppose that those men had no need of lawgivers, and that in those days it was not as yet usual to have such a thing? For those born in that age of the world's history did not as yet—

**LS:** "World's history" does not of course exist.[v] Yes?

**Reader:**

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[iv] Plato *Statesman* 272.

[v] That is, in the text.

ATH. did not as yet possess the art of writing, but lived by following custom and what is called "patriarchal" law.

**LS:** Yes, "ancestral laws," yes. So there was no legislator there. That's an answer to the question raised by the Athenian immediately before: there was no lawgiver. Yes?

**Reader:**
CLIN. That is certainly probable.
ATH. But this already amounts to a kind of government.
CLIN. What kind? (680a)

**LS:** Yes, the word which he translates "government" is *politeia*, a political order, a regime. So[21] there was already[22] a regime there, a regime without laws. Yes?

**Reader:**
ATH. Everybody, I believe, gives the name of "headship" to the government which then existed—

**LS:** Yes. *Dunasteia*, the Greek from which the English "dynasty" comes and[23] a term which is used also by Aristotle in his *Politics* for designating a certain kind of oligarchy. But I would leave it at the word "dynasty,"[24] because it will become clear from the context what that means.

**Reader:**
ATH. and it still continues to exist to this day among both Greeks and barbarians in many quarters. And, of course, Homer mentions its existence in connexion with the household system of the Cyclopes, where he says:
"No halls of council and no laws are theirs,
But within hollow caves on mountain heights
Aloft they dwell, each making his own law
For wife and child; of others reck they naught."[vi]
CLIN. This poet of yours seems to have been a man of genius. We have also read other verses of his, and they were extremely fine; though in truth we have not read much of him, since we Cretans do not indulge much in foreign poetry.
MEG. But we Spartans do, and we regard Homer as the best of them; all the same, the mode of life he describes is always Ionian rather than Laconian. And now he appears to be confirming your statement admirably, when in his legendary account he ascribes the primitive habits of the Cyclopes to their savagery. (680a-d)

**LS:** Yes. So Megillus hasn't spoken for a very long time, as you may have observed, but here he comes in because Homer comes in, and the Spartans know Homer better than the Cretans do.[25] And[26] the point which he makes is this, that Homer has traced the antiquity, the old-fashionedness, of that Cyclopean life to their savagery. So this first state was one of savagery; and if one reads the context in the *Odyssey* one sees easily, if one doesn't remember it, that[27] the Cyclopes were not people who liked to see strangers, because they lived in solitude. And they

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[vi] Homer *Odyssey* 9.112-15.

were even cannibals. So this is a very clear statement about the very hard and non-moral character of that early life.[28] The Athenian agrees with Megillus's understanding of that. Yes?

**Reader:**
ATH. Yes, his testimony supports us; so let us take him as evidence that polities of this sort do sometimes come into existence.
CLIN. Quite right.
ATH. Did they not originate with those people who lived scattered in separate clans or in single households, owing to the distress which followed after the catastrophes; for amongst these the eldest holds rule, owing to the fact that the rule proceeds from the parents, by following whom they form a single flock, like a covey of birds, and live under a patriarchal government and a kingship which is of all kingships the most just? (680d-e)

**LS:** This kingship, what is that? This seems to be post-Cyclopean; but that is doubtful, as will appear from the sequel. At any rate, here we have a clan ruled by the elders, and they are a kind of natural herd. "Covey"[29]: in Greek, that is "herd"; it is a kind of natural herd as distinguished from the herds of cows and goats, the composition of which is determined by human beings[30]. And[31] that rule of the oldest is kingship, and of all kingships the most just. This is in accordance with the principle that the best is the oldest. We must keep this in mind, how it could be so good in these circumstances, without wisdom: that remains to be seen. Yes?

**Reader:**
CLIN. Most certainly.
ATH. Next, they congregate together in great numbers, and form larger droves; and first they turn to farming on the hill-sides, and make ring-fences of rubble and walls to ward off wild beasts, till finally they have constructed a single large common dwelling.
CLIN. It is certainly probable that such was the course of events.
ATH. Well, is not this also probable?
CLIN. What?
ATH. That, while these larger settlements were growing out of the original small ones, each of the small settlements continued to retain, clan by clan, both the rule of the eldest and also some customs derived from its isolated condition and peculiar to itself. As those who begot and reared them were different, so these customs of theirs, related to the gods and to themselves, differed, being more orderly where their forefathers had been orderly, and more brave where they had been brave;—

**LS:** No, that is not quite correct: "more orderly when they had been more orderly, and more brave when they had been brave." So[32] in this early stage there were brave people aplenty, but there were not people who could be said simply to be[33] "orderly," *cosmiōtēs*. That[34] covers almost the same ground as moderation. This one could not expect. Yes?

**Reader:**
ATH. and as thus the fathers of each clan in due course stamped upon their children and children's children their own cast of mind, these people came (as we say) into the larger community furnished each with their own peculiar laws.
CLIN. Of course.

ATH. And no doubt each clan was well-pleased with its own laws, and less well with those of its neighbours. (680e-81c)

**LS:** So in the clan the same kind of laws is always[35] preserved. They know of no other law. And if they had known of one, they would have rejected it. Yes? Good.

**Reader:**
CLIN. True.
ATH. Unwittingly, as it seems, we have now set foot, as it were, on the starting-point of legislation.
CLIN. We have indeed.
ATH. The next step necessary is that these people should come together and choose out some members of each clan who, after a survey of the legal usages of all the clans, should notify publicly to the tribal leaders and chiefs (who may be termed their "kings") which of those usages pleased them best, and shall recommend their adoption. These men will themselves be named "legislators," and when they have established the chiefs as "magistrates," and have framed an aristocracy, or possibly even a monarchy, from the existing plurality of "headships," (dynasties) they will live under the constitution thus transformed.
CLIN. The next steps would certainly be such as you describe. (681c-d)[vii]

**LS:** Now what kind of regime do we have here? There are a number of clans, which have settled together; and then, since[36] [it] is inconvenient that each clan have its own customs, there must be[37] at least some common laws. And what do they do? They select some men who should choose the best from the different customs of the different clans and propose them as a code for the whole community, and[38] if they are adopted[39] by the fathers, then they will become the law of the community. And that means that at the same time a regime is established, in which there is no longer a single ruler as there was before but the fathers united are the rulers. *Patres conscripti*, as the Roman senators were called, the fathers called together—they form the rule and therefore it is an aristocracy.[40] [H]e adds [that] it[41] may sometimes also be a kingship, but then the king would simply be a magistrate and no longer the ruler of the community as he was in the earlier stage. Yes?

**Mr. Gary:** The whole development here sounds a lot like the development of the United States from the time of the first settlers, who lived as Hobbes called them, in a state very close to savagery—

**LS:** Well, but there was no cannibalism, was there?

**Mr. Gary:** No, but the elders from each state came together in a constitutional convention—

**LS:** But[42] did they not have a charter? Was there not a king or queen of Great Britain behind that whole thing? I mean, in other words, if we abstract completely from Great Britain and think that the North American colonies were not subject to any government, and look at the arrangement

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[vii] The reader incorporates Strauss's correction of "dynasties" for "headships."

they made among themselves, one could find some features which remind of this.

**Mr. Gary:** All right.

**LS:** Yes?

**Mr. Gary:** So that would lead us to the question of why is it that we talk about aristocracy and monarchy and[43] don't talk about republican democracy as one of the possibilities arising from this kind of coming-together of the fathers.

**LS:** Yes, but[44] if you want to speak of a republic, this is a republic. Because by "republic" I believe we understand a regime in which power is in the hands of more than one or, to use the nice Hobbean formula, a body of men, not just one man.[viii] If it is one man, it is monarchy; if it is a body of men, it is a republic. Is this not what you mean?

**Mr. Gary:** Yes.

**LS:** Body of men, so it is a republic. But he says aristocracy, because there is a great difference between an aristocracy and a democracy. And[45] there could not be a democracy in that state.

**Mr. Gary:** It would be chaos.

**LS:** [46]Well, no one would have dreamt of that then. They were all brought up in obedience to ancient custom and obeying the eldest. They[47] could not imagine[48] a declaration of independence[49] [by] the younger provinces.

**Student:** Mr. Strauss?

**LS:** Yes?

**Student:** This beginning city that he's talking about after the flood, it sounds to me like the city of sows in the *Republic*.

**LS:** Which city?

**Student:** The first city that Socrates talks about, the city of sows.

**LS:** Of pigs, yes. No, no, that's all right. There is[50] a subtle difference, I know, but I always hear it called city of pigs.

**Student:** But it seems to me that it's the same thing. They found . . .

**LS:** [51]Whereas there Socrates and Glaucon and Adeimantus found[52] [the city], yes. That is one difference, yes? And there are some others: that they have lived[53] perfectly peacefully together,

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[viii] Hobbes, *Leviathan,* 2.19.

no war, and so if you consider only the nice side of the Cyclopes, you could say there is something which reminds of the first city. But we have also to consider the other side, although the other side is only intimated, not explicitly presented here.

**Student:** I didn't mean the Cyclopes, I meant the herdsmen who lived on the mountaintops after the flood. Their community seemed to be the same community as the city of pigs.

**LS:** Yes, but in the city of pigs there is no government;[54] they live together as a fraternity and without a government. Here they have a government. The Cyclops rules[55] his children and wives, yes?[56] [The Athenian] quotes a verse from Homer in 680b. But we will take up the question of the *Republic* a little bit later; there is[57] of course a connection between what is said here and what is said in the *Republic*. Yes?

**Mr. Levy:** I just wondered if the Athenian had dropped the search for the cause of this process of change, or if that comes up later in the book.

**LS:** No,[58] in a way that comes up later . . . and goes on through the whole book. But he has already answered[59] [this question].

**Mr. Levy:** I beg your pardon?

**LS:** He has already answered[60] [this question], I believe. What is the cause of the change?

**Mr. Levy:** Well, I don't see it . . .

**LS:** Pardon?

**Mr. Levy:** What[61] he has done is mainly descriptive; he talked about how things that come into being and disappear—

**LS:** Yes, but what does he presuppose as a cause[62] of these changes? Of this development?

**Mr. Levy:** Well, he said in order for things to change, there have to be new mores, I mean old mores have to disappear or—

**LS:** No, what does he say about the first stage?

**Mr. Levy:** About the first natures?

**LS:** Well, they were rather poor, were they not? And they lacked every art and every wisdom, didn't they?

**Mr. Levy:** Well, except for the ones that the gods had given them.

**LS:** Yes, and there were only two of these.[63] They were not wise in any serious sense of the word, so they were very imperfect. Does he not make this clear? And is this imperfection not the

cause of that change, of the changes here discussed, and of all changes which take place at any time and in any place? If they had been perfect at the beginning, then it would be hard to understand how they could have ever left that blessed state.

**Mr. Levy:** Well, that may be a necessary condition, but is it sufficient? It seems that's a necessary condition for change, but it doesn't seem to me to be the cause.

**LS:** The lack of and need for the arts and virtue, that is the cause of the change which he, I think, suggests.

**Mr. Klein:** Perhaps what he meant by condition is . . . cause.

**LS:** Yes. And[64]—that is the implication here: As long as there are human beings, there will be no progress in the arts or in virtue in which this imperfection is not still present—perhaps rendered invisible for considerable time but still smouldering, and breaking out in other unexpected quarters.

**Mr. Jerry Kaplan:** The government that is discussed here, the patriarchal government[65]—when it says that this kind of kingship is the most just—

**LS:** Yes?

**Mr. Kaplan:** you attributed that to the law that the rule of the elders is best, usually?

**LS:** The justest, yes. The justest is not necessarily the best, but, all right, let us say the justest because in all other cases there may be doubts[66] [about] the legitimacy, as we say.

**Mr. Kaplan:** . . .

**LS:** In all other cases of kingship, all later cases, there may be doubts of legitimacy. Well, look at, say, Shakespeare's histories. Here you have cases of usurpers, obviously—yes, like Henry IV, Richard III, and so on. Or if they are legitimate, not usurpers, their legitimacy can be questioned[67] on other grounds as in the case of John. Yes? In the Middle Ages they made a distinction between a tyrant because he lacks a proper title—you know, the tyrannical exercise of government—and a tyrant on account of the exercise of legitimate government. So both grounds are there always in these histories, which forces [one] to question the legitimacy [of the incumbent]. And if one would go beyond these few hundred years of English history, still in the Shakespearean plays, I believe one would ultimately arrive at something like *The Tempest*, in which you have an unquestionably legitimate rule, the rule[68] of Prospero over Caliban and of course also Miranda and Ferdinand. But this is not an early kingdom; and what I think what Plato has in mind is that in all later kingdoms there is something questionable . . . less unquestionable[69] [than] in this primitive kingdom.

**Mr. Kaplan:** Well, the point I wanted to make, I'm not sure if . . . but[70] since there are so many scattered clans, then perhaps[71], besides [there] being [justice in] the fact that the clans are ruled by the oldest of each clan, there may be justice in [the fact] that they only give the rules to those

members of their clan, their family . . . Somehow the idea of justice seems to be that you can only tell your family what to do, don't tell anyone else. There doesn't seem to be any standard here, and therefore it seems that[72] the rules by which each one leads is just because they . . . within their family structure or within their clan.

**LS:** Yes, in the main that is correct. They know only the members of the clan, and justice consists in doing well by them. Those outside, that is a matter of indifference in this sphere. I mean, there may be some clans which are nicer and chase foreigners only away; and others may be less nice and may kill them, but this doesn't affect the whole political structure in this stage. And now[73] the clan soon finds out, or after centuries finds out that it is too weak to defend itself, say, against two particularly large clans—you know, there may be a family who has generated many more children than the patriarch of another clan, and so they think it is better to combine. And if they combine, they insist of course that each clan retains as much as possible its independence, and that means that the head man of the clan is a member of the sovereign body. And then you have, say, *n* clans, [and] the sovereign body will consist of *n* members, the senate. Yes? These are not such completely strange things, yes? I mean, in the foundation of this country the preservation of states' rights is of course a certain analogy to this. Yes. Shall we go on? Mr. Gary?

**Reader:**
CLIN. The next steps would certainly be such as you describe.
ATH. Let us go on to describe the rise of a third form of constitution—

**LS:** Yes, that is always regime, yes? *Politeia*.

**Reader:**
ATH. a third form of regime, in which are blended all kinds and varieties of regimes and of States as well. (681d)

**LS:** Yes. What the distinction [is] between regimes and cities here[74] is not quite clear. Surely it is not made clear. So we come now to the third. We had the dynasty, that is to say the Cyclopean rule, we had the aristocracy, and now we have the third, and what is that?

**Reader:**
ATH. The same that Homer himself mentioned next to the second, when he said that the third form arose in this way. His verses run thus—

"Dardania he founded when as yet
The holy keep of Ilium was not built
Upon the plain, a town for mortal folk,
But still they dwelt upon the highland slopes
Of many-fountain'd Ida."[ix]

Indeed, these verses of his, as well as those he utters concerning the Cyclopes, are in a kind of

[ix] Homer *Iliad* 20.216-20.

unison with the voices of both God and Nature. For being divinely inspired in its chanting, the poetic tribe, with the aid of Graces and Muses, often grasps the truth of history.

**LS:** "The things which actually happen."

**Reader:**
ATH. often grasp the things which actually happen.

**LS:** Yes, "which truly happen."

**Reader:**
ATH. truly happen.
CLIN. It certainly does.
ATH. Now let us advance still further in the tale that now engages us—

**LS:** "Tale" is here the Greek word *muthos*, myth. That's of some importance. Yes—

**Reader:**
ATH. for possibly it may furnish some hint regarding the matter we have in view. Ought we not to do so?
CLIN. Most certainly.
ATH. Ilium was founded, we say, after moving from the highland down to a large and noble plain, on a hill of no great height which had many rivers flowing down from Ida above.
CLIN. So they say. (681d-82b)

**LS:** Now let us see here. Now we have the third city; and the third city is not defined by any general characteristics, except that it is in the plain.[75] Otherwise[76] it is defined only by the identification with Ilium, with Troy. Here is where Homer comes in, of course, with particular importance. Troy means also the Greeks, and the Greeks will become the theme of the rest of the book, the chief theme. Homer makes possible a graceful transition from men in general to the Greeks. The Greeks are from a certain moment on presupposed; nothing is said about the genesis of what we can call Greekness. Homer dispenses the Athenian from any such consideration; but the whole presentation is, while graceful, not fully clear and true. Therefore he calls it myth. Yes?

**Mr. Klein:** This[77], what comes now, that is the fourth stage, not the third. What at 682a, at the end, in English "now let us advance still further"—

**LS:** Yes?

**Mr. Klein:** That is now stage four, not three.

**LS:** Yes, that is stage three. Now let me see.[78] No, that is stage three. Yes, stage three. First—

**Mr. Klein:** No, because stage three is Dardania—

**LS:** Pardon?

**Mr. Klein:** Not Ilium.

**LS:** No, no. The three stages are: settlement on mountain tops—

**Mr. Klein:** Yes.

**LS:** Stage two, settlement on mountain slopes.

**Mr. Klein:** Yes.

**LS:** Three, settlement in plains.[x]

**Mr. Klein:** I thought that when he quotes Homer there, he refers to the slopes.

**LS:** Now let me see. The first is the Cyclopean,[79] and what is the second?

**Mr. Klein:** Well, the combination of clans.

**LS:** Yes, but[80] Homer has something to do [with this also], because he says that which Homer too intimated after the second; so Homer must have intimated also the second. But for the second, there is no Homeric quotation. There is only one for the first and[81] for this one[82]. Could one not understand this[83] [as follows]: what [is said] in these verses[84] is spoken immediately of the foundation of Dardania, and not of Troy. But the main point is, Ilium was not yet founded in the plain and hence that is the third stage, the founding of Ilium in the plain.

**Mr. Doskow:** Couldn't one see Dardania as the second of the stages, with the Homeric reference to that?

**LS:** Yes,[85] and mountain slope, mountain slope.

**Mr. Doskow:** This quotation then would[86] [refer] both [to] the second and [to] the third.

**LS:** Yes, that is good. And therefore he doesn't have to have a special Homeric quotation for number two. Yes, that is true. Yes, and that is also [the fact] that Homer mentions [both] together after the second.[87] He[88] mentions in these verses quoted here both the second and the third.

**Mr. Klein:** The second need not be mentioned by [Homer].

**LS:** But it is. But it is. The founding of Dardania[89] is mentioned in Aeneas's speech. And[90] I think what this gentleman said is the explanation for the difficulty, that we [apparently] have no[91] [quotation, is right]: we *do* have Homeric references for all three, but the references to number

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[x] A long silence follows.

two and three are given by one and the same quotation. Yes? Or is there any difficulty regarding this point?

**Mr. Klein:** No, I think this is so important: I am not clear about that. I think that when he says "let us advance further," *proelthomen*—

**LS:** Yes, yes.

**Mr. Klein:** means now that he is going further, to number four, and that is Ilium, but . . . .

**LS:** Yes, but that is with the further progress of the myth, with the further progress which has already taken place, aorist—

**Mr. Klein:** Yes, but now comes—

**LS:** Pardon?

**Mr. Klein:** Now . . .

**LS:** Which has just now taken place, yes,[92] through the reference to stages two and three. Yes?

**Reader:**
CLIN. So they say.
ATH. And do we not suppose that this took place many ages after the Deluge?
CLIN. Many ages after, no doubt.
ATH. At any rate they seem to have been strangely forgetful of the catastrophe now mentioned, since they placed their city, as described, upon a number of rivers descending from the mount, and relied for their safety upon hillocks of no great height.
CLIN. So it is evident that they were removed by quite a long interval from that calamity. (682b-c)

**LS:** So[93] in other words,[94] these savages on the mountain tops and on the mountain slopes had still some recollection of the calamity, of the flood. But then gradually the flood is forgotten and therefore also the fear is forgotten; and then, therefore, they are able to descend into the plain. And I believe that means also something more: when men live in cities, they must have a faith in the fact that[95] their city will last last forever—as in ancient times, at any rate, cities[96] or nations regarded themselves as lasting forever. And[97] what the Athenian does here is to question this tacit premise of ordinary political life, the everlastingness of one's city, by enlarging the horizon, by thinking of that infinite immeasurable time before this city or any other city we know of has come into being. And this enlarging of the horizon is necessary if a profound change in the city is to be made, where one can no longer be satisfied with this desirable view, this desirable faith in the everlasting character of one's city. And such a profound change will take place within the course of the *Laws*, as we will see at the end of book 3. Yes?

**Reader:**
CLIN. Of course.

ATH. And these cities also made attacks upon Ilium, probably by sea too, as well as by land, since by this time all made use of the sea fearlessly.
CLIN. So it appears.

**LS:** Why he says "perhaps also by sea" is not easy to see, because after all the Greeks came to Troy via the sea.[98] I do not understand that. If the story of the Trojan War is true, there must have been seafaring at that time. Yes?

**Reader:**
CLIN. So it appears.
ATH. And after a stay of ten years, the Achaeans sacked Troy.
CLIN. Very true.
ATH. Now during this period of ten years, while the siege lasted, the affairs of each of the besiegers at home suffered much owing to the seditious conduct of the young men. For when the soldiers returned to their own cities and homes, these young people did not receive them fittingly and justly, but in such a way that there ensued a vast number of cases of death, slaughter, and exile. So they, being again driven out, migrated by sea; and because Dorieus was the man who then banded together the exiles, they got the new name of "Dorians," instead of "Achaeans." (682c-e)

**LS:** Yes. So in other words,[99] the Dorians have not migrated into the[100] [Peloponnese] in the so-called Dorian migration and come in as a new people, but the Dorians were always there. They are autochthonous. That is Plato's version here[101] of the early history of Sparta. The Dorians were only the formerly expelled Achaeans, not a new nation. Yes?

**Mr. Cornell:** Isn't that sort of a slur on the Dorians?

**LS:** No, it's a compliment. That was regarded in ancient times as a great privilege, to be autochthonous, and on what ground? Then one's ancestors had not conquered a land from other people, you know, and therefore the possession was altogether just. That is said somewhere in Plato, I believe, but I don't remember now where, that this is the reason why autochthony was regarded as such a great thing. Yes?

**Reader:**
ATH. But as to all the events that follow this, you Lacedaemonians relate them all fully in your traditions.

**LS:** Yes, "in your myths." So that from a certain point on, the myth based on Homer is continued by the myth told by the Spartans. Yes?

**Reader:**
MEG. Quite true.

**LS:** So now you will see that Megillus comes in quite naturally, and is very much in the foreground throughout book 3, naturally, because Sparta is discussed. Yes?

**Reader:**
ATH. And now—as it were by divine direction—we have returned once more to the very point in our discourse on laws where we made our digression, when we plunged into the subject of music and drinking-parties; and we can, so to speak, get a fresh grip upon the argument,—

**LS:** Yes. Now stop here for one moment. We have come back to the subject of legislation, from which we had digressed for so long by discussing music and symposia, and[102] as it were, according to a god. Formerly, when he spoke of Homer, in 482a I think it was, he said that Homer spoke according to a god and according to nature. Here it is not said "according to nature." One can say it is according to special providence, but he says "as it were according to a god." The special providence is exercized by the Athenian Stranger in the interest of the interlocutors. He wants to[103] bring them back to the subject of legislation. Yes?

**Reader:**
ATH. now that it has reached this point,—the settlement of Lacedaemon, about which you said truly that it and Crete were settled under kindred laws.

**LS:** Yes, but Crete will be completely forgotten. They will speak only of Sparta now.

**Reader:**
ATH. From the wandering course of our argument, and our excursion through various polities and settlements, we have now gained this much: we have discerned a first, a second, and a third State, all, as we suppose, succeeding one another in the settlements which took place during the vast ages of time. And now there has emerged this fourth State—or "nation," if you so prefer—which was once upon a time in course of establishment and is now established. (682e-83b)

**LS:** So let me enumerate again. There are four stages. The first, the Cyclopean; the second, the aristocracy, or the city on the mountain slopes; the third, Troy, or the city in the plain; and the fourth is Sparta. Now what the peculiarities of Sparta are we will see very soon. But one of you mentioned the *Republic* a short while before. In a way in the *Republic* there are also four cities, if one considers that the *Timaeus* and *Critias* are the sequel of the *Republic*. Then we have in the *Republic* first the city of pigs, then the super-Sparta, and then finally the city in which the philosophers rule; and the fourth is ancient Athens, as it was according to a tale of an Egyptian priest. And here we have also four cities, but the fourth is not ancient Athens but ancient Sparta. To that extent I believe there is a direct connection between the arrangement in both works. But there is not this simple correspondence, that you could say [the] first city is like the Cyclopes, and so on. It's not that way. Yes?

**Mr. Berns:** Well, there is the fifth city in the *Critias*. I mean the Atlantis.

**LS:** But[104] it is said[105] for the sake of Athens, isn't it? Athens defeated Atlantis and,[106] for some reasons of his own, Plato presented Atlantis more fully than ancient Athens, of which he had spoken briefly in the *Timaeus*. That's another matter.

**Mr. Berns:** Well, it is tempting to say that Athens is introduced for the sake of talking about Atlantis.

**LS:** No, no, ancient Athens as presented by the Egyptian priest, or Critias, is meant to show that the best[107] [regime] of the *Republic*[108] has been actual in Athens. And since Athens was so wonderful,[109] her grandeur must be shown in the greatest imaginable deed, and that was the defeat of Atlantis. That is a kind of super-Peloponnesian War, and[110] [a] super-Sicilian expedition—you know, also a big island in the west, but that big island is much, much bigger than Sicily. You know? And that is, I think, the connection. Yes?

**Reader:**
ATH. Now, if we can gather from all this which of these settlements was right and which wrong, and which laws keep safe and what is kept safe, and which laws ruin what is ruined, and what changes in what particulars would effect the happiness of the State,—then, O Megillus and Clinias, we ought to describe these things again, making a fresh start from the beginning,—unless we have some fault to find with our previous statements.
MEG. I can assure you, Stranger, that if some god were to promise us that, in making this second attempt to investigate legislation, we shall listen to a discourse that is no worse and no shorter than that which we have just been listening to, I for one would go a long way to hear it; indeed, this would seem quite a short day, although it is, as a matter of fact, close on midsummer. (683b-c)

**LS:** Yes, now wait a moment. The Athenian[111] has said in his last speech that they will examine the Spartan arrangements and distinguish which are good and which are bad. You know that was a great question formerly, whether one could criticize these venerable institutions, but there is no longer any opposition now. That[112] right to blame Spartan institutions has long been granted. Now[113] Megillus[114] speaks of the fact that this day now when they are walking to the cave of Zeus is almost the longest of the year. Later on it will appear that the Athenian sketches a complete legal code[115] for a new colony to be founded. Therefore he needs a very long day in order to elaborate a code. But on the other hand, a single day is sufficient, if the day is sufficiently long, for elaborating a complete code by a competent man, as the Athenian Stranger must be supposed to be. Yes?

**Reader:**
ATH. So it seems that we must proceed with our enquiry.
MEG. Most certainly.
ATH. Let us then place ourselves in imagination at that epoch when Lacedaemon, together with Argos and Messene and the adjoining districts, had become completely subject, Megillus, to your forefathers. They determined next, according to the tradition, to divide their host into three parts, and to establish three States, Argos, Messene, and Lacedaemon.

**LS:** You see, he had first Lacedaemon, Argos, Messene, and now he changes to Argos, Messene,

Lacedaemon, and that he preserves also in the next speech.[xi] Messene is in the center: does this make sense in such a context?

**Mr. Gary:** Isn't Messene between Lacedaemon and Argos?

**LS:** No, Messene is to the west and Argos is to the east,[116] but Messene is the most important in the context. What happened to Messene? That was conquered by Sparta, and the Messenes became the famous Helots, you know, deprived of all rights[117] and treated in a[118] rather nasty manner by the Spartans. The Athenian in his delicacy doesn't say a word about this unfortunate happening, but we are reminded of it by this arrangement. Yes?

**Reader:**
MEG. Very true.
ATH. And Temenus became king of Argos, Cresphontes of Messene, and Procles and Eurysthenes of Lacedaemon.
MEG. Of course.
ATH. And all the men of that time swore that they would assist these kings if anyone should try to wreck their kingdoms.
MEG. Quite so.
ATH. Is the dissolution of a kingdom, or of any government that has ever yet been dissolved, caused by any other agency than that of the rulers themselves? Or, though we made this assertion a moment ago when we happened upon this subject, have we now forgotten it?
MEG. How could we possibly have forgotten? (683c-e)

**LS:** Yes, where did they say it? That is a question[119] which is in a way impossible to answer; they have not discussed it in these terms, that every kingship or every government is only destroyed by intrinsic causes, and not from the outside. That is a thesis which occurs in the *Republic* and also elsewhere, but it hadn't been mentioned here in the *Laws*, and surely not a short while ago unless one will say that the discussion of the symposia implies that. The[120] symposium will function if a sober man rules the drunkards, and the symposium would degenerate only if the ruler of the symposium would get drunk himself, and there are perhaps other possibilities. But another point which the translator doesn't bring out is that at the beginning of this speech of the Athenian, the Athenian swears and calls on Zeus.[121] I think he didn't bring that out, did he?

**Mr. Gary:** No.

**LS:** Yes. That is interesting because,[122] [as] you have seen, there are very few oaths hitherto in the *Laws*. This is the third one; and there were two in the second book. Well, in this context, one could say this reference to Zeus or to the gods in general has this function:[123] to remind us of the fact that no god presided at that establishment of that Peloponnesian confederacy of which he speaks now. And I believe that can be proved, because the next oath occurs in 69lb, where the Athenian swears "by the gods," and shortly thereafter, in 691d, the Athenian says, "Some god

[xi] These three are inhabited by Dorians.

watching over you Spartans has established the dual kingship among you." So here there is apparently some connection between the oath and the presence of a god at the establishment of Sparta, and therefore I am inclined to believe that the earlier oath here, at 683e, has something to do with the absence of a god at the establishment of the[124] general Peloponnesian confederacy. Is there any point you would like to raise? It is a pity that there is no book in which you can[125] find complete lists of the oaths, and of course even if[126] [there] were, one could not trust it implicitly, even if it had been made by a computer. But it would be of some help. So we wait until we come to the other oaths.

[1] Deleted "of the—."

[2] Moved "will."

[3] Deleted "let us—."

[4] Deleted "you—."

[5] Deleted "which."

[6] Deleted "will go to ex—which he will go—."

[7] Deleted "we."

[8] Deleted "does not—he."

[9] Deleted "they obviously."

[10] Deleted "is this not—."

[11] Deleted "it was—."

[12] Deleted "be."

[13] Deleted "through."

[14] Deleted "that."

[15] Deleted "which is—."

[16] Deleted "then."

[17] Deleted "not an—."

[18] Deleted "had made—."

[19] Deleted "they are more—."

[20] Deleted "in the state of—."

[21] Deleted "that."

[22] Deleted "a political reg—."

[23] Deleted "which—."

[24] Deleted "after."

[25] Deleted "that is [inaudible word]."

[26] Deleted "what is—."

[27] Deleted “these were not—.”

[28] Deleted “Megillus—.”

[29] Deleted “is.”

[30] Deleted “which is not here.”

[31] Deleted “there is—.”

[32] Deleted “there were.”

[33] Deleted “orderly, which—.”

[34] Deleted “is—.”

[35] Deleted “is.”

[36] Deleted “this.”

[37] Deleted “some—.”

[38] Deleted “then, if they are adopted—.”

[39] Deleted “that is.”

[40] Deleted “and when.”

[41] Deleted “might—.”

[42] Deleted “there was—were they not—.”

[43] Deleted “we.”

[44] Deleted “that is—I mean.”

[45] Deleted “here.”

[46] Deleted “no.”

[47] Deleted “would not—they.”

[48] Deleted “that—.”

[49] Deleted “of.”

[50] Deleted “a certain—.”

[51] Deleted “but.”

[52] Deleted “that.

[53] Deleted “in—.”

[54] Deleted “and here there is—.”

[55] Deleted “the—.”

[56] Deleted “he.”

[57] Deleted “something—.”

[58] Deleted “that is—.”

[59] Deleted “it.”

[60] Deleted “it.”

[61] Deleted “I mean—what.”

[62] Deleted “of that change.”

[63] Deleted “even they had only in a very limited arts: these two arts mentioned.”

[64] Deleted “that is effective as long.”

[65] Deleted “it also, well.”

[66] Deleted “of.”

[67] Deleted “on the ground—.”

[68] Deleted “of Caliban—ha, I'm sorry—.”

[69] Deleted “as.”

[70] Deleted “that the justice.”

[71] Deleted “the;” moved “justice.”

[72] Deleted “everyone is—.”

[73] Deleted “they soon—.”

[74] Moved “is;” deleted “that.”

[75] Deleted “That is—that is general. But.”

[76] Deleted “it is not defined—.”

[77] Deleted “what he—.”

[78] Deleted “that is still—that is—no.”

[79] Deleted “and this—.”

[80] Deleted “this is also—.”

[81] Deleted “for the—.”

[82] Deleted “for—yes.”

[83] Deleted “that the, that the reference here is not—by.”

[84] Moved “is said.”

[85] Deleted “I mean.”

[86] Deleted “have.”

[87] Deleted “and—because.”

[88] Deleted “has mentioned here—.”

[89] Changed from “he founded Dardania.”

[90] Deleted “that I think—yes.”

[91] Deleted “quote.”

[92] Deleted “which has just now taken place, through the—.”

[93] Deleted “that—.”

[94] Deleted “the earlier myth.”

[95] Deleted “the city—.”

[96] Deleted “regarded—.”

[97] Deleted “now.”

[98] Deleted “whether he—.”

[99] Deleted “there is—.”

[100] Deleted “Peloponnesian.”

[101] Deleted “in—of the history of—.”

[102] Deleted “according—.”

[103] Deleted “bring back—.”

[104] Deleted “that is not—they belong—but here—but.”

[105] Deleted “for the sake of—say.”

[106] Deleted “that.”

[107] Deleted “city.”

[108] Deleted “is—.”

[109] Deleted “she must be shown—.”

[110] Deleted “super—Alcibi.”

[111] Deleted “says now—.”

[112] Deleted “has been—that.”

[113] Deleted “the—.”

[114] Deleted “says—.”

[115] Deleted “for a new—.”

[116] Deleted “No.”

[117] Deleted “and their kind.”

[118] Deleted “very—.”

[119] Deleted “which—which is very—.”

[120] Deleted “rule—the.”

[121] Deleted “he—.”

[122] Deleted “it is—here the—we.”

[123] Deleted “that no god—.”

[124] Deleted “confederacy—of the.”

[125] Deleted “look—.”

[126] Deleted “it.”

**Session 10: no date**

**Leo Strauss:** [In progress] —who came to live together, and each clan followed its ancestral custom regarding gods themselves.[1] Also the Cyclopes, because the Cyclopes believes of course in gods, and so the belief in gods is always there. This belief seems to have survived the loss of all arts. But as the story of the Cyclopes shows, there was no respect for gods or worship of gods in that early stage; that respect emerged only with the decline of the original savagery. The fact that belief in gods is always there from the very beginning, this is in agreement with what we learn from the *Republic* in the so-called city of pigs, which is the first city there. They sing hymns to the gods, whereas in the final city, in the beautiful city or the city of beauty, they sing hymns to the gods and praises of the virtues. There are no praises of the virtues in the city of pigs because there are not yet virtuous men. And so this is in perfect agreement with the *Laws* at this point.

Now I think we should now turn to where we left off last time, and this is 683e . . . So[2] what he discusses here is the Peloponnesian confederacy. That was the fourth stage. The first was the city on mountain tops, the settlement on mountaintops; then the settlement on the hillside; then the settlement in the plain, [with] Troy as an example; and fourth,[3] the Peloponnesian confederacy, Argos, Messene, and Sparta, with Messene in the center because that is a tender spot, as far as Sparta is concerned, what she did to Messene. And here, shortly before, in 683b3, there occured the third oath of the Athenian. And I think the meaning of that will become perfectly clear from the sequel. So let us now begin again.

**Reader:**
MEG. How could we possibly have forgotten?
ATH. Shall we further confirm that assertion now? For we have come to the same view now, as it appears, in dealing with facts of history; so that we shall be examining it with reference not to a mere abstraction, but to real events.

**LS:** [4]Well, "facts of history" is of course a preposterous translation. Why are "facts" not enough? What is added if you say "facts of history"? And that is of course not there. And also "abstraction" isn't there. "We[5] shall not seek . . . speech regarding something vain, something insubstantial." Now what happened? What were these facts?

**Reader:**
ATH. Now what actually took place was this: each of the three royal houses, and the cities under their sway, swore to one another, according to the laws, binding alike on ruler and subject, which they had made,—the rulers that, as time went on and the nation advanced, they would refrain from making their rule more severe, and the subjects that, so long as the rulers kept fast to their promise, they would never upset the monarchy themselves, nor would they allow others to do so; and they swore that the kings should aid both kings and peoples when wronged, and the peoples aid both peoples and kings. Was not that the way of it?
MEG. It was. (683e-84b)

**LS:** So in other words, there was something like a contract of government between the government and the people; but here it is a bit more complicated because three different states were involved, and so, say, the Spartans, kings, and *demos* swore that they would come to the help of the king or people, say, of Messene[6] if their king or perhaps an outsider had wronged them. Yes?

**Reader:**
ATH. In the polities legally established—whether by the kings or others—in the three States, was not this the most important principle?
MEG. What?
ATH. That the other two states should always help against the third, whenever it disobeyed the laws laid down.
MEG. Evidently.
ATH. And surely most people insist on this,—that the lawgivers shall enact laws—

**LS:** Yes, "most people." Let us translate "the many," it is more literal. Yes?

**Reader:**
ATH. And surely the many insist on this, that the lawgivers shall enact laws of such a kind that the masses of the people accept them willingly; just as one might insist that trainers or doctors should make their treatments or cures of men's bodies pleasurable.
MEG. Exactly so.

**LS:** So[7] that is important: this demand made by the peoples, the *demoi*, that the laws should be acceptable to them, that is about as reasonable as if someone would impose on gymnastic trainers or physicians [the condition] that they should tend and heal the tended bodies in a way pleasurable to the men in training or to the sick. And that is of course nonsense, because cutting and burning cannot possibly be pleasurable. Now this did not exist, it seems, at the beginning of the Peloponnesian confederacy. How does he go on?

**Reader:**
ATH. But in fact one often has to be content if one can bring a body into a sound and healthy state with no great amount of pain.
MEG. Very true. (684b-c)

**LS:** Yes. So that explains fully what the Athenian means. We understand from here the somewhat cryptic remark the Athenian made earlier that the very first kingship, which is later on identified with that of the Cyclopes, is the most just of all. The reason is there was no *demos* and therefore the king, the ruler, did not act unjustly, however he behaved towards his subjects.[8] In Aristotle's *Politics*, in the last two books, when he presents his best regime, the characteristic of that is precisely also the absence of the *demos*. There are the gentlemen who rule and own all property and so on, and have farms; and then there are metics, or slaves, and no *demos*. And that is, from the point of view of Plato or Aristotle, of course, an ideal solution because the great troublemaker is the *demos*. And if it doesn't exist, that's fine.[9] That must be taken[10] tongue in cheek, but it[11] must be pointed out nevertheless.[12] The Athenian will now give a more practical reason why the conditions were so favorable at the beginning of the Peloponnesian confederacy.

Yes?

**Reader:**
ATH. The men of that age possessed also another advantage which helped not a little to facilitate legislation.
MEG. What was that?
ATH. Their legislators, in their efforts to establish equality of property, were free from that worst of accusations which is commonly incurred in States with laws of a different kind, whenever anyone seeks to disturb the occupation of land, or to propose the abolition of debts, since he perceives that without these measures equality could never be fully secured. In such cases, if the lawgiver attempts to disturb any of these things, everyone confronts him with the cry, "Hands off," and they curse him for introducing redistributions of land and remissions of debts, with the result that every man is rendered powerless. But the Dorians had this further advantage, that they were free from all dread of giving offence, so that they could divide up their land without dispute; and they had no large debts of old standing.
MEG. True.

**LS:** Yes, so that is another consideration then, [in addition to the fact] that the *demos* wants to[13] be pleased in general. Here is a more specific demand, the demand for equality: and that means for a reasonable equality of possessions, and therefore a redistribution of land—I believe they call it now agrarian reform—and remission of debts. And it is clear that the Athenian is not simply what is now called a conservative, because he implies that this demand is under certain conditions perfectly reasonable. But[14] the demand didn't arise at that early time because there[15] was not [yet] an inveterate possession of land, but[16] it was being distributed at the time so[17] this problem could be easily solved. Yes?

**Reader:**
ATH. How was it then, my good sirs, that their settlement and legislation turned out so badly?
MEG. What do you mean? What fault have you to find with it?
ATH. This, that whereas there were three states settled, two of the three speedily wrecked their constitution and their laws, and one only remained stable—and that was your city, Megillus.

**LS:** So Argos and Messene, they decayed very soon. Yes?

**Reader:**
MEG. The question is no easy one.
ATH. Yet surely in our consideration and enquiry into this subject, indulging in an old man's sober play with laws, we ought to proceed on our journey painlessly, as we said when we first started out. (684c-85b)

**LS:** Yes.[18] At the beginning it was said, you know, that they want to have a pleasant walk in spite of the summer heat,[19] but the pleasure consists here not so much in the shade afforded by the trees but the pleasure afforded by the playful occupation befitting old men, meaning the

discussion of laws. Yes?

**Reader:**
MEG. Certainly, we must do as you say.
ATH. Well, what laws would offer a better subject for investigation than the laws by which those States were regulated? Or what larger or more famous States are there about whose settling we might enquire?
MEG. It would be hard to mention better instances than these.

**LS:** Now this praise of the three Peloponnesian cities, that they were most famous and great, this gives the Athenian the opportunity to bring up a much broader subject, as he will do in the sequel. Yes?

**Reader:**
ATH. It is fairly evident that the men of that age intended this organization of theirs to serve as an adequate protection not only for the Peloponnesus, but for the whole of Hellas as well, in case any of the barbarians should attack them—just as the former dwellers around Ilium were emboldened to embark on the Trojan War through reliance on the Assyrian power as it had been in the reign of Ninus.[i] For much of the splendour of that empire still survived; and the people of that age stood in fear of its confederate power, just as we men to-day dread the Great King.

**LS:** The Persian King.

**Reader:**
ATH. For since Troy was a part of the Assyrian empire, the second capture of Troy formed a grave charge against the Greeks. It was in view of all this that the Dorian Host was at that time organized and distributed amongst three states under brother princes, the sons of Heracles; and men thought it admirably devised, and in its equipment superior even to the host that had sailed to Troy. For men reckoned, first, that in the sons of Heracles they had better chiefs than the Pelopidai[ii] and, further, that this army was superior in valor to the army which went to Troy, since the latter, which was Achaean, was worsted by the former, which was Dorian. Must we not suppose that it was in this way, and with this intention, that the men of that age organized themselves?
MEG. Certainly. (685b-e)

**LS:** So that at the time of the establishment of the Peloponnesian confederacy, there was great fear of the Assyrians, allegedly at that time the preponderant power in Asia. And as far as I know, there is no other evidence of this story or myth as it is stated here. But they were very strong, much stronger than those who went against Troy, in the first place because these new kings, the descendants[20] [of] Heracles, were better than the descendants[21] [of] Pelops, Agamemnon and Menelaus. And secondly, the army was superior to the army which went against Troy. And the proof of this is the fact that the kings and people then were Dorians who

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[i] The legendary founder of the Assyrian empire, after whom Ninevah was named.

[ii] Agamemnon and Menelaus.

had defeated the Achaeans, the people who had gone against Troy. So[22] formerly it was said the Dorians are the Achaeans[23] only with a different name, but now this is retracted. And therewith the Athenian retracts what he had suggested earlier, that the Dorians were autochthonous. The Dorians came in as conquerors of a foreign land, [a fact] which he had formerly suppressed and which he doesn't, even here, clearly state because that would cast some doubt on the justice of the whole enterprise, conquest being a less good title than having sprung from the earth. Yes?

**Mr. Klein:** What does the text mean here by Achaean?

**LS:** Agamemnon, Menelaus, and their hosts. The people who went against Troy.

**Mr. Klein:** Then it is simply taken from Homer, the Achaeans.

**LS:** Yes. Yes, sure.

**Mr. Klein:** That's all. Dorians too are taken from Homer?

**LS:** No. The Dorians defeated the Achaeans.[24] By the way, this seems to be so-called historical fact, that long after the Trojan war there was a Dorian migration, and perhaps more than one. So the Dorians immigrated, invaded the Peloponnesus, and destroyed the old civilization of the Peloponnesus. But[25] the point which is most important in the context is that this is a new people, an invading, conquering people, contrary to what had been suggested before. Go on.

**Reader:**
ATH. Is it not also probable that they would suppose this to be a stable arrangement, and likely to continue quite a long time, since they had shared together many toils and dangers, and were marshalled under leaders of a single family (their princes being brothers), and since, moreover, they had consulted a number of diviners, and amongst others, the Delphian Apollo?
MEG. That is certainly probable.

**LS:** So that is another feather in the cap of the Dorian confederacy, that they had consulted diviners, among them the Delphian Apollo, and they had of course given favorable auspices. And so everything seemed to be fine: military superiority, and in addition, oracles. Yes?

**Reader:**
ATH. But it seems that these great expectations speedily vanished, except only, as we said, in regard to that small fraction, your state of Laconia; and ever since, up to the present day, this fraction has never ceased warring against the other two. For if the original intention had been realised, and if they had been in accord about their policy, it would have created a power invincible in war. (685e-86b)

**LS:** Yes. Now you see what he says about what happened afterward and what ruined[26] all these wonderful prospects was that Sparta was waging war against the two other cities. And this, taken in itself, means the fault lay with Sparta. Of course the Athenian would not say so explicitly; it is only here implied. And why would he not say so? Because for a decent Athenian to say to a

decent Spartan that the fault was Spartan would be about as tactful as if a foreigner in this country would speak of, say, Negro slavery or the fate of the red Indians.[27] At least according to the older notions of decency or tact, these are things which are not[28] done. And therefore the commentators deplore the Athenian's or Plato's silence about the seamy side of Sparta, but they forget the situation: that here is this Athenian talking to a Spartan. That puts certain limits on him. If it should not become a match in name-calling, or something of this kind, he could not possibly do that.

**Reader:**
MEG. It certainly would.
ATH. How then, and by what means, was it destroyed? Is it not worthwhile to inquire by what stroke of fortune so grand a confederacy was wrecked?
MEG. Yes—

**LS:** He takes a very long time; he repeats the same question again and again;[29] he goes around it like a cat around hot porridge. But he will soon reach that porridge. Yes?

**Reader:**
MEG: Yes; for if one passed over these examples, one would not be likely to find elsewhere either laws or constitutions which preserve interests thus fair and great, or, on the contrary, wreck them totally.

**LS:** That is also a repetition of something said earlier. One must by all means answer this question because of the outstanding quality of these societies. Yes?

**Reader:**
ATH. Thus by a piece of good luck, as it seems, we have embarked on an enquiry of some importance.

**LS:** The good luck was of course guided by the Athenian . . . voice, who could guide it more or less as he wished. Yes?

**Reader:**
MEG. Undoubtedly.
ATH. Now, my dear sir, do not men in general, like ourselves at the present moment, unconsciously fancy that every fine object they set eyes on would produce marvelous results, if only a man understood the right way to make a fine use of it? But for us to hold such an idea in regard to the matter before us would possibly be both wrong and against nature; and the same is true of all other cases where men hold such ideas. (686b-d)

**LS:** Yes, all right.[30] He makes here a distinction between "correctly" and "according to nature." One[31] could assume that these are identical. But it is possible [for them to be different]. For example, if someone acts on the basis of opinion, of good opinion or inherited opinion, then he does not simply act according to nature, because what guides him is not nature but what his ancestors have told him. And perhaps he has in mind this distinction between opinion and knowledge. Yes?

**Reader:**
MEG. What is it you mean? And what shall we say is the special point of your remarks?
ATH. Why, my dear sir, I had a laugh at my own expense just now. For when I beheld this armament of which we are speaking, I thought it an amazingly fine thing, and that, if anyone had made a fine use of it at that time, it would have proved, as I said, a wonderful boon to the Greeks.

**LS:** This armament, *stolos*,[32] is of course that of the Peloponnesian confederacy. The Athenian underlines the beauty and the marvel of that army and then all the more urgent becomes the question, why was it destroyed? Yes?

**Reader:**
MEG. And was it not quite right and sensible of you to say this, and of us to endorse it?
ATH. Possibly; I conceive however, that everyone, when he beholds a thing that is large, powerful and strong, is instantly struck by the conviction that, if its possessor knew how to employ an instrument of that magnitude and quality, he could make himself happy by many wonderful achievements.

**LS:** So that is a point: in Greek the word "becoming happy" is the last word of the statement of the Athenian, *eudaimonoi*. And the emphasis is altogether on the word.[33] People have admired[34] things like[35] the early Peloponnesian confederacy ultimately with a view to happiness. And here of course a very big question arises: What is happiness? And the Athenian will try to answer that as far as it is necessary in the present context.

**Reader:**
MEG. Is not that a right conviction? Or what is your view?
ATH. Just consider what one ought to have in view in every instance, in order to justify the bestowal of such praise. And first, with regard to the matter now under discussion,—if the men who were then marshalling the army knew how to organize it properly, how would they have achieved success? Must it not have been by consolidating it firmly and by maintaining it perpetually, so that they should be both free themselves and masters over all others whom they chose, and so that both they and their children should do in general just what they pleased throughout the world of Greeks and barbarians alike? Are not these the reasons why they would be praised?
MEG. Certainly. (686d-87b)

**LS:** So that is what most people understand by happiness. Freedom for oneself and empire over others;[36] [because] this enables one and one's descendants to do what one desires, whatever one desires. And this the Peloponnesian confederacy promised, and therefore it is praised. And this criterion is obviously subject to some doubt. Yes?

**Reader:**
ATH. And in every case where a man uses the language of eulogy on seeing great wealth or eminent family distinctions or anything else of the kind, would it not be true to say that, in using it, he has this fact specially in mind,—that the possessor of such things is

likely, just because of this, to realize all, or at least the most and greatest, of his desires.

**LS:** Yes, whatever he desires . . . the satisfaction of desires, that is happiness. Yes?

**Reader:**
MEG. That is certainly probable.
ATH. Come now, is there one object of desire—that now indicated by our argument—which is common to all men?
MEG. What is that?

**LS:** Is this not something which Plato also admits, that there is one object of desire, one and only one object of desire,[37] [for] all men? All men seek the good and to possess it forever and ever. That is common to, say, Plato and to all men. But there is of course a difference regarding the good, namely?

**Reader:**
ATH. The desire that, if possible, everything,—or failing that, all that is humanly possible,—should happen in accordance with the demands of one's own heart.

**LS:** . . . The qualification, what is humanly possible, because some people of course would wish to be wealthy and powerful and have all pleasure and never to die.[38] [The latter] is not humanly possible.[39] Yes?

**Reader:**
MEG. To be sure.
ATH. Since this, then, is what we all wish always, alike in childhood and manhood and old age, it is for this, necessarily, that we should pray continually. (687b-c)

**LS:** He has a further consideration: since we desire that and our desire does not guarantee that we [will] get it, we will pray for it. Yes?

**Reader:**
MEG. Of course.
ATH. Moreover, on behalf of our friends we will join in making the same prayer which they make on their own behalf.
MEG. To be sure.
ATH. And a son is a friend to a father, the boy to the man.
MEG. Certainly.
ATH. Yet the father will often pray the gods that the things which the son prays to obtain may in no wise be granted according to the son's prayers.
MEG. Do you mean, when the son who is praying is still young and foolish?
ATH. Yes, and also when the father, either through age or through the hot temper of youth, being devoid—

**LS:** Yes,[40] well, hot temper of youth in his old age. In other words, if he is still childish. Yes?

**Reader:**
ATH. being devoid of all sense of right and justice, indulges in the vehement prayers of passion (like those of Theseus against Hippolytus,[iii] when he met his luckless end), while the son, on the contrary, has a sense of justice,—in this case do you suppose that the son will echo his father's prayers?

**LS:** By the way, you see from this example that old age is no guarantee of wisdom, in case you don't know that. But it is important for the argument, because frequently it is suggested that the rule of the old is by this very fact rule of the wise. Yes?

**Reader:**
MEG. I grasp your meaning. You mean, as I suppose, that what a man ought to pray and press for is not that everything should follow his own desire, while his desire in no way follows his own reason; but it is the winning of wisdom that every one of us, States and individuals alike, ought to pray for and strive after.

**LS:** That he [prays] that he will acquire intelligence. That is the only reasonable prayer. Yes?

**Reader:**
ATH. Yes. And what is more, I should recall to your recollection, as well as to my own, how it was said (if you remember) at the outset that the legislator of a State, in settling his legal ordinances, must always have regard to wisdom. The injunction you gave us was that the good lawgiver must frame all his laws with a view to war: I, on the other hand, maintained that, whereas by your injunction the laws would be framed with reference to one only of the four virtues, it was really essential to look to the whole of virtue, and first and above all to pay regard to the principal of virtue of the four—

**LS:** . . . the "leader," to the "leader," I mean the one virtue which leads the whole chorus of virtue. Yes?

**Reader:**
ATH. which is wisdom and reason and opinion, together with the love and desire that accompany them. (687c-88b)

**LS:** Yes. Now let us wait here a moment. By the way, the Athenian refers you to what he had said at the beginning. Now[41] I suppose you remember it, this great discussion at the beginning. The Athenian said there that Zeus and Apollo did lay down their laws with a view to the whole of virtue. The Athenian doesn't say that any more now, because this delusion has been dispelled a long time ago. But there is another point of perhaps equal importance. The Dorian legislators, both in Crete and in the Peloponnesus, laid down all their laws with a view to war; hence, in particular Sparta was defective from the very start, radically; and therefore [it is] no wonder that what she did, to say nothing of her confederates, failed. So there can be no longer any doubt that Sparta too is fully responsible for the breakdown of the Peloponnesian confederacy. But again, here it is not explicitly stated; we must do some very short steps of our own or, say, put one and

[iii] Slandered by his stepmother, Hippolytus was cursed by his father Theseus.

one together. But to do more would again have meant for the Athenian to do something which was not quite decent. And now the leader of the whole chorus of virtues is called good sense and intellect and opinion, with passionate desire following these three. If the passionate desire does not follow, it is not virtue. That is,[42] virtue is not simply identical with knowledge; the passionate desire must be added to it. Yes?

**Reader:**
ATH. Now the argument has come back again to the same point and I now repeat my former statement,—in jest, if you will, or in earnest; I assert that prayer is a perilous practice for him who is devoid of reason, and that what he obtains is the opposite of his desires. For I certainly expect, as you follow the argument recently propounded, you will now discover that the cause of the ruin—

**LS:** Now wait a moment. He didn't translate that rightly.[43] "If you wish to put me down as speaking seriously." "Put me down as speaking seriously." The Athenian leaves it open whether he speaks jocularly or seriously, but he is willing to be treated as if he spoke seriously. Now why does he make this qualification? What he says concerned prayer: prayer is a perilous business for someone who has no sense because he will pray for preposterous and ruinous things. There is a Platonic dialogue—which is at present, I think, generally regarded as spurious, the so-called *Second Alcibiades*—on prayer, in which Socrates talks to Alcibiades, who is about to pray and sacrifice, and shows him that as long as he is[44] [as] unreasonable as he is now, it would be wiser for him to abstain from prayer. And this depreciation of prayer as most people pray is in a way mitigated by the fact that the Athenian says you may regard this as a joke. Yes?

**Reader:**
ATH. you will now discover that the cause of the ruin of those kingdoms, and of their whole design, was not cowardice or ignorance of warfare on the part either of the rulers or of those who should have been their subjects; but that what ruined them was badness of all other kinds, and especially ignorance concerning the greatest of human interests. That this was the course of events then, and is so still, whenever such events occur, and will be so likewise in the future,—this, with your permission, I will endeavor to discover in the course of the coming argument, and to make it as clear as I can to you, my very good friends. (688b-d)

**LS:** No. "To you as to friends," as to people who are my friends. So ignorance, inability to learn,[45] is what[46] ruined the Peloponnesian confederacy and will also ruin other cities in the future. And of course it has ruined[47] [other cities] in the past. Now this ignorance existed of course also at the beginning. Ignorance is the cause[48] of all political failure. And this explains[49] [the] slightly cryptic statement of the Athenian at the beginning of the first book, in 676c6 to 8, where he says: Let us try to get hold of the cause of these changes taking place in cities, for this might show us, reveal to us, the first genesis of regimes. We[50] see by understanding what ignorance regarding the most important human things is doing. Now[51] we have the clue to the original state of man. To that extent the changes now taking place reveal to us the original condition of man. Yes?

**Reader:**

CLIN. Verbal compliments are in poor taste, Stranger; but by deed, if not by word, we shall pay you the highest of compliments by attending eagerly to your discourse; and that is what best shows whether compliments are spontaneous or the reverse.
MEG. Capital, Clinias! Let us do just as you say.
CLIN. It shall be so, God willing. Only say on.

**LS:** Yes[52]. Wait—"God willing," "if God will." That is the first time that Clinias says such a thing. He had said at the beginning, at the very beginning of the dialogue: Let us go with good chance, good luck—*agathē tuchē*. But here he says [53]"if God will." That is[54] a reasonable prayer, according to what the Athenian had indicated shortly before. Now what should they pray? That they shall attentively listen to what the Athenian is going to say. Yes?

**Reader:**
ATH. Well, then, to advance further on the track of our discourse,—we assert that it was ignorance, in its greatest form, which at that time destroyed the power we have described, and which naturally produces still the same results; and if this is so, it follows that the lawgiver must try to implant in states as much wisdom as possible, and to root out folly to the utmost of his power.
CLIN. Obviously.
ATH. What kind of ignorance would deserve to be called the "greatest"? Consider whether you will agree with my description; I take it to be ignorance of this kind,—
CLIN. What kind?
ATH. That which we see in the man who hates, instead of loving, what he judges to be noble and good, while he loves and cherishes what he judges to be evil and unjust. That want of accord, on the part of the feelings of pain and pleasure, with the rational judgement is, I maintain, the extreme form of ignorance, and also the "greatest" because it belongs to the main mass of the soul,— for the part of the soul that feels pain and pleasure corresponds to the mass of the populace in the State. So whenever this part opposes what are by nature the ruling principles—knowledge, opinion, or reason—this condition I call folly, whether it be in a state, where the masses disobey the rulers and the laws, or in an individual, when the noble elements of reason existing in the soul produce no good effect, but quite the contrary. All these I would count as the most discordant forms of ignorance, whether in the state or the individual, and not the ignorance of the artisan,—if you grasp my meaning, Strangers. (688d-89c)

**LS:** [The ignorance of the craftsmen] is that[55] [they] do not know the more delicate things which gentlemen are supposed to know. Yes?[56] So the greatest ignorance is not ignorance of the noble and just but, knowing the noble and just, choosing the ignoble and unjust—that one sees what is better but chooses what is worse. You may remember that this was a certain difficulty or apparent difficulty for Socrates, because he taught that virtue is knowledge. And the great question was: How can there be then a conflict between the intellectual part of man, knowledge, and his desires? And the phenomenon of such a conflict, the phenomenon of incontinence, became wholly unintelligible. That is especially in the *Protagoras*, as you may remember. Now here the Athenian says something very strange: "if someone,[57] when his mass of the soul, called the *demos* in us, opposes knowledge or opinion or *logos*." Opinion is in the center. The Athenian treats here knowledge and opinion as equivalent; and if opinion is the intellectual ingredient,

then of course the Socratic problem has disappeared.[58] Someone can act against his opinion, say, against the opinion that smoking is bad: his desire for a cigarette may overpower him. That happens every day.[59] But here there is a question: that's only opinion, because we have no knowledge whether smoking is so bad as the opponents of smoking say. We have only to ask the tobacco manufacturers; they will tell you that this is a very controversial thing. So the Athenian implicitly denies the distinction between knowledge and opinion, and that is an important element in the whole discussion here.[60] One can also say what the notion of virtue which here is implied is: virtue is not knowledge simply, but rather continence or moderation. Continence and moderation can and must be distinguished in a final analysis, but for crude purposes they can be treated as identical. Yes?

**Mr. Joseph Cohen:** Mr Strauss, I wanted to ask, do you see this difference between the Athenian statement of the relation of knowledge to desire and Socrates's statement as a correction of Socrates, an improvement on Socrates?

**LS:** Yes, well if you think[61] that Socrates's view is that virtue is knowledge, period, then it is a correction of Socrates. But that would depend on a closer study, say, of the *Protagoras*, whether Socrates, the Platonic Socrates ever meant it that way. Last year when we read the *Memorabilia*, we saw quite a few reasons to doubt that Socrates ever proposed a simple identification of virtue and knowledge. There is only one terrific objection to what I say, and that is that Aristotle in the *Ethics* treats this view that virtue is knowledge with the consequent impossibility of accounting for incontinence, as[62] [authentically Socratic].[iv] Then one would have to raise the question: What is the significance of an Aristotelian statement of that kind for eliciting the historical truth? Into that question we don't have to go, fortunately. But at least on the face of it you can say it is a correction of what Socrates says in the *Protagoras* and in other places.

**Mr. Cohen:** . . . in the attempt to abandon the distinction between knowledge and opinion that you pointed out, that too of course would be a departure from, if not a correction of, Socrates.

**LS:** Yes, but[63] did you ever read Mr. Klein's book on the *Meno*? Well, there he makes quite a bit of this fact that,[64] after having made the distinction, Socrates blurs it again[65] for reasons which one would have to find out for oneself. That is not necessarily un-Socratic. Yes?

**Dr. Kass:** If, by the argument that has been developed here, virtue turns out to be more akin to moderation, why is it that the very first city—the city of the first regime, the regime of kingship, in which all the virtues save wisdom are said to be present, including moderation—why is that not the best? And why does this development here . . .

**LS:** Yes, sure, that is a good question, but[66] these early men were more temperate, more just, more courageous, and more simple-minded than people now, in general.[67] But is this the true standard for judgment? Must we not ultimately judge an individual or a city with a view to wisdom as distinguished from[68] the other virtues which were available even without any wisdom?

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[iv] Strauss says "as a fact."

**Dr. Kass:** But wisdom turns out to be, by this distinction, a rather peculiar sort of wisdom or a certain kind of wisdom.

**LS:** Yes, but[69] if the highest form of wisdom which is politically feasible, yes, for the average citizen is not wisdom proper, then it would be something like moderation. I mean,[70] [that's] one of the many names which it could be given. And I think that is what it is about, what the whole dialogue in a way is about, as I believe you will see very soon. Mr. Berns?

**Mr. Berns:** Yes. I'm wondering why one should doubt that Aristotle is an accurate reporter of Socrates's views.

**LS:** Well, because, if you were to ask Aristotle[71]—and[72] you know he still gives answers although he is dead—he would quote chapter and verse.[73] It is not always clear whether he can quote chapter and verse. For example, when he says, "Plato says in the *Laws* that the best regime is a mixture of democracy and tyranny, of which the one is a bad regime, democracy, and the other not a regime at all,"[v] then of course you can look, go through the whole *Laws*, you will never find that statement.[74] Plato says only a mixture of monarchy and democracy. But perhaps in another context, for example, when he speaks of laws, Plato says[75] good laws would consist of two parts: a preamble which reasonably sets forth the reason of the law; and then the tyrannical statement: If you do this or this, you will be punished in this and this way. So that's a mixture of persuasion and tyrannical power. So Aristotle has a good reason, only one has[76] to think a bit. It is not literally there. But in this case, in[77] what he says in the sixth book of the *Ethics* about Socrates, there you can quote chapter and verse in Plato.[78]

**Mr. Berns:** Yes, so I ask why then[79] should we doubt that he is an accurate reporter?

**LS:** But the question is: Did Socrates or Plato mean it as literally as Aristotle chose to present it? For example, when[80] Aristotle discusses the best regime of the *Republic*, there is not the slightest suggestion that this might not have been meant[81] by Plato as literally as a political teaching as Aristotle presents it. But one could say that even an ironical suggestion of a wise man should be seriously considered. Because[82] how can you find out in a convincing way whether it is ironical except by examining[83] it closely? So that is, I believe, not such a great difficulty. Mr. Gonda?

**Mr. Gonda:** If I'm not mistaken, the solution to the problem of how knowledge can be dragged about like a slave—that is, how incontinence is possible—that Aristotle gives in the *Ethics* is identical to the solution that's given here . . . that Socrates [is] completely foolish to say this but then he says that in a way it makes sense, because what knowledge is meant is not really knowledge but only knowledge in a way . . .

**LS:** Yes, but of course Aristotle did this not for any low reason, but because he thought that this Socratic dictum which had such great repercussions must be discussed[84] regardless of whether Socrates meant it literally or not, because there were some people around who did understand it literally, you can be sure of that. I mean, apart from all fragments of cynics and I don't know who else. Yes. Now let's go on.

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[v] Aristotle *Politics* 2.6.

**Reader:**
CLIN. We do, my dear sir, and we agree with it.

**LS:** Yes, "my dear sir." Well, he says here "friend." That has only happened once before, that Clinias apostrophizes the Athenian "O friend." And I believe[85] [this] has something to do with the fact that by treating knowledge and opinion as interchangeable, he is of course a friend of Clinias; that is what Clinias's soul craves. Yes?

**Reader:**
ATH. Then let it be thus resolved and declared, that no control shall be entrusted to citizens thus ignorant, but that they shall be upheld in reproach for their ignorance, even though they be expert calculators, and trained in all accomplishments and in everything that fosters agility of soul, while those whose mental condition is the reverse of this shall be entitled "wise," even if, as the saying goes, "they spell [not] neither do they swim"—

**LS:** One must raise this little question on the basis of what we have seen before. What about musical education? Is this also entirely irrelevant? Can you have moderation in the sense in which Socrates or Plato sometimes understand it without musical education? Go on.

**Reader:**
ATH. and to these latter, as to men of sense, the government shall be entrusted. For without harmony, my friends, how could even the smallest fraction of wisdom exist? It is impossible. But the greatest and best of harmonies would most properly be accounted the greatest wisdom; and therein he who lives rationally has a share, whereas he who is devoid thereof will always prove to be a home-wrecker and anything rather than a savior of the State, because of his ignorance in these matters. So let this declaration stand, as we recently said, as one of our axioms. (689c-e)

**LS:** Yes, well, all right—"axioms" is [*tethētō*]. But surely before, in [86]d7 to 8 when he says, "He who lives *kata logon*, according to the *logos*," then I think that also reminds of a point which Aristotle makes: living[87] *meta logos*, with *logos*, or *kata logos*. Now with *logos* means that the *logos* in[88] [you] guides you, but you can act according to the *logos* even if that *logos* is not actual in yourself, but supplied, say, by the law. That only confirms, I think, what we have said before.

**Reader:**
CLIN. Yes, let it stand.
ATH. Our states, I presume, must have rulers and subjects.
CLIN. Of course.

**LS:** Yes,[89] but in the light of what we have read before, and in spite of the great ambiguities as to what wisdom is, roughly it has been said [that] the wise[90] must rule and the unwise obey. But this leads to a difficulty. How is it possible for the unwise to obey the wise? How can the unwise recognize the wise as wise? And this question is, in a way, the fundamental question of politics, and [one] which the Athenian Stranger articulates in a very impressive way in the sequel. Yes?

**Reader:**
ATH. Very well then: what and how many are the agreed rights or claims in the matter of ruling and being ruled, alike in States, large or small, and in households? Is not the right of father and mother one of them? And in general would not the claim of parents to rule over offspring be a claim universally just?

**LS:** In other words, not only the father and mother but also [the] grandfather and grandmother over their[91] grandchildren. Yes?

**Reader:**
CLIN. Certainly.
ATH. And next to this, the right of the noble to rule over the ignoble;—

**LS:** Yes, let us say "men of noble birth over the sons of base birth." It's still birth which is here the subject. Yes?

**Reader:**
ATH. and then, following on these as a third claim, the right of older people to rule and of younger to be ruled.
CLIN. To be sure. (689e-90a)

**LS:** This is also birth. Born earlier, born later. Or the oldest brother as a kind of image, as it were, of the father in the relation to the younger brothers. Yes?

**Mr. Gary:** Could I ask—[92] I somehow don't read it that way,[93] because the statement before that, it talks of the right of the one to rule over the other, and always talking of the right of the one to rule over the other—

**LS:** Yes, well, the "titles," one can perhaps better say, yes. The titles or dignities regarding ruling and being ruled. [And here we have first the rule of father and mother, and altogether the parents over the offspring; then the rule of noble birth over those of base birth; and third, that of the older over the younger.][94]

**Mr. Gary:** My eye is just caught by the conjunction followed by the preposition in the sentence: "the right of the older people to rule and of the younger to be ruled." It sounds like the younger are exercising a right here.

**LS:** In a way, yes. This massive distinction between rights and duties, as we are in the habit of hearing it, was not so in use in classical Greece. When Socrates says in the *Apology*:[95] *Dikaios eimi*, "I am just to present my defense," does this mean he has the right to do so?[vi] Or does this mean he has a duty to do so? Jews understand this very simply: when it is said [that] a certain thing is a commandment, in Hebrew *mitzvah*, it is absolutely impossible to distinguish[96], at least in many cases, whether this means a right or a duty. It is just to do that, that is the point. No,[97] this difficulty, I think, doesn't exist. Now we come—yes?

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[vi] Plato *Apology* 17c.

**Mr. Cohen:** How would you translate *axiomata* here?

**LS:** Well, one could translate it so that it is here, in accordance with our understanding of the context, "titles": that which entitles men to rule or to be ruled.

**Mr. Cohen:** . . . To translate it . . . as right or claim is a slightly different meaning . . .

**LS:** Yes. And also, perhaps this accounts for the difficulty Mr. Gary had when the emphasis is put not on rights in particular. The claim to be ruled or the right to be ruled is not immediately intelligible, yes, unless you think of the protection afforded to the ruled by the ruler,[98] [which] could be said to be a claim or right. Now the fourth is something different. Yes?

**Reader:**
CLIN. To be sure.
ATH. The fourth right—

**LS:** "Title," let us say, "fourth title."

**Reader:**
ATH. The fourth title is that slaves ought to be ruled, and masters ought to rule.

**LS:** Now this has of course nothing to do with birth. Yes?

**Reader:**
CLIN. Undoubtedly.
ATH. And the fifth is, I imagine, that the stronger should rule and the weaker be ruled.
CLIN. A truly compulsory form of rule! (690a-b)

**LS:** Compulsory because the strong compel the weak, yes? But it has a double meaning; it means also a truly necessary . . . same word, something necessary, something without which a city would not be possible. Yes?

**Reader:**
ATH. Yes, and one that is very prevalent among all kinds of creatures, being "according to nature," as Pindar of Thebes once said.[vii] The most important right is, it would seem, the sixth, which ordains that the man without understanding should follow, and the wise man lead and rule. Nevertheless, my most sapient Pindar, this is a thing that I, for one, would hardly assert to be against nature, but rather according thereto—the natural rule of law, without force, over willing subjects.
CLIN. A very just observation.
ATH. Heaven's favour and good-luck mark the seventh form of rule, where we bring a man forward for a casting of lots, and declare that if he gains the lot he will most justly be the ruler, but if he fails he shall take his place among the ruled.

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[vii] Cited in Plato *Gorgias* 484b.

CLIN. Very true.
ATH. "Seest thou, O legislator,"—it is thus we might playfully address one of those who lightly start on the task of legislation—"how many are the rights pertaining to rulers, and how they are essentially opposed to one another? Herein we have now discovered a source of factions, which thou must remedy." (690b-d)

**LS:** So now let us stop here.[99] By the way,[100] the legislators who go lightly, without the necessary preparation to legislation, that would also include Zeus and Apollo, of course, in the context of the whole book. But that is not the main point. The main point are the seven titles to rule. The fourth, the central one, is the rule of master-slave. For some reasons that is in the center. One could say that those connected with birth, the first three titles, are modifications of the rule of wisdom, of insight, because the parents, the[101] elder people generally, are supposed to be wiser than the children or *jung*, younger. Slavery, number four, clearly has something to do with strength, the rule of the stronger, which is the . . . Slavery is the only title regarding which nothing is said as to its soundness, whereas all other titles get some predicate. One can[102] [take] this to mean that slavery is the least just of titles. And this could be confirmed by the fact that in the *Republic*, slavery is silently abolished . . . Only in the cases of slavery and of wisdom are the ruled mentioned before the rulers, which one could take to mean that the true slaves are the unwise. That one could think.

Now there are, however, certain points which we must make. Now the opposition of which he speaks here, the opposition of these various titles, that is particularly striking, of course, in the cases of the rule of the stronger and the rule of the wise, and therefore we should perhaps consider that somewhat more closely. Strength is obviously necessary if there is to be society, civil society, but there is also a necessity of course for wisdom. But since these two are not identical and even can very well be at loggerheads, the question arises: How to reconcile these two claims, wisdom and force? And I believe that from Plato's point of view that is a fundamental political problem, and the general answer could be stated as follows: wisdom must be diluted so as to become compatible with force or strength. This[103] [has been clear] for some time, because we have seen on a few occasions the seeming identification of *logos* and law, but in fact the distinction between *logos* and law. *Logos*, and especially the true *logos*, is golden and therefore soft. It[104] is not of iron, and therefore it needs to be strengthened, and the strengthened *logos*, that's the *nomos*. But the strengthened[105] [*logos*] is no longer simply the true *logos*. It is very interesting to see that in this half-quotation from Pindar in 690b, he omits something which is[106] quoted in the *Gorgias*[107] [by] Callicles. The whole poem of Pindar is lost; [I think we do not have][108] more than what is quoted in the *Gorgias*. But there the fragment begins: that the *nomos* is the tyrant of all. And the context as Callicles understands it, it means the rule of the stronger. And here Plato, or the Athenian, does not speak of law in connection with Pindar but[109] refers to law a little bit later in the same speech, where he again seems to identify law with reason: the natural rule of law, the natural, not violent, rule of law over voluntary subjects. Rule of law is a kind of rule of the stronger. And I think empirically that is rather obvious. Because if it is not—if the law-enforcing people[110] are not stronger than the lawbreakers, the law will cease to be law. It will be a well-meaning prescription, and not more. Now—yes?

**Mr. Doskow:** Isn't there as much opposition between the first three kinds of rule, that is, in the family or the . . . and strength as there is between the wise and the strong? That is, it's not at all

clear that the grandparents are going to be stronger than the parents or the parents than the children. Any of those that also depend on something more than simply age for their existence[111] would also present some sort of strength based on . . .

**LS:** Yes, but on the other hand, the aged father is generally speaking physically inferior to his sons in their maturity.

**Mr. Doskow:** But that's what I meant.

**LS:** No, I believe—

**Mr. Doskow:** . . . the case of the wise, who are also physically inferior to the unwise in reality.

**LS:** Yes, and therefore I said that the first three titles, the titles based on birth, are a kind of reflection in a somewhat dimmer medium of the claim of wisdom. And the rule of the stronger is presented also by the rule of masters over slaves, because that is by definition a rule based on coercion. I think that Plato explains this cooperation of force and wisdom, of coercion and persuasion, very simply at the beginning of the *Republic* when Polemarchus wants Socrates and Glaucon[112] to stay on in the Piraeus and says, pointing to his muscles: We are more, i.e., we are stronger, than you. And then Glaucon gives in at once, and then Adeimantus tries to persuade Socrates by telling him what wonderful things they will see in the evening, the torch race and what have you, and then there is complete agreement except Socrates doesn't say a word. Socrates says only: "If it is the opinion," meaning the opinion of all except me, "then it must be done." The combination of coercion and persuasion: that is[113] law,[114] [that] is political society. And I think it leads to either brutality or sentimentality if one suppresses one of the two items.

**Mr. Gary:** I have a question that I wish to be taken and answered in the light of a parallel developing tradition. You say that wisdom must be diluted in order to effect itself on the *demos*. I want to know about justice.

**LS:** Perhaps that is justice, this view[115], I mean if you identify wisdom with justice—

**Mr. Gary:** I'm thinking now of divine law.

**LS:** Yes, well, all right, but divine law is ambiguous. That can be understood in the sense in which it would have to be understood in the *Republic*, and in a different way here.

**Mr. Gary:** Do they have to be diluted or improved upon in order to—

**LS:** It's not an improvement; a dilution is the opposite of an improvement.

**Mr. Gary:** Well, a dilution could constitute either a decline only a little bit, or of simplifying them down to a couple of precepts.

**LS:** Yes, that would be a very incomplete notion of justice, would it not?

**Mr. Gary:** I think it would.

**LS:** That would not satisfy Plato. I mean, say, if you take the second table of the Decalogue,[viii] that would not be sufficient for either Plato or Aristotle, of course.

**Mr. Gary:** And any further simplification would be even less sufficient.

**LS:** Which one?

**Mr. Gary:** Of the Decalogue. If that were simplified down to one or two precepts, and those precepts were to be offered as the precepts by which all men should live—

**LS:** Yes, well,[116] it all depends. But then the danger is, if it is stated[117] [with] the greatest generality, that it doesn't say very much. As they say in this country, that is something[118] [like] not being against motherhood, yes? That[119] is not sufficient for a law, although . . .

**Mr. Gary:** So would that be diluted justice, then? In some sense could we call that diluted justice or—

**LS:** No, for example,[120] here is the voice of wisdom, somewhere. And this would be unintelligible or unpalatable to the community at large. And therefore[121]—I refer again to a very common expression in American political parlance: compromise.[122] [You] compromise between wisdom and public opinion.

**Mr. Gary:** Could that be the—this is the last [question]: Could that possibly be the distinction between the oral tradition and the written tradition?

**LS:** No. It could be . . . insofar as an oral tradition seems to be more flexible[123] [than] a written one, yes? Could be. But I would like to say, although there is of course an enormous difference between Plato and Rousseau,[124] [on] this question here there is agreement. And that is shown by the very beginning of the *Social Contract*, where Rousseau says: "All men are born free but everywhere they are in chains. How this happened, I do not know. But I can tell"—I believe that is what he says—"I can tell what will make it legitimate." So[125] the teaching of Rousseau's *Social Contract* is a teaching of the difference between legitimate and illegitimate bondage. But even in the best case, in the case of that *polis* which he develops, it is nevertheless bondage. And I think that is also what Plato would say. Yes?

**Mrs. Kaplan:** [Mostly inaudible question concerning the relationship of law and election]

**LS:** That is, I believe, not so difficult. If you take a society in which all members are supposed to be equal, how can you elect rulers? If you say you elect them as we understand election today, what the Greeks called election by raising the hands—meaning, you know, the name is mentioned—then you may vote for someone because you regard him as virtuous, or as efficient, or what have you. And then[126] you *discriminate*. That's the worst crime in a democracy, you

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[viii] Exodus 20:18-21.

discriminate. And of course,[127] while everyone in a democracy is supposed to have access to ruling offices, that doesn't exist, because people want to have distinguished people. The distinctions may be laughable[128] from all kinds [of] points of view, but still there must be some claim to preferment. And therefore the Greek democrats said: We must have election by lot. Then the humblest citizen, and even the most incompetent citizen, has a chance of being elected. And that Plato recognizes it to some extent, you will see later on: there will be allowance for election by lot. One can say [that] number seven is a democratic ingredient, and one can say that there is a connection between this democratic ingredient and the rule of the stronger insofar as, other things being equal, the multitude is brachially stronger than any part, like the rich, or the virtuous, or whichever you take. You know? So to that extent, the fifth and the seventh, I think, belong together. But the election by lot has this simple reason. Yes?

**Mr. Berns:** . . . The remark you made about Rousseau and the necessary compromise between coercion and persuasion, was that a kind of suggestion as to why the masters and slaves are in the center?

**LS:** Yes, I suppose so. I did not explicitly think of that, but I may have thought of it before.

**Mr. Berns:** Then[129] the master–slave is to be understood metaphorically.

**LS:** Yes. Or as Plato could also say, [the ordinary understanding of] what "slaves" and "masters"[130] [are] is a metaphorical understanding of what true masters and slaves are, a diluted understanding. Since you can't get easily the wise to be the masters and the unwise to be the slaves, you dilute it. And you establish for example that, say, prisoners of war or people who didn't pay their debts[131] will become the slaves, because in the case of people who don't pay their debts you could say, with some semblance of truth, these are unwise people because they shouldn't have run into debts in the first place. But you see, at any rate, that this is a . . . way of looking at it, but it could be used as an example of what I understand by a dilution. Yes. I believe we—

**Mr. Berns:** May I ask another question? The first three titles have a kind of power[132] that certainly the sixth doesn't have, and that is they have the power of habit, or rather the habit of obedience, whether it's reasonable or not, [that] gives them a kind of strength which the others don't have.

**LS:** Oh well, but the rule of the stronger—

**Mr. Berns:** Of course.

**LS:** does have some strength. Good. So then I hope we meet again in reasonably good health.

[1] Changed from "who lived there—who came to live together, and that they—each clan followed the—its ancestral

custom, regarding gods themselves."

[2] Deleted "this is—."

[3] Deleted "the confedera—."

[4] Deleted "so now."

[5] Deleted "'have not—.'"

[6] Deleted "if anything—."

[7] Deleted "this means—."

[8] Deleted "there was no *demos*."

[9] Deleted "But there have—."

[10] Deleted "with a—."

[11] Deleted "is—."

[12] Deleted "now."

[13] Deleted "have—."

[14] Deleted "it was not—."

[15] Deleted "was not yet an—."

[16] Deleted "they distributed it at the time, so—."

[17] Deleted "there was no—."

[18] Deleted "that was."

[19] Deleted "and the pleasant—."

[20] Deleted "from."

[21] Deleted "from."

[22] Deleted "here—."

[23] Deleted "they have—."

[24] Deleted "that is—."

[25] Deleted "this—."

[26] Deleted "the whole—."

[27] Deleted "these things—."

[28] Deleted "being."

[29] Deleted "like—."

[30] Deleted "this—."

[31] Deleted "should—."

[32] Deleted "this."

[33] Deleted "why—."

[34] Deleted "such."

[35] Deleted "that."

[36] Deleted “and so that.”

[37] Deleted “of.”

[38] Deleted “this.”

[39] Moved “the latter.”

[40] Deleted “now—yes.”

[41] Deleted “if you look up that passage, and you—.”

[42] Deleted “so.”

[43] Deleted “‘if he would wish.’”

[44] Deleted “so.”

[45] Deleted “that.”

[46] Deleted “has.”

[47] Deleted “them.”

[48] Deleted “for all—.”

[49] Deleted “this.”

[50] Deleted “understand by.”

[51] Deleted “we understand—.”

[52] Deleted “no.”

[53] Deleted “‘if—when.’”

[54] Deleted “a prayer.”

[55] Deleted “the craftsmen.”

[56] Deleted “that is—this [inaudible words].”

[57] Deleted “‘when he opposes.’”

[58] Deleted “that.”

[59] Deleted “and—.”

[60] Deleted “and I think—yes.”

[61] Deleted “that this is simply the Socratic view.”

[62] Deleted “a fact.”

[63] Deleted “that happens surely more in the Socratic dialogue—in the—I mean where Socrates appears as a character, if you call that a Socratic dialogue happens also, that you—.”

[64] Deleted “Socrates shuffles around these—.”

[65] Changed from “he blurs them again.”

[66] Deleted “one can—in—they were—.”

[67] Deleted “that is what—the [inaudible words]. And—yes.”

[68] Deleted “these—.”

[69] Deleted “now.”

[70] Deleted “it’s.”

[71] Changed from “well, because Aristotle, if you ask him.”

[72] Deleted “I mean.”

[73] Deleted “not all.”

[74] Deleted “but.”

[75] Deleted “they consist of—.”

[76] Changed from “Aristotle has a good reason, although … he—one has only.”

[77] Deleted “the first.”

[78] Changed from “you can quote the verses—chapters and verses in Plato.”

[79] Deleted “why.”

[80] Deleted “he—.”

[81] Changed from “be taken—have been taken.”

[82] Deleted “otherwise.”

[83] Changed from “after having examined.”

[84] Changed from “Yes, yes—well, that is—but Aristotle was not felt it not because he, of course—for any low reason, but because he thought that this Socratic statement which—dictum—which had such great repercussions must be discussed.”

[85] Deleted “it.”

[86] Deleted “d7 when, or”

[87] Deleted “with.”

[88] Deleted “yourself.”

[89] Deleted “now.”

[90] Deleted “must be rule—.”

[91] Deleted “grandsons—.”

[92] Deleted “I don’t—I can’t—.”

[93] Deleted “because—because of the fact that—.”

[94] Changed from “And here we have first father and mother, and then—and altogether the parents of the offspring; then noble birth rule, base birth—men of base birth are ruled; three, the older rule—the older rule, the younger being ruled.”

[95] Deleted “‘I am.’”

[96] Deleted “whether that it is.”

[97] Deleted “there is—.”

[98] Deleted “then it.”

[99] Deleted “let us stop here. Now.”

[100] Deleted “that he speaks now to.”

[101] Deleted “older—older people.”

[102] Deleted “say.”

[103] Deleted “was—know that.”

[104] Deleted “does not—.”

[105] Deleted “nomos.”

[106] Deleted “being.”

[108] Changed from “I think one does not know.”

[109] Deleted “quotes—.”

[110] Deleted “or the law in favor of enforcing people.”

[111] Deleted “they.”

[112] Deleted “and Ademantius—no.”

[113] Deleted “what is.”

[114] Deleted “what.”

[115] Deleted “that is one way.”

[116] Deleted “this—it all depends.”

[117] Deleted “in.”

[118] Deleted “as.”

[119] Deleted “does not—.”

[120] Deleted “if—.”

[121] Deleted “you do what is.”

[122] Deleted “that.”

[123] Deleted “as.”

[124] Deleted “in.”

[125] Deleted “the social—.”

[126] Deleted “you make—.”

[127] Deleted “and quite a few.”

[128] Deleted “from all kinds—.”

[129] Deleted “well—then.”

[130] Deleted “in the ordinary sense—this.”

[131] Deleted “they.”

[132] Deleted “well.”

**Session 11: no date**

**Leo Strauss:** [Let us continue with] our reading of the third book of the *Laws*. The subject under discussion is the Spartan regime, which is mixed from three ingredients: monarchic, aristocratic, and democratic. The monarchic and the democratic, the two extremes, are linked by the council of elders, which is characterized by moderation. For the better understanding of the Spartan arrangement, the Athenian considers the two extremes by themselves, monarchy and democracy,[1] the most striking examples of[2] [which] are Persia and Athens. First he derives this lesson from Persia. Persia was in good shape when ruled by a king who was not the son of a king, which implies [that] hereditary kingship is bad; but Sparta had hereditary kingship. The second point is a critique of moderation. Moderation is no title to honor. Its absence gives just cause for blame, but in itself it is no title to honor and still less is it a title to rule. But the central part of the Spartan order, the council of elders, is characterized by moderation. He then turns to Athens, to her good time, corresponding to the time of Cyrus in Persia. That was the ancient regime at the time of the Persian War, and especially at the time of the battle of Salamis. What was characteristic was the prevalence of reverence and fear. Nothing had been said about reverence in the account of Persia, so we may suspect that this was not a Persian quality, but it was very much so in ancient Athens. And now he has to give an account of the decline of Athens, the emergence of extreme democracy. There is only one little point toward the end of what we[3] read last time, in 699. Can you read it? [i]

**Reader:**
ATH: But both you and Clinias must now consider whether what we are saying is at all pertinent to our law-making; for my narrative is not related for its own sake, but for the sake of the lawmaking I speak of. (699d-e)

**LS:** Well, he says[4] "not for the sake of *muthoi*," of myths, "go I through these things, but for the sake of lawmaking." The historical narrative, what they call the facts of history, these are myths, as well as the myth properly so-called. But we go on now a little later, the next speech of the Athenian.

**Reader:** The longer one?

**LS:** No, first the shorter one.

**Reader:**
ATH. I will. Under the old laws, my friends, our commons had no control over anything, but were, so to say, voluntary slaves to the laws.
MEG. What laws do you mean?
ATH. Those dealing with the music of that age, in the first place,—to describe from its commencement how the life of excessive liberty grew up. Among us, at that time, music was divided into various classes and styles: one class of song was that of prayers to the

[i] Evidently there was an intervening session, for which no recording exists, in which the class discussed *Laws* 690e-99d.

gods, which bore the name of "hymns"; contrasted with this was another class, best called "dirges"; "paeans" formed another; and yet another was the "dithyramb," named, I fancy, after Dionysus. "Nomes" also were so called as being a distinct class of song; and these were further described as "citharoedic nomes." So these and other kinds being classified and fixed, it was forbidden to set one kind of words to a different class of tune. The authority whose duty it was to know these regulations, and, when known, to apply them in its judgements and to penalize the disobedient, was not a pipe, nor, as now, the mob's unmusical shoutings, nor yet the clappings which mark applause: in place of this, it was a rule made by these in control of education that they themselves should listen throughout in silence, while the children and their ushers and the general crowd were kept in order by the discipline of the rod. In the matter of music the populace willingly submitted to orderly control and abstained from outrageously judging by clamour; but later on—

**LS:** No, wait for one moment. So this was ancient Athens.[5] It was characterized not only by awe, but also by music. Of course nothing had been said about music in the account of Persia. And how the two things are connected with one another, awe and music, that is not in any way stated. Now what happened? What happened next?

**Reader:**
ATH. but later on, with the progress of time, there arose as leaders of unmusical illegality poets who, though by nature poetical, were ignorant of what was just and lawful in music; and they, being frenzied and unduly possessed by a spirit of pleasure, mixed dirges with hymns and paeans with dithyrambs, and imitated flute-tunes with harp-tunes, and blended every kind of music with every other; and thus, through their folly, they unwittingly bore false witness against music, as a thing without any standard of correctness, of which the best criterion is the pleasure of the auditor, be he a good man or a bad. By compositions of such a character, set to similar words, they bred in the populace a spirit of lawlessness in regard to music, and the effrontery of supposing themselves capable of passing judgement on it. Hence the theatre-goers became noisy instead of silent, as though they knew the difference between good and bad music, and in place of an aristocracy in music there sprang up a kind of base theaterocracy.

**LS:** The rule of the theater, yes? Of theater crowds. Yes?

**Reader**:
ATH. For if in music, and music only, there had arisen a democracy of free men, such a result would not have been so very alarming; but as it was, the universal conceit of universal wisdom and the contempt for law originated in the music, and on the heels of these came liberty. For, thinking themselves knowing, men became fearless; and audacity begat effrontery. For to be fearless of the opinion of a better man, owing to self-confidence, is nothing else than base effrontery; and it is brought about by a liberty that is audacious to excess.
MEG. Most true. (700a-701b)

**LS:** So the decline of Athens came from the decline of music and not from any political reasons. This decline is due to the great Athenian poets, after the Persian war. No names are mentioned.

But on the other hand, this means that we don't know whether Plato makes Aeschylus, for example, responsible[6]. One might think he speaks primarily of Euripides and Aristophanes, but that is unlikely, that it starts as late as these two men. That is a very remarkable doctrine of the origin of democracy, or the worst kind of democracy, in Athens: the corruption of music. But it is not altogether [un]intelligible if we think of the influence of art and literature on how people think and feel. And it surely makes clear[7] [Plato's] profound opposition[8] to poetry. That is perhaps stronger even than these famous statements of the *Republic*, because here the whole decline of Athens is traced to men who were by nature poetic and yet had emancipated themselves from morality, as we would say. Yes?

**Reader:**
ATH. Next after this form of liberty would come that which refuses to be subject to the rulers; and, following on that, the shirking of submission to one's parents and elders and their admonitions; then, as the penultimate stage, comes the effort to disregard the laws; while the last stage of all is to lose all respect for oaths or pledges or divinities,—wherein men display and reproduce the character of the Titans of story, who are said to have reverted to their original state, dragging out a painful existence with never any rest from woe. What, again, is our object in saying all this? Evidently, I must, every time, rein in my discourse, like a horse, and not let it run away with me as though it had—

**LS:** Yes, "my discourse." He doesn't say: "*the* discourse," "*the logos*." Yes?

**Reader:**
ATH. Evidently I must every time rein in the discourse, like a horse, and not let it run away with me as though it had no bridle in its mouth, and so, "get a toss off the donkey," (as the saying goes): consequently I must once more repeat my question, and ask—"with what object has all this been said?"
MEG. Very good. (701b-d)

**LS:** So what does this mean, this remark[9] that he must put a rein on the *logos*?

**Mr. Gary:** Well, he's living what he's just spoken, in the speech before.

**LS:** But were we not told that one must follow the *logos*?

**Mr. Gary:** But not in every direction. I mean, isn't the speech before about the lawless—

**LS:** No, he refers to the *logos* which condemns this newfangled music.

**Mr. Gary:** But even that must be held in a law, even that *logos*. As the music must be held in a law, so the *logos* about the music.

**LS:** Yes, but[10] is not the *logos* its own law? Can[11] the *logos*, and especially the true *logos*, be subjected to law? That would be a question.

**Mr. Gary:** But the *logos* of a living dialogue is always directed to particular people, and that

would have to be directed by laws that couldn't be—

**LS:** Yes, but why should the presence of Megillus and Clinias induce the Athenian to put a rein on the *logos* condemning newfangled music?

**Mr. Gary:** Because if he says the truth simply, they might kill him.

**LS:** Megillus and Clinias?

**Mr. Gary:** Why not?

**LS:** They are not so fond of newfangled music. Mr. Berns?

**Mr. Berns:** But they are liable to want to do away with all music.

**LS:** And you think they [might] argue this: if music can be corrupted, then it is bad in itself. Perhaps, yes. But certainly, at any rate, this much is clear; and we admitted that, that the *logos* goes rather far. So[12] he stops it. Yes. And now he returns to the subject[13] [with] the next question.

**Reader:**
ATH. What has now been said bears on the objects previously stated.
MEG. What were they?
ATH. We said that the lawgiver must aim, in his legislation, at three objectives—to make the state he is legislating for free, and at unity with itself, and possessed of sense. That was so, was it not? (701d)

**LS:** Yes. Now that is a repetition of what was said earlier, but the original formula was rather "moderate," and now he has replaced it by "sense" or "intellect."[14] That has something to do with the critique of *sophrosunē*, of moderation, which we have read. Yes?

**Reader:**
MEG. Certainly.
ATH. With these objects in view, we selected the most despotic of polities and the most absolutely free, and are now enquiring which of these is rightly constituted. When we took a moderate example of each—of despotic rule on the one hand, and liberty on the other,—we observed that there they enjoyed prosperity in the highest degree; but when they advanced, the one to the extreme of slavery, the other to the extreme of liberty, then there was no gain to either the one or the other.
MEG. Most true.
ATH. With the same objects in view we surveyed also the settling of the Doric host and the homes of Dardanus at the foot of the hills and the colony by the sea and the first men who survived the Flood, together with our previous discourses concerning music and revelry, as well as all that preceded these. The object of all these discourses was to discover how best a State might be managed, and how best the individual citizen might pass his life.

**LS:** Yes, let us stop here. So that is a brief summary of everything that went before, from the very beginning. That had one and only one object: to see how a *polis* would dwell best and[15] how one would live privately his own life best. So both are the subject: the best *polis*, the best life for the individual. These are the subject throughout. And the long discussions of music and drunkenness are subordinate of course to this theme,[16] the good life. Yes? And that is the conclusion of the argument. Now how does he go on from here?

**Reader:**
ATH. But as to the value of our conclusions, what test can we apply in conversing among ourselves, O Megillus and Clinias?
CLIN. I think, Stranger, that I can perceive one. It is a piece of good luck for me that we have dealt with all these matters in our discourse. For I myself have now come nearly to the point when I shall need them, and my meeting with you and Megillus here was quite opportune. I will make no secret to you of what has befallen me; nay, more, I count it to be a sign from Heaven. The most part of Crete is undertaking to found a colony, and it has given charge of the undertaking to the Cnosians, and the city of Cnosus has entrusted it to me and nine others. We are bidden also to frame laws, choosing such as we please either from our own local laws or from those of other countries, taking no exception to their alien character, provided only that they seem superior. Let us, then, grant this favour to me, and yourselves also; let us select from the statements we have made, and build up by arguments the framework of a State, as though we were erecting it from the foundation. In this way we shall be at once investigating our theme, and possibly I may also make use of our framework for the State that is to be formed.
ATH. Your proclamation, Clinias, is certainly not a proclamation of war! So, if Megillus has no objection, you may count on me to do all I can to gratify your wish.
CLIN. It is good to hear that.
MEG. And you can count on me too.
CLIN. Splendid of you both! But, in the first place, let us try to found the State by word. (701d-702e)

**LS:** Yes, "to found the city in speech." Now Clinias, who is as we know more abundant in thought than in speech, and therefore had not disclosed hitherto what he had up his sleeve, now tells it. That is an excellent training for him in the task which his city has imposed on him, to become the founder, or co-founder and co-legislator of a new city. And this foundation[17] in speech of the new city will be the test of the truth or reasonableness of everything they have said before. And[18] from now on there begins then the founding of the city in speech. And everything else is a kind of introduction.

Now founding a city in speech—that is also being done in the *Republic*. But in the *Republic* the co-founders are Socrates, Glaucon, and Adeimantus. And here they are the Athenian,[19] Clinias, and Megillus, and that makes all the difference. In the *Republic*, the founding of the city in speech was preceded by an examination of the wrong opinion on justice; here it was preceded by an examination of the Dorian legislation and the Dorian, and especially the Spartan, regime. The question of justice is not the guiding question of the *Laws* as it is the guiding question of the *Republic*.[20] And the change which takes place here (there is no such change in the *Republic*)

means also that from now on the Athenian is no longer merely the teacher of legislators but an advisor to an actual legislator, here and now, and that accounts for some happenings later on. Now before we turn to book 4, is there any point which you would like to raise regarding book 3, or anything else which we have not sufficiently considered? Yes?

**Mr. Peter Fairbanks:** I'm not quite clear as to the condemnation of the poets. I don't see how he arrives at the decision to hold them responsible for the corruption of the public.

**LS:** Well, let me put it this way: What else could he have done? After all, he has to explain why this wonderful ancient regime of Athens was destroyed, how it came to be destroyed. What would be the alternative to his explanation?

**Mr. Fairbanks:** . . . there might have been a problem with the democratic process.

**LS:** But could there be a democratic process before there was a democracy?

**Mr. Fairbanks:** No.

**LS:** How did the Athenian democracy come into being?

**Mr. Fairbanks:** Through the will of the people . . .

**LS:** Yes, but the king had been disposed of a long time ago.[21] The explanation which the Athenian himself gives later on in the fourth book is this: Salamis was the high point; and the consequence of Salamis, a naval battle, was Athenian naval power. And that meant that the Athenians had to use all kinds of low-class people, the scum, for sailors. You know? And they couldn't do that in the long run without giving them citizen rights, the vote. Then that was a democracy.[22] But this would perhaps be somewhat awkward, after this high praise of Salamis and of Athens at the time of Salamis, to say: Well,[23] Athens at Salamis [was] so wonderful, and look what happened almost immediately afterward, the change of the ancient regime. Instead he refers to an alternative interpretation which is not so visibly true, but which from Plato's point of view is true in a deeper sense, because the corruption of cities is in the first place the corruption of how people think and feel. And that can very well be brought about by poets, and perhaps more by them than by any other people. Mr. Berns?

**Mr. Berns:** That latter argument in a way has, I think, a funny character for us, because if one thinks about television now, and the power of television[24] because so many people see it so much of the time, one can see the argument being perhaps more plausible now. But I wonder if it really was plausible then? Did the people go to the theater so often? Did the poets really have the kind of effect and the kind of audience that, say, television has now?

**LS:** Well, one could say it is less plausible now because the demands regarding decency are so much lower now. You know[25] it is impossible to get any agreement, even among Supreme Court judges, as to what obscenity is. A hundred years ago there wouldn't have been any difficulty in this respect.

**Mr. Berns:** Yes. But I think one could make the argument that that is precisely evidence for the sort of thing that he was talking about here, because I suspect that the reason it's hard to get that kind of agreement now is because the advanced people, the artists and the intellectuals, have made us familiar with all sorts of things that were simply in past times regarded as indecent, because they've done it under the name of artistic freedom. In other words, it seems to me that what has happened to the Supreme Court might be more effect than cause of what . . .

**LS:** Yes. I took up only one [26][aspect of your question], but I agree with you; but you must not limit yourself to what you call the artists.[27] Without Freud, without D. H. Lawrence, and some other people whose names I will not mention, this whole thing wouldn't have the power which it actually possesses. Is this not so? And therefore from the point of view of founders, one could say they corrupted the regime. I mean, that it has nothing in itself to do with democracy would seem to follow from the fact that there can be a rather severe Puritan, not to say theocratic, democracy.[28] There must be another reason for that.

**Mr. Berns:** Well,[29] you just mentioned that there might be corrupters in back of the artists, that is to say, if one assumes that the artists are corrupting the populace. But then there are corrupters of the artists: is there a suggestion that there were corrupters of the Athenian poets?

**LS:** No.

**Mr. Berns:** What[30] I meant was the movement that is called sophistry.

**LS:** But that is not linked up.[31] I mean, we have received a venerable tradition which, as all venerable traditions, is however subject to examination: that the whole thing started with a certain number of wicked men traveling from one city to another, having[32] no landed means of support: the sophists. But whether this is not a somewhat narrow view of what happened [is questionable]. Precisely on the basis of Plato and Aristotle, who seem to be the great accusers of "the sophistic movement," you know, people have[33] all kinds of fantastic notions. Protagoras as the theorist of the Athenian democracy, have you heard that?[34] An Austrian discovered [that] about seventy years ago, and in the meantime it has become something like holy writ on the basis of a few pages in Plato's *Protagoras*, which mean something very different.[ii] And so on. Plato does not say there is a connection between the sophists and the poets.

**Mr. Berns:** Well, but I was thinking of something like Nietzsche's argument about, well, say, poetry being corrupted by philosophy.

**LS:** Yes, but Plato does not say that. Plato does not suggest that. Yes?

**Mr. Fairbanks:** I'm not quite clear. Your explanation . . . lead to a man who . . . somehow resulting in a breakdown of law and custom to get themselves the breakdown of democracy. I wonder—I'm still not quite clear why poetry is somehow a reflection—

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[ii] Strauss might be referring to A. Menzel, "Protagoras, der älteste Theoretiker der Demokratie," *Zeitschrift für Politik* 3 (1910), 205-38.

**LS:** That I didn't mean;[35] that would be a kind of half-Marxist interpretation. No, I said there were two things, the massive things: naval power, Athenian empire, democracy becoming ever more extreme; and the other[36], of which we so to say know nothing except from this page of Plato, the great Athenian poets, they alone are responsible for what happened. And now the question is: How do the two things go together? And we have no preparatory guidance for that, for answering that question.[37] It is intelligible in this context, because here we have first been given high praise of Salamis. And then it would be perhaps too much for old Megillus and Clinias to say: Very well, this—Athens' finest hour—produced Athens' utmost decay. You know? Today I believe they call that dialectic. And this is not the way in which old law-bred gentlemen think. If it is the finest hour, only something fine can come out of it.

**Mr. Fairbanks:** But is it simply a means of avoiding the presentation of a contradictory outcome . . . the situation of Salamis—is this the reason that[38] he blames again the poets or is it—?

**LS:** No,[39] Plato[40] has some deep objection to the poets. But that objection is not adequately expressed by saying that the poets are responsible for the emergence of Athenian extreme democracy. That is only done in this context.

**Dr. Kass:** I would like to point to what may be another element . . . related to the decline, which is the entire discussion of reverence or awe, which is described as inducing[41] a kind of willing slavery to the rulers and the laws; and later on it appears as a kind of substitute for the virtue of courage. Without this fear, they would have not have stood up so well.

**LS:** Not "substitute," but it is that which makes courage possible. Yes? Because[42] there are two things, in the language of Hobbes: fear of human beings, and fear of powers invisible.[iii] And what Plato says, or the Athenian, is that the fear of powers invisible[43] enables people to overcome the fear of human enemies. Yes? That's not a substitute.

**Dr. Kass:** Well, what struck me in reading this is that it's somewhat akin to the earlier discussion of moderation, where the sense of shame was somehow perhaps a substitute for the virtue of moderation. And I wonder whether, in a way, the reason that the Athenians are susceptible to the corruption brought about by the poets is that instead of having the virtues, they have merely the—

**LS:** Yes, that is a possible explanation, and that the poets as it were exploited these or made use of and aggrandized these feelings of awe, which would surely be true of tragedy, at least for Plato. That is possible, but that is very deeply hidden. Yes? Yes. Surely[44] what the old Athenians had was not virtue, strictly speaking; there was no Socrates there, and perhaps [he was] not even possible among them. You wanted to say something?

**Mr. Gary:** It just seems to me that the argument that's offered here is certainly capable of expansion in many different ways and can be seen to be parallel to other arguments that Plato gives. And I think really this argument is very pure, and the logic that runs through it is

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[iii] Hobbes, *Leviathan*, 1.12.

inescapable: that if there are different kinds of music, and each kind has to be appreciated according to a certain knowledge, and not all kinds are directed purely towards producing pleasure, then if you mix the kinds all together and create art out of the mixture of that, the only possible criterion of art would be pleasure.

**LS:** Yes. Yes, sure.

**Mr. Gary:** And it would be pleasure for good men and bad men.

**LS:** Yes, that is true, but—

**Mr. Gary:** Or any kind of men. I mean, that seems to be a pretty strong—

**LS:** Yes, but still, the overall question is this: How can one say that the corruption of music, or the emergence of the great Athenian poets, is responsible for the decay of Athens, for the emergence of the Athenian democracy? Especially since there is available a much more plausible explanation, an explanation which the Athenian himself will give in the fourth book, very soon. Surely that was not beyond his knowledge.

**Mr. Gary:** In other words, it is not plausible to think that if the law in art about musical kinds is broken down, and the pleasure principle is instituted as the only judge of art, that the law for example with respect to justice would be broken down—the pleasure principle—

**LS:** No, no, but still, is there not a difference between these two possible explanations, the political one and the music[al] one?

**Mr. Gary:** But don't people have a certain mentality which encompasses both their musical understanding and their political understanding? And if one part of it goes one way, isn't the other one going to follow?

**LS:** Perhaps.

**Mr. Gary:** I think the argument is very plausible, and with the bare logic that it offers it's very strong.

**LS:** Yes?

**Mr. Gonda:** The examination of the courage of Athens seems to . . . one, to show, kind of, the ancillary character of moderation, but also to show that the weakness of—to show this degeneration of the principle of *phronēsis* and the principle of freedom. I wonder why the principle of friendship isn't shown . . .

**LS:** Yes, well, but friendship is there if you have a limited despotism or a limited freedom.[45] And this will break down[46] the moment you get extreme despotism or extreme freedom.

**Mr. Gonda:** So . . . no proper action that belongs to—friendship doesn't lead to a breakdown of

other things—

**LS:** No, here the main point is the decay of awe: in the case of Athens,[47] of awe and of respect for authority, music or no music; and in the case of Persia, well, the disregard of the people, the subjects. There is not such a one-to-one coordination, I believe, between these[48] [four] items, ancient Persia, modern Persia, ancient Athens, modern Athens. So shall we then turn to book 4?

**Reader:**
ATH. Come now, what is this State going to be, shall we suppose? I am not asking for its present name or the name it will have to go by in the future; for this might be derived from the conditions of its settlement, or from some locality, or a river or a spring or some local deity might bestow its sacred title on the new State. The point of my question about it is rather this,—is it to be an inland state, or situated on the sea-coast?
CLIN. The State which I mentioned just now, Stranger, lies about eighty stades, roughly speaking, from the sea.

**LS:** That is about nine miles.

**Reader:**
ATH. Well, has it harbours on the sea-board side, or is it quite without harbours?
CLIN. It has excellent harbours on that side, Stranger; none better.
ATH. Dear me! How unfortunate! But what of the surrounding country? Is it productive in all respects, or deficient in some products?
CLIN. There is practically nothing that it is deficient in.
ATH. Will there be any State bordering close on it?
CLIN. None at all, and that is the reason for settling it. Owing to emigration from this district long ago, the country has lain desolate for ever so long.
ATH. How about plains, mountains, and forests? What extent of each of these does it contain?
CLIN. As a whole, it resembles in character the rest of Crete.
ATH. You would call it hilly rather than level?
CLIN. Certainly.
ATH. Then it would not be incurably unfit for the acquisition of virtue. For if the State was to be on the sea-coast, and to have fine harbours, and to be deficient in many products, instead of productive of everything,—in that case it would need a mighty savior and divine lawgivers, if, with such a character, it was to avoid having a variety of luxurious and depraved habits. (704a-e)

**LS:** Literally, “with such a character,” “with such a nature.” Yes?

**Reader:**
ATH. As things are, however, there is consolation in the fact of that eighty stades. Still, it lies unduly near the sea, and the more so, because, as you say, its harbours are good; that, however, we must make the best of. For the sea is, in very truth, “a right briny and bitter neighbour” although there is sweetness in its proximity for the uses of daily life; for by filling the markets of the city with foreign merchandise and retail trading, and breeding in

men's souls knavish and tricky ways, it renders the city faithless and loveless, not to itself only, but to the rest of the world as well. But in this respect our state has compensation in the fact that it is all-productive; and since it is hilly, it cannot be highly productive as well as all-productive; if it were, and supplied many exports, it would be flooded in return with gold and silver money—the one condition of all, perhaps, that is most fatal, in a State, to the acquisition of noble and just habits of life,—as we said, if you remember, in our previous discourse.
CLIN. We remember, and we endorse what you said both then and now.

**LS:** The Athenian begins[49] now, speaking as an advisor to a legislator, with the nature of the land, with the nature of the territory. And[50] that nature proves to be tolerably good: it is not quite at the seacoast; the terrain is hilly; it is almost self-sufficient[51], hence not in need of imports; and owing to its hilly character it[52] has no surplus to export. So it is as self-sufficient as it can be, and therefore [there is] no need for trade, that corrupter of pure manners, pure morals, as it was always called in former times by the philosophers. And only later on, in modern times, in the seventeenth, eighteenth century, was the case made for trade, admitting that it was bad for morality, for pure manners, yet it was said to be productive of gentle manners, meaning taking away the severity of the old-fashioned morality. You find this beautifully developed by Montesquieu, in his *Spirit of Laws*[iv] and in this whole literature leading up to Adam Smith, where there was always some doubt regarding the goodness of international exchange or of trade within the country, but it was meant to be much more acceptable in modern times. Another argument which plays a role[53] even in Kant is that trade connects the peoples, whereas religion separates them. And hence[54] they didn't say "Make love, not war" but "Make trade, and dilute the power of religion by permitting the pullulation of sects, so that the power of religion as a whole would become weaker." Now Plato is here of course a representative of the absolutely opposed view, as you see. Trade and traveling are two great dangers to cohesion, and therefore very strict rules regarding traveling will be stated later on in the book.

**Reader:**
CLIN. We remember, and we endorse what you said both then and now.
ATH. Well, then, how is our district off for timber for ship-building?
CLIN. There is no fir to speak of, nor pine, and but little cypress; nor could one find much larch or plane, which shipwrights are always obliged to use for the interior fittings of ships.
ATH. Those too, are natural features which would not be bad for the country. (704e-705c)

**LS:** Yes. That is also still the nature of the country. Needless to say, there is not a word said here about the beauty of scenery and of the various kinds of trees which exist there; this is wholly beyond the interests[55] not only of Megillus and Clinias but of the Athenian Stranger himself. Because[56] [for] people [to] become interested in the beauty of the scenery[57] would require a great change in outlook, which had not taken place at that time.

**Reader:**

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[iv] Montesquieu, *The Spirit of Laws*, book 20.

CLIN. Why so?
ATH. That a State should not find it easy to copy its enemies in bad habits is a good thing.
CLIN. To which of our statements does this observation allude?
ATH. My dear Sir, keep a watch on me, with an eye cast back on our opening statement about the Cretan laws. It asserted that those laws aimed at one single object, and whereas you declared that this object was military strength, I made the rejoinder that, while it was right that such enactments should have virtue for their aim, I did not at all approve of that aim being restricted to a part, instead of applying to the whole. So do you now, in turn, keep a watch on my present lawmaking, as you follow it, in case I should enact any law either not tending to virtue at all; or tending only to a part of it.

**LS:** So the Athenian[58] presents himself now as legislator: that is a new role in which he appears. Yes?

**Reader:**
ATH. For I lay it down as an axiom that no law is rightly enacted which does not aim always, like an archer, at that object, and that alone, which is constantly accompanied by something ever-beautiful—passing over every other object, be it wealth or anything else of the kind that is devoid of beauty. To illustrate how the evil imitation of enemies which I spoke of, comes about, when people dwell by the sea and are vexed by enemies, I will give you an example (though with no wish, of course, to recall to you painful memories).

**LS:** Yes, or, literally, "to bear grudges against you." Yes?

**Reader:**
ATH. When Minos, once upon a time, reduced the peoples of Attica to a grievous payment of tribute, he was very powerful by sea, whereas they possessed no warships at all at that time such as they have now, nor was their country so rich in timber that they could easily supply themselves with a naval force. Hence they were unable quickly to copy the naval methods of their enemies and drive them off by becoming sailors themselves. And indeed it would have profited them to lose seventy times seven children rather than to become— (705c-706b)

**LS:** They had to give only twice seven, yes? They had to give to Minos only twice seven children. The Athenian says even if they had been compelled to give them many times seven, it wouldn't have been as bad as to imitate the art or practices of Minos. Yes?

**Reader:**
ATH. rather than to become marines instead of staunch foot-soldiers; for marines are habituated to jumping ashore frequently and running back at full speed to their ships, and they think no shame of not dying boldly at their posts when the enemy attack; and excuses are readily made for them, as a matter of course, when they fling away their arms and betake themselves to what they describe as "no dishonourable flight." (706c)

**LS:** Let us stop here. Minos [was] the old enemy of Athens and of course at the same time the

legislator of Crete. And we have seen there was quite a bit of criticism of the Cretan legislation before; and here a point comes up which had not been mentioned and which in a way is stronger than the things mentioned before, namely, that Minos corrupted the character of his subjects by his naval imperialism—in Greek *thallosocracy*, rule of the sea. If we knew nothing else, this would be a sufficient explanation of why Crete had practically disappeared from the discussion in book 3, where only Sparta was being discussed and not Crete. To fill this completely out, although we are on the island of Crete, and although we are supposed to found a Cretan city—yes?—Crete has lost its traditional prestige completely. Yes?

**Mr. Gary:** Could I ask a question about the section that came just before this speech? It says that a state should not find it easy to copy its enemies. That a state should not find it easy to copy its enemies in bad habits is a good thing.

**LS:** Yes,[59] the old Athenians of Minos's time could not imitate Minos because they did not have a navy. They did not even have the necessary timber for shipbuilding.

**Mr. Gary:** I just want to [ask]—is that saying the same thing as in Exodus 12:13, where it says that Moses led his people not into the land of the Philistines, although it was near?

**LS:** Yes, yes. But the reason is perhaps somewhat different too. The reason is because the land of the Philistines is so near. Yes, sure. The other things can be presumed to be implied.

**Mr. Gary:** And also, it seems to me that—it says here that, "Though with no wish to recall to you painful memories—"

**LS:** [60]No, "to bear grudges." As an Athenian, he must be supposed to bear grudges against Minos, the torturer of Athens.

**Mr. Gary:** Couldn't that also be taken as a living case of the Athenian—I mean, I'm now going to another level in the presentation, the idea that[61] he doesn't want to bring Clinias to consider something that is that bad, because just by the exposure to a memory so painful, a memory of something that—

**LS:** [62]No, that is different, not . . . but, *mnese kaka* means[63] "remembering evil things"—in the first place, evil things one suffered, not which one did.

**Mr. Gary:** Isn't there a possibility that with certain people it is better not to think about evil things with them? Because even if your whole conversation is directed towards virtue, if you think about evil things with them, they will be inevitably corrupted by those things, and maybe this is a—

**LS:** I doubt whether this is meant. I think[64] it is a reminder of the old sufferings of Athens, and in the context of the question of whether naval power is good. And the Athenian goes so far as to say that it is much better to be exposed to the ravages wrought by a naval power than to have[65] naval power [oneself]. That is his point.

**Reader:**
ATH. These "exploits" are the usual results of employing naval soldiery; and they merit, not "infinite praise," but precisely the opposite; for one ought never to habituate men to base habits, and least of all the noblest section of the citizens. That such an institution is not a noble one might have been learnt even from Homer. For he makes Odysseus abuse Agamemnon for ordering the Achaeans to haul down their ships to the sea, when they were being pressed in fight by the Trojans; and in his wrath he speaks thus:—

"Dost bid our people hale their fair-benched ships
Seaward, when war and shouting close us round?
So shall the Trojans see their prayers fulfilled,
And so on us shall sheer destruction fall!
For, when the ships are seaward drawn, no more
Will our Achaeans hold the battle up,
But, backward glancing, they will quit the fray:
Thus baneful counsel such as thine will prove." (706c-707a)[v]

**LS:** So here Homer, or his Odysseus—there is now a distinction necessary to make. He is a wise poet. Homer is never blamed in the *Laws*, whereas he is blamed in the *Republic*. [66]And Homer[67] confirms this truth that hoplite power, the power of the heavy-armed infantry,[68] is the thing which brings about good character, noble character as distinguished from naval power. It is very doubtful whether the passage in the *Iliad* which he quotes here has this meaning: but you see he can use it without difficulty. Yes?

**Reader:**
ATH. So Homer, too, was aware of the fact that triremes lined up in the sea alongside of infantry fighting on the land are a bad thing: why, even lions, if they had habits such as these, would grow used to running away from does! Moreover, States dependent upon navies for their power give honours, as rewards for their safety, to a section of their forces that is not the finest; for they owe their safety to the arts of the pilot, the captain, and the rower—

**LS:** Yes, "the captain" is not a bad translation: "the commander of rowers," yes? Of fifty rowers. That is to say, a kind of noncommissioned officer. You know the type of thing. Yes?

**Reader:**
ATH. men of all kinds and not too respectable,—so that it would be impossible to assign the honours to each of them rightly. Yet, without rectitude in this, how can it still be right with a State?
CLIN. It is well-nigh impossible. None the less, stranger, it was the sea-fight at Salamis, fought by the Greeks against the barbarians, which, as we Cretans at least affirm, saved Greece.

**LS:** So in other words, he turns the battle of Salamis against this anti-naval argument of the

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[v] The Athenian quotes Homer *Iliad* 14.96 ff.

Athenian: Salamis, which the Athenian himself has praised so highly, saved Greece from the barbarians, and why should not therefore a naval power be desirable? And how does the Athenian get out of that fix?

**Reader:**
ATH. Yes, that is what is said by most of the Greeks and barbarians. But we—that is, I myself, and our friend Megillus—affirm that it was the land-battle of Marathon which began the salvation of Greece, and that of Plataea which completed it; and we affirm also that, whereas these battles made the Greeks better, the sea-fights made them worse,—if one may use such an expression about battles that helped at that time to save us (for I will let you count Artemisium also as a sea-fight, as well as Salamis). Since, however, our present object is political excellence, it is the natural character of a country and its legal arrangements that we are considering; so that we differ from most people in not regarding mere safety and existence as the most precious thing men can possess, but rather the gaining of all possible goodness and the keeping of it throughout life. This too, I believe, was stated by us before.
CLIN. It was. (707a-d)

**LS:** Yes. Well, the principle is clear: not life, but living well, living as[69] [well] as possible. Not salvation from danger, mere salvation from danger, but what makes the citizen body better. And from this point of view, the land battles, land victories, at Marathon and Plataea, are to be praised more highly than the naval battles of Salamis and Artemisium. Yes?

**Reader:**
ATH. Then let us consider only this,—whether we are traveling by the same road which we took then, as being—

**LS:** "Way we took then." Yes?

**Reader:**
ATH. which we took then, as being the best for States in the matter of settlement and modes of legislation.
CLIN. The best by far.
ATH. In the next place tell me this: who are the people that are to be settled?

**LS:** Yes, now let us stop here for a second. So he has first discussed the nature of the terrain, the nature of the territory, and the questions pertaining thereto. And now he turns to the people. Aristotle in the seventh book of the *Politics* does exactly the same, in the same order, but Aristotle of course speaks always as a teacher of legislators,[70] while the Athenian speaks in the first place as the advisor of a legislator, which is very different. And this explains at least partly the fact that the Athenian, in contradistinction to Aristotle, does not speak of the "nature" of the citizen body or of the populace. The term does not occur in this very short section and we shall see soon why. Yes?

**Reader:**
ATH. Will they comprise all that wish to go from any part of Crete, supposing that there

has grown up in every city a surplus population too great for the country's food supply? For you are not, I presume, collecting all who wish to go from Greece; although I do, indeed, see in your country settlers from Argos, Aegina, and other parts of Greece. So tell us now from what quarters the present expedition of citizens is likely to be drawn.
CLIN. It will probably be from the whole of Crete; and of the rest of the Greeks, they seem most ready to admit people from the Peloponnese as fellow-settlers. For it is quite true, as you said just now, that we have some here from Argos, amongst them being the most famous of our clans, the Gortynian, which is a colony from Gortys, in the Peloponnese. (707d-708a)

**LS:** Yes, now wait. So in other words,[71] the question is: What kind of people will found the new colony? They are chiefly Cretans, and a sprinkling from the Peloponnese. Well, and what about the nature of the people? Well,[72] that[73] can be presumed to be known to the Cretan as well as to the Athenian. Possibly it is not a very good subject for discussion among them. At any rate, the nature of the populace is not discussed. Yes. The Athenian turns to another subject which has very much to do with that.

**Reader:**
ATH. It would not be equally easy for States to conduct settlements in other cases as in those when, like a swarm of bees, a single clan goes out from a single country and settles, as a friend coming from friends, being either squeezed out by lack of room or forced by some other such pressing need. At times too, the violence of civil strife might compel a whole section of a State to emigrate; and on one occasion an entire State went into exile, when it was totally crushed by an overpowering attack. All such cases are in one way easier to manage, as regards settling and legislation, but in another way harder. In the case where the race is one, with the same language and laws, this unity makes for friendliness, since it shares also in sacred rites and all matters of religion; but such a body does not easily tolerate laws or polities which differ from those of its homeland. Again, where such a body has seceded owing to civil strife due to the badness of the laws, but still strives to retain, owing to long habit, the very customs which caused its former ruin, then because of this, it proves a difficult and intractable subject for the person who has control of its settlement and its laws. On the other hand, the clan that is formed by fusion of various elements would perhaps be more ready to submit to new laws, but to cause it to share in one spirit and pant (as they say) in unison like a team of horses would be a lengthy task and most difficult. But in truth legislation and the settlement of states are tasks that require men perfect above all other men in goodness. (708b-d)

**LS:** Yes, let us stop here for a moment. Now what is the question?[74] We want to found a new city, a new political society. The question is: Should the population be homogeneous or heterogeneous? If[75] it has the same language, and has lived under the same laws, and has worshiped the same gods, and had the same rites, then this makes them homogeneous. And then this has great advantages, the cohesion is very great. But on the other hand, the very homogeneity,[76] or rather the cause of the homogeneity, makes them unwilling to change their laws, and their laws are perhaps not the best. And the founding of the colony should be taken as an opportunity for introducing new laws. So from this point of view a heterogeneous population would be preferable. But in that case you have the difficulty of getting the necessary cohesion.

What should you do? Here in this case, the answer is imposed by the decision of the Cretans to choose a qualifiedly heterogeneous population; therefore it is not a practical question. But the theoretical question of course remains. And[77] it is only indicated, not solved, by what the Athenian says here. What is the solution of the *Republic* to this very question?

**Mr. Gary:** The myth.

**LS:** Pardon?

**Mr. Gary:** The myth.

**LS:** No, to this particular question, how you can break the power of habit?

**Student:** Sending away all people over the age of ten.

**LS:** Yes, yes. Send away all people older than ten, so that they will no longer be under the influence of their parents.[vi]

**Mr. Gary:** But doesn't that have another part to it, the lie about everybody growing up out of the ground?

**LS:** Yes,[78] but[79] that is not a practical measure, proposed in the decisive moment.[80] Socrates's solution in the *Republic* is a desperate solution: expel everyone older than ten. Everyone can figure out that this condemns the city of the *Republic* to never being possible, because however desperate and critical the situation may be, the parents[81], and probably also the children, would never accept this as a solution of their critical situation. Here there is a much more practical solution, and that is a controlled degree of heterogeneity; because heterogeneity compels the legislator to modify the laws of any section of the population, and therefore to give them the opportunity of cutting out those laws which he regards as bad.[82] And profound change is possible under these conditions.

If you remind us of the myth in the *Republic*, well, one must say this myth is not a part of the laws.[83] This myth[84] shows in another way the hopeless difficulty of a radical solution, and shows it as much as the expulsion of everyone older than ten.[vii]

**Mr. Gary:** Do you mean it is impossible to persuade people that they grew up out of the ground?

**LS:** No, but what does it mean?[85] I mean, they are told they have been educated beneath the earth. Yes?

**Mr. Gary:** And they grew up with their instruments in their hands out of the same tribe—

**LS:** Yes, that is minor, but what does this imply?

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[vi] Plato *Republic* 540d-41b.

[vii] The myth Strauss is referring to is the noble lie, in Plato *Republic* 414b-15d.

**Mr. Gary:** Well, that they are all brothers and sisters, and that they are attached to the ground just as they grew out of it.

**LS:** Yes, but the trouble is that in telling this story, Socrates used two different terms: one is the ground or the land; the other is the earth. Now if all are earth-born, this would apply to all human beings, and not only to the citizens of this particular city. And then all men would be brothers and that would be ruinous to political society as Plato understood it.

**Mr. Gary:** But there is a line around the city, isn't there?

**LS:** Yes, but is this not arbitrary? That doesn't belong to the earth, does it? That is made by men.

**Mr. Gary**: But then maybe another myth would be necessary to say that that line is given by nature and that might be . . .

**LS:** Yes, all right, but then that is the same myth; you only add the assertion that it is natural . . . Yes. So we know now all we have to learn about the nature of the populace. The nature of the territory, the nature of the populace, and now we come to a third point, which[86] also[87] belongs to the natural conditions for establishing, for founding a good city, a city directed toward the whole of virtue. Yes?

**Reader:**
CLIN. Very probably; but tell us still more clearly the purport of these observations.
ATH. My good Sir, in returning to the subject of lawgivers in our investigation, I may probably have to cast a slur on them; but if what I say is to the point, then there will be no harm in it. Yet why should I vex myself? For practically all human affairs seem to be in this same plight.
CLIN. What is it you refer to?
ATH. I was on the point of saying that no man ever makes laws, but chances and accidents of all kinds, occurring in all sorts of ways, make all our laws for us. For either it is a war that violently upsets polities and changes laws, or it is the distress due to grievous poverty. Diseases, too, often force on revolutions, owing to the inroads of pestilences and recurring bad seasons prolonged over many years. Foreseeing all this, one might deem it proper to say—as I said just now—that no mortal man frames any law, but human affairs are nearly all matters of pure chance. But the fact is that, although one may appear to be quite right in saying this about sea-faring and the arts of the pilot, the physician, and the general, yet there really is something else that we may say with equal truth about these same things.
CLIN. What is that?

**LS:** Now let us stop for a moment. That is occasioned by the preceding remarks. The solution to this difficulty, heterogeneity or homogeneity, was imposed (as they say today) by the situation: by the decision of the Cretans to establish a colony composed of Cretans and Peloponnesians. So this was not subject to the power of the legislator or legislators. The Athenian draws the radical conclusion: Is not all legislation determined by [chance happenings] and mostly mishaps, so that

there is no possibility of choice? And therefore we cannot say anything[88] [further]; there is no place for the art of legislation. But he is only tempted to say this; he corrects himself immediately. As is shown by the arts he mentions here, piloting, medicine, and generalship,[89] while their outcome depends very much on chance, and what they do depends very much on opportunities which these arts cannot supply, yet these arts can make a very important contribution. And this leads up to the question of the art of the legislator as distinguished from the natures presupposed, the nature of the territory and the nature of the populace. Yes?

**Reader:**
ATH. That God controls all that is, and that Chance and Occasion co-operate with God in the control of all human affairs. It is, however, less harsh to admit that these two must be accompanied by a third factor, which is Art. For that the pilot's art should co-operate with occasion—verily I, for one, should esteem that a great advantage. Is it not so?
CLIN. It is. (708d-709c)

**LS:** So in other words,[90] it all depends how you count. According to one counting, you could say the god controls everything, rules everything. And then after him: (a) chance; (b) opportunity; (c) art. Or, which is equally possible: the God, 1; chance and opportunity, 2; art the third, so that art has a place, if a subordinate place, a place within the whole, which[91] is in the main supplied by things beyond human control.

**Reader:**
ATH. Then we must grant that this is equally true in the other cases also, by parity of reasoning, including the case of legislation. When all the other conditions are present which a country needs to possess in the way of fortune if it is ever to be happily settled, then every such State needs to meet with a lawgiver who holds fast to truth.

**LS:** Yes, "true": one can also translate simply, "a true legislator is also required in addition to the right kind of territory and the right kind of populace." If these three things do not come together—and that cannot be achieved by any human art—[92]then that will not be a good city. Yes?

**Reader:**
CLIN. Very true.
ATH. Would not, then, the man who possessed art in regard to each of the crafts mentioned be able to pray aright for that condition which, if it were given by Chance, would need only the supplement of his own art?

**LS:** So now we have the legislator, but now we see the legislator must make another wish or prayer. That is in Greek the same word, a wish or prayer for something which his art cannot provide apart from the nature of the territory and the nature of the people. And what is that?

**Reader:**
CLIN. Certainly.
ATH. And if all the other craftsmen mentioned just now were bidden to state the object of their prayers, they could do so, could they not?

CLIN. Of course.
ATH. And the lawgiver, I suppose, could do likewise.
CLIN. I suppose so.

**LS:** He takes a very long road until he leads us up to the legislator's answer to that question: For what would you wish or pray in the first place? Yes?

**Reader:**
ATH. "Come now, O lawgiver," let us say to him, "what are we to give you, and what condition of State, to enable you, when you receive it, thenceforth to manage the State by yourself satisfactorily?"
CLIN. What is the next thing that can rightly be said?
ATH. You mean, do you not, on the side of the lawgiver? (709c-e)

**LS:** Yes. He emphasizes the fact that this is not his answer, but the legislator's answer; and that legislator is of course not present, and in addition he has not even a name. The Athenian has at least the name "the Athenian Stranger," but this is a wholly unknown man. What does he say?

**Reader:**
CLIN. Yes.
ATH. This is what he will say: "Give me the state under a monarchy—"

**LS:** Oh, no: "tyrannically-ruled city."

**Reader:**
ATH. "Give me the tyrannically-ruled city; and let the tyrant be young, and possessed by nature of a good memory, quick intelligence, courage and nobility of manner; and let that quality, which we formerly mentioned as the necessary accompaniment of all the parts of virtue, attend now also on our tyrant's soul, if the rest of his qualities are to be of any value."
CLIN. Temperance, as I think, Megillus—

**LS:** "Moderation, as I always say." Yes?

**Reader:**
CLIN. Moderation, as I think, Megillus, is what the Stranger indicates as a necessary accompaniment, is it not?
ATH. Yes, Clinias; moderation, that is, of the ordinary kind; not the kind men mean when they use academic language—

**LS:** Oh, that is impossible. "In exalting language." That is the thing which is not done by academic people at all. They don't use exalting language, the poets do that. That's a great barbarism.

**Reader:**
ATH. not the kind men mean when they use exalting language and identify moderation

with wisdom—

**LS:** Yes, by some forcing. By some forcing. You know, they force the two things together: they force moderation to be good sense, *phronēsis*, because in itself[93] it is not good sense. Yes?

**Reader:**
ATH. but that kind which by natural instinct springs up at birth in children and animals, so that some are not incontinent, others continent, in respect of pleasures; and of this we said that, when isolated from the numerous so-called "goods," it was of no account. You understand, of course, what I mean.
CLIN. Certainly.
ATH. Let our tyrant, then, possess this natural quality in addition to the other qualities mentioned, if the State is to acquire in the quickest and best way possible the constitution it needs for the happiest kind of life. For there does not exist, nor could there ever arise, a quicker and better form of constitution than this. (709e-10b)

**LS:** Yes, now let us stop here. So[94] as you must have seen even from the translation, what the legislator needs is this tyrant with these and these qualities, that is to say, with this and this nature. There is another natural condition which must be fulfilled if there is to be good legislation, in addition to the territory and the people, and that is the character, the natural character, of the tyrant. He has various qualities. Moderation[95] in the highest sense and good sense do not belong to his qualities, for the very simple reason that he doesn't need them. The legislator is there and he provides these qualities; the tyrant, as it were, vicariously participates in these virtues which he himself does not possess. But the other qualities which he must have, do they not ring a bell, that he must have a good memory, must be a good learner, must be courageous, must be magnificent?

**Student:** It's the equipment of the philosopher in the *Republic*.

**LS:** Yes, absolutely, but not all. He omits that the philosopher must also possess by nature the qualities of being a lover of truth, and he must have the quality of gracefulness, he must be *eucharis*. These the tyrant does not need; again, I suppose, because the legislator will have them. And is there not implied here something regarding another nature, apart from that of the tyrant? I think, the nature of the legislator: that is also something which the legislator cannot supply by himself, which he cannot produce. So that is the third or fourth nature which must be supplied before the art of the legislator can have its effect. It is of course of the utmost importance that nothing is said here of philosophers. The word philosopher occurs as far as I know not at all in the *Laws*, although the verb *philosophizing* occurs very, very rarely. The dialogue abstracts from philosophy, for the same reason[96] [that] it is subSocratic. That is its peculiarity. He will say a few more things about this condition, the tyrant, and the coming-into-being of the best regime. The formulations remind strikingly of those in the *Republic*: the coming-into-being,[97] say, of political power and wisdom is the condition without which the best regime cannot emerge. Yes?

**Mr. Berns:** Yes, well, there's an obvious question here. According to what we've learned about the tyrant in the *Republic*, he couldn't have this demotic *sophrosunē* either. He is characterized fundamentally by the complete lack of *sophrosunē*.

**LS:** Yes. But the *Republic* is not the only Platonic statement on the tyrant. In the *Phaedrus*, there is a list of the various ranks of human beings, and in each case there is a good and a bad one, for example, king or philosopher, and so on.[viii] And the lowest is the tyrant; but there is also a good tyrant. So that one must not take this too academically, Mr. Berns—yes?—what the *Republic* says about the tyrant. And to speak to Glaucon and Adeimantus, who may be impressed by tyrannical teachings like those suggested by Thrasymachus, and Clinias and Megillus, who are totally unimpressed by them, makes the difference. Yes? I mean, the tyrant—well, what our modern debunking historians have brought to light, that such tyrants, say, like Peisistratus in Athens, were not such terrible beasts as the democratic myth presented them—you know, fellows like Hitler and Stalin and so on—but they also had their good side Plato knew. But still, this simplistic presentation, king–tyrant, is not altogether useless but it is too simple to fit all situations. And Xenophon does it in this way:[98] he presents the possibility of a good tyrant but does not permit Socrates to present that, but some other man, a poet.[ix] But still he presents it nevertheless. And this tyrant is even qualified as someone who has committed an untold number of crimes, and yet after having come to power and after having learned something from a wise man, [he] uses that power for the benefit of his subjects. And the question is then only: Is it fatal for a ruler to come to power through force and fraud? Then one would have to consider the other titles of legitimacy and see whether they are so unqualifiedly superior to force and fraud, and this is a long question. We have read something about that in the enumeration of the titles to rule in book 3. But this is a long question. So we—Mr. Berns?

**Mr. Berns:** Isn't there then a secondary question of how to talk about tyranny?

**LS:** [99]Yes, sure. Yes, but these—

**Mr. Berns:** There's some question about the propriety of ever talking about a good tyrant.

**LS:** Yes, it all depends. For example, in the case of Clinias and Megillus, there is no danger because they, being brought up in what now would be called constitutional cities, have only loathing for tyrants. Yes? There is no danger, they are not for one moment attracted by that. Glaucon and Adeimantus, in the language of our time, political idealists, are very much endangered by the possibility of tyranny—I believe I don't have to labor that point—and therefore tyranny must be presented as absolute wickedness, as it is in the *Republic*. But when Socrates talks to Phaedrus, a nonpolitical young man, outside of the city walls of Athens, you know, and in the context of the question of erotic speeches, there it is possible to speak somewhat more positively about tyrants. The context is terribly important. Yes?

**Dr. Kass:** Apparently the translator here thought that "monarch" would have been an equally suitable understanding of what—

**LS:** Yes, sure he did.

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[viii] Plato *Phaedrus* 248d-49c.

[ix] Strauss presumably refers to Simonides in Xenophon's *Hiero*.

**Dr. Kass:** What is gained from—[x]

[1] Deleted “which—or.”

[2] Deleted “both.”

[3] Deleted “have.”

[4] Changed from “Yes. No, well, this is not—he says,”

[5] Deleted “so.”

[6] Deleted “but we don’t know.”

[7] Deleted “the.”

[8] Deleted “of Plato.”

[9] Deleted “about—.”

[10] Deleted “does not—.”

[11] Deleted “it be—can.”

[12] Deleted “and.”

[13] Deleted “by.”

[14] Deleted “because—.”

[15] Deleted “how one would live privately—.”

[16] Deleted “that’s.”

[17] Deleted “of—.”

[18] Deleted “that—.”

[19] Deleted “Megillus.”

[20] Deleted “now.”

[21] Deleted “in the—but.”

[22] Deleted “so.”

[23] Deleted “Salamis.”

[24] Deleted “one can see—.”

[25] Deleted “the—.”

[26] Changed from “That is—you know, I took—I meant only another.”

[27] Deleted “You use—think—.”

[28] Deleted “that—.”

[29] Deleted “the—.”

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[x] The tape recording ends at this point.

[30] Deleted “I mean—.”

[31] Deleted “we must be—.”

[32] Deleted “no—yes, well, they did have visible means of support, but surely.”

[33] Deleted “made.”

[34] Deleted “that.”

[35] Deleted “I don’t believe—.”

[36] Deleted “is.”

[37] Deleted “that.”

[38] Deleted “he presents—.”

[39] Deleted “there is—.”

[40] Deleted “has something.”

[41] Deleted “the willingness.”

[42] Deleted “by having—.”

[43] Deleted “makes—.”

[44] Deleted “that was not—.”

[45] Deleted “so that is not—.”

[46] Deleted “in.”

[47] Deleted “and—.”

[48] Deleted “three.”

[49] Deleted “then.”

[50] Deleted “it proves to be—.”

[51] Deleted “but it doesn't refuse—almost self-sufficient.”

[52] Deleted “does not—.”

[53] Deleted “inclu—.”

[54] Deleted “trade—well, not—.”

[55] Deleted “of—.”

[56] Deleted “that would require—that.”

[57] Deleted “that.”

[58] Deleted “now—.”

[59] Deleted “the Athenians could—.”

[60] Deleted “yes, because that was—.”

[61] Deleted “he doesn’t want to bring the—.”

[62] Deleted “yes it was pai—.”

[63] Deleted “that—.”

[64] Deleted “it has more—.”

[65] Moved “oneself.”

[66] Deleted “He is never blamed.”

[67] Deleted “he is—.”

[68] Deleted “that.”

[69] Deleted “good.”

[70] Deleted “and—.”

[71] Deleted “not—.”

[72] Deleted “of these people.”

[73] Deleted “may—is—.”

[74] Deleted “there are two—.”

[75] Deleted “it is homogenous—if.”

[76] Deleted “makes them unwilling to cha—.”

[77] Deleted “it is not—.”

[78] Deleted “that is anoth—.”

[79] Deleted “that is not a prac—I mean.”

[80] Deleted “here you have—.”

[81] Deleted “would never.”

[82] Deleted “change is possible under the—.”

[83] Deleted “you must—.”

[84] Deleted “is in another way—.”

[85] Deleted “what does this—.”

[86] Deleted “is.”

[87] Deleted “a condition—.”

[88] Deleted “beyond.”

[89] Deleted “while they depend—.”

[90] Deleted “there are—.”

[91] Deleted “in the main is supplied—the whole—.”

[92] Deleted “(if they come together, they coincide.)”

[93] Deleted “it is not.”

[94] Deleted “we have—.”

[95] Deleted “and—proper.”

[96] Deleted “for which.”

[97] Deleted “of—.”

[98] Deleted “that.”

[99] Some reptitions here have been omitted.

**Session 12: no date**

**Leo Strauss:** Let me remind you again where we stand. We are reading now the fourth book. Now from book 4 to the end of the *Laws*, a city is being founded in speech, just as in books 2 to 7 of the *Republic*. But in the *Republic*, the founding of the city in speech is in the service of answering the question "What is justice?" and of proving that the just life is infinitely preferable to the unjust life in books 2 to 10. From this it follows that the question "What is justice?" is not the guiding theme of the *Laws*.[i] What is said in the first three books provides standards by which to judge cities already founded, or every legislation, past or future.[1] Plato speaks there as [a] teacher of legislators in general, but from book 4 on, the Athenian is an advisor to a named legislator and founder here and now, namely, to Clinias, who has revealed that he has been commissioned by the city, together with nine other men, to frame a code for a colony to be founded. Now in this capacity as an advisor to legislators,[2] [the Athenian] raises first the question regarding the nature of the territory. Then he speaks, without using the term "nature," of the nature of the political multitude. And finally, he speaks of the nature of the tyrant, who is most desirable for the first establishment of an excellent political order. But in speaking of the tyrant he adumbrates, without saying so, the nature of the legislator himself. So here the legislator as distinguished from the tyrant has the same nature as the philosopher according to the *Republic*. The tyrant does not need all these high qualities, only some of them.

I think we were discussing just this point when we stopped last time. Only one point [of which] I should[3] [remind you]. Among the other qualities which the young tyrant must have, if he is to be an excellent servant of the legislator, is that he must possess moderation, *sophrosunē*. But as the Athenian makes clear, this is the vulgar moderation, not the one which one would call moderation in exaltied speech by compelling moderation to be good sense, *phronēsis*—remember what children and beasts have from their birth, [in] that some of them are moderate in their desires, but others immoderate. So this downgrading of moderation, of which we have had some traces before, is here repeated. The tyrant does not need moderation in the higher sense, in the perhaps somewhat forced sense in which it is the same as insight or good sense itself. He doesn't need it because he is subject to the legislator. And he vicariously participates in this higher virtue by being[4] [the helper of the one who has it]. So this is the point we have reached. That is 710b4. Do you have the passage? Now let us first read.

**Reader:** . . .

**LS:**
ATH. "This nature [namely, vulgar moderation—LS] the tyrant should have in addition to the natures previously mentioned, if the city is to acquire, a regime, a political order, as quickly and as well as possible."[ii] Do you have that?

**Reader:**
ATH: Let our monarch then possess this natural—

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[i] There is a break in the tape at this point.

[ii] Strauss's translation.

**LS:** Why does he say "monarch"? Why does he not say "tyrant"? I mean, you shouldn't be more (how should I say?) Jane Austenian than Plato. Yes?

**Reader:**
ATH: possess this natural quality in addition to the other qualities mentioned, if the State is to acquire in the quickest and best way possible the constitution it needs for the happiest kind of life. For there does not exist, nor could there ever arise, a quicker and better form of constitution than this.

**LS:** Yes, so these two requirements, mentioned also in the *Republic*: as quick as possible, and as well as possible.[5] "Quick," I believe,[6] is not in need of an explanation but "well" is. Now let us see what we find out about it later.

**Reader:**
CLIN. How and by what arguments, Stranger, could one convince oneself that to say this is to speak the truth?
ATH. It is quite easy to perceive at least this, Clinias, that the facts stand by nature's ordinance in the way described.
CLIN. In what way do you mean? On condition, do you say, that there should be a monarch who was young, temperate, quick at learning, with a good memory, brave, and of a noble manner?

**LS:** So he repeats only the things which the Athenian has said, with one minor change: he[7] [reverses] the order of a good learner and having a good memory. These two things are used by him interchangeably, and that is characteristic of Clinias. The Athenian had mentioned[8] having a good memory first, and then being good at learning. Yes?

**Reader:**
ATH. Add also "fortunate,"—not in other respects, but only in this; that in his time there should arise a praiseworthy lawgiver, and that, by a piece of good fortune, the two of them should meet; for if this were so, then God would have done nearly everything that he does when he desires that a State should be eminently prosperous. The second best condition is that there should arise two such rulers; then comes the third best with three rulers, and so on, the difficulty increasing in proportion as the number becomes greater, and *vice-versa*.
CLIN. You mean, apparently, that the best State would arise from a monarchy—

**LS:** From tyranny.

**Reader:**
from a tyranny, when it has a first-rate lawgiver and a virtuous tyrant, and these are the conditions under which the change into such a State could be effected most easily and quickly. And next to this, from an oligarchy—or what is it you mean? (710b-e)

**LS:** Now wait. Now we know what it means, "best" in contradistinction to "quickest": the most

easily.[9] Something may be very quick, but not easy. Yes? The earlier formula "quick and good" is replaced here by "quick and easy." Yes. The other thought here is clear. The Athenian contradicts Clinias in the sequel, as you will see.

**Reader:**
ATH. Not at all: the easiest step is from a monarchy, the next easiest from a constitutional monarchy—tyranny.[iii]

**LS:** No, no, no. From a "kingly regime." A kingly regime. King is distinguished from a tyrant. "Constitutional" is a very misleading term; that is seventeenth-century, rather than Plato.

**Reader:**
ATH. the next easiest from a kingly regime, the third from some form of democracy. An oligarchy, which comes fourth in order, would admit of the growth of the best State only with the greatest difficulty, since it has the largest number of rulers.

**LS:** Yes, now let us stop here. So the transformation into the best regime is most difficult in an oligarchy, because there is the largest number of rulers. But are there not many more rulers in a democracy? Yes?

**Mr. Laurence Berns:** There is a man who defined democracy as "an oligarchy of orators."

**LS:** I see.[10] Still, the others have to vote. All have the vote—all citizens, at least, have the vote. So what Plato means is this, as he says elsewhere: that democracy is the weakest of the three regimes, and therefore the resistance to radical change is smaller than in oligarchy. Oligarchy is the regime in which the avaricious rich rule, [and] is, that is implied here, the most stable. But from our present point of view, this is undesirable because we do not want stability but excellence, which is a different consideration. Yes?

**Reader:**
ATH. What I say is that the change takes place when nature supplies a true lawgiver, and when it happens that his policy is shared by the most powerful persons in the State; and wherever the State authorities are at once strongest and fewest in number, then and there the changes are usually carried out with speed and facility.
CLIN. How so? We do not understand.
ATH. Yet surely it has been stated not once, I imagine, but many times over. But you, very likely, have never so much as set eyes on a tyrannical state. (710e-11a)

**LS:** "Tyrannically-ruled city." Yes. It is very hard to say where he said that. The Athenian claims to have said it not only once but many times, but it is hard to identify the relevant passages. And commentators sometimes believe that Plato is quoting himself, say, the *Republic* or the seventh *Letter*, but this is very unlikely. The Athenian Stranger is not simply Plato. So one would have to look more closely at the *Laws* itself. There is one passage of which one must think especially, which we discussed formerly, and that is 627d2 to 4, when he speaks of the hostile

[iii] The reader erroneously inserts Strauss's correction of the word "monarchy."

brothers and the arbiter who is trying to establish peace there. And this was an ambiguous passage, but it seemed to mean that the best solution would be if the nice brothers alone would remain in the city, and the other ones simply expelled or killed. So this is quite a tyrannical solution, and would be surely an easy and quick solution because if you keep them in, you will have troubles all the time. Yes?

**Reader:**
CLIN. No, nor have I any craving for such a sight.

**LS:** Namely, of a city ruled by a tyrant. Yes?

**Reader:**
ATH. You would, however, see in it an illustration of what we spoke of just now.
CLIN. What was that?
ATH. The fact that a monarch, when he decides to change the moral habits of a State, needs no great efforts nor a vast length of time—

**LS:** Literally, "doesn't need toil, toils." Toils—the opposite of toils is easy. And not much time refers to quick. Yes?

**Reader:**
ATH. but what he does need is to lead the way himself first along the desired path, whether it be to urge the citizens towards virtue's practices or the contrary; by his personal example he should first trace out the right lines, giving praise and honor to these things, blame to those, and degrading the disobedient according to their several deeds.
CLIN. Yes, we may perhaps suppose that the rest of the citizens will quickly follow the ruler who adopts such a combination of persuasion and force. (711a-c)

**LS:** You see, he says "quickly" but not "best," i.e., he sees that there would be some annoyance on the part of the subjects if they were suddenly compelled to be virtuous. But quick it could be, because with the necessary force this quickness can be guaranteed. Yes?

**Reader:**
ATH. Let none, my friends, persuade us that a State could ever change its laws more quickly or more easily by any other way than by the personal guidance of the rulers: no such thing could ever occur, either now or hereafter. Indeed, that is not the result which we find it difficult or impossible to bring about; what is difficult to bring about is rather that result which has taken place but rarely throughout long ages, and which, whenever it does take place in a State, produces in that State countless blessings of every kind.
CLIN. What result do you mean?
ATH. Whenever a heaven-sent desire for temperate and just institutions arises in those who hold high positions,—whether as tyrants,[iv] or because of conspicuous eminence of wealth or birth, or, haply, as displaying the character of Nestor, of whom it is said that, while he surpassed all men in the force of his eloquence, still more did he surpass them in

[iv] In the Loeb: "monarchs."

temperance. That was, as they say, in the Trojan age, certainly not in our time; still, if any such man existed, or shall exist, or exists among us now, blessed is the life he leads, and blessed are they who join in listening to the words of temperance that proceed out of his mouth.

**LS:** Yes, let us stop there. So a tyrant is not absolutely necessary. This desire, this divine desire, this divine passionate desire, for moderate and just pursuits, may arise in other people as well, for instance,[11] even in the rich. But it may also arise in a man like Nestor,[12] a man who does not have bodily power, power to coerce, but the power of speaking. This strength of speaking could fulfill the function of the strength of coercing as well; and that opens up an interesting possibility, namely, that a supreme orator might fulfill the function originally entrusted to the virtuous tyrant. When he says here towards the end of what you just read, "If if there is[13] now such a one, like Nestor,[14] among us," [a] commentator suggested that he can only mean the[15] [two] interlocutors, because if he thought of himself this would have been immodest. This, I believe, is not necessarily the way in which Plato looked at these matters. Yes?

**Reader:**
ATH. So likewise of power in general, the same rule holds good: whenever the greatest power coincides in man with wisdom and temperance, then the germ of the best polity and of the best laws is planted; but in no other way will it ever come about.

**LS:** Yes. Now this is of course a restatement of the central proposition of the *Republic*, naturally, with the omission of philosophy or philosophers. Philosophy and philosophers cannot occur here because of the sub-Socratic character of the conversation. Yes?

**Reader:**
ATH. Regard this as a myth oracularly uttered, and let us take it as proved that the rise of a well-governed State is in one way difficult, but in another way—given, that is, the condition we mention—it is easier by far and quicker than anything else.
CLIN. No doubt.
ATH. Let us apply the oracle to your State, and so try, like greybeard boys, to model its laws by our discourse.
CLIN. Yes, let us proceed, and delay no longer. (711c-12b)

**LS:** So in other words, they play a game befitting old men that they will do . . . therefore frame laws in this spirit. Yes?

**Reader:**
ATH. Let us invoke the presence of the God at the establishment of the state; and may he hearken, and hearkening may he come, propitious and kindly to us-ward, to help us in the fashioning of the State and its laws.
CLIN. Yes, may he come!
ATH. Well, what form of polity is it that we intend to impose upon the State?

**LS:** So[16] we have now concluded this part of the fourth book which deals with the natures of the various ingredients of the city, and[17] [next] we come to the work of the legislator, to the art of the

legislator as distinguished from the presupposed natures. And his action consists in determining the regime, and to this he turns now.

**Reader:**
CLIN. What, in particular, do you refer to? Explain still more clearly. I mean, is it a democracy, an oligarchy, an aristocracy, or a monarchy? For certainly you cannot mean a tyranny: that we can never suppose.
ATH. Come now, which of you two would like to answer me first and tell me to which of these kinds his own polity at home belongs?
MEG. Is it not proper that I, as the elder, should answer first?
CLIN. No doubt.

**LS:** That is very rare, that Megillus steps forth unasked. But he has of course an excellent title, because he is older than Clinias. Yes?

**Reader:**
MEG. In truth, Stranger, when I reflect on the Lacedaemonian polity, I am at a loss to tell you by what name one should describe it. It seems to me to resemble a tyranny, since the board of ephors it contains is a marvellously tyrannical feature; yet sometimes it strikes me as, of all States, the nearest to a democracy. Still, it would be totally absurd to deny that it is an aristocracy; while it includes moreover, a life monarchy, and that the most ancient of monarchies, as is affirmed, not only by ourselves, but by all the world. But now that I am questioned thus suddenly, I am really, as I said, at a loss to say definitely to which of these polities it belongs.
CLIN. And I, Megillus, find myself equally perplexed; for I find it very difficult to affirm that our Cnosian polity is any one of these. (712b-e)

**LS:** Now wait. What would the answers of Megillus and Clinias amount to, in somewhat more technical language[18]? They are neither democracies nor aristocracies nor—

**Student:** Mixed regimes.

**LS:** Mixed regimes, yes. And we have learned that a regime, in order to be good, must be mixed. And therefore the Athenian praises them in the immediate sequel, without speaking explicitly of mixture. Yes—?

**Reader:**
ATH. Yes, my good Sirs; for you do, in fact, partake in a number of polities.

**LS:** Not "a number"[19]: "you partake truly of polities." Yes?

**Reader:**
ATH. But those we named just now are not polities, but arrangements of States which rule or serve parts of themselves, and each is named after the ruling power. But if the State ought to be named after any such thing, the name it should have borne is that of the God who is the true ruler of rational men.

**LS:** Now then. So the Athenian does not say now [that] the regime is mixed in Sparta and Crete and ought to be mixed[20] in the new colony which is supposed to be an excellent city. What has happened here? We have heard before that Dorian regimes are mixed, but we have learned certain other things since. Perhaps it is not so simple that a mixed regime is superior to a certain kind of simple regime. At any rate, what will[21] [be presented] later in the *Laws* will be not a reformed Spartan or Cretan regime, but the Solonian regime,[22] which is not mixed in that sense at all, except that it consists of four property classes, so that the wealthier people are protected against the nasty things the poor might do to them, you know, milking the rich or how[ever] you call it, so that there would be a mixture of rule of the wealthy and rule of the poor, and this one could say. But it is not a mixed regime in the commonly understood sense. Now the Athenian makes now an entirely different proposal. He doesn't speak of a mixed regime, but of the best regime, [which] is the rule of God, a theocracy, as it later on was called. And now of course we must explain what that means. What does Clinias first say here?

**Reader:**
CLIN. Who is that God?

**LS:** Yes. Sure. That is one question, but there are other questions which would also arise. Yes? How does this God become audible to the citizen body? Yes?

**Reader:**
ATH. May we, then, do a little more story-telling, if we are to answer this question suitably?
CLIN. Should we not do so?
ATH. We should. Long ages before even those cities existed whose formation we have described above, there existed in the time of Cronos, it is said, a most prosperous government and settlement, on which the best of States now existing is modelled.

**LS:** So that is even prior to the Cyklopean regime of which we have heard before. There was the regime of Cronos, the father of Zeus, and it seems that this order was destroyed by the cataclysm. So we would have to go behind the cataclysm to the rule of Cronos. Yes?

**Reader:**
CLIN. Evidently it is most important to hear about it.
ATH. I, for one, think so: and that is why I have introduced the mention of it.
MEG. You were perfectly right to do so; and since your story is pertinent, you will be quite right in going on with it to the end.
ATH. I must do— (712e-13c)

**LS:** [23]Well, there is a certain hesitation here on the part of the Athenian. We must remember the hesitation he had before he spoke of the tyrant, but at that time his hesitation[24] was connected with the fact that the answer was given by the legislator, not by the Athenian. Here the situation is somewhat different, because here the Athenian answers the question but he answers it by referring to an ancient *logos*, the story of the age of Cronos, which he will now rehearse. Yes?

**Reader:**
ATH. I must do as you say. Well, then, tradition tells us how blissful was the life of men in that age, furnished with everything in abundance, and of spontaneous growth. And the cause thereof is said to have been this: Cronos was aware of the fact that no human being (as we have explained) is capable of having irresponsible control of all human affairs without becoming filled with pride and injustice; so, pondering this fact, he then appointed as kings and rulers of our cities, not men, but beings of a race that was nobler and more divine, namely, daemons. He acted just as we do now in the case of sheep and herds of tame animals; we do not set oxen as rulers over oxen, or goats over goats, but we, who are of a nobler race, ourselves rule over them. In like manner the God, in his love for humanity, set over us at that time the nobler race of daemons who, with much comfort to themselves and much to us, took charge of us and furnished peace and modesty and orderliness and justice without stint, and thus made the tribes of men free from feud and happy.

**LS:** Yes. Now this same story is also told in the myth of the *Statesman*, but there a stranger from Elea tells the story to a young Athenian mathematician.[v] Here it is told by an Athenian stranger to two old Dorian lawyers, as we may characterize them. And[25] the Athenian stranger, as distinguished from the Eleatic stranger, does not mention the fact that this caring for human beings characteristic of the age of Cronos[26] ceased under Zeus. That is implied, but in the *Statesman*, that is explicitly stated. So we are forsaken now, and therefore we must find a human solution to the problem of government. That is here only implied. Yes?

**Reader:**
ATH. And even to-day, this tale has a truth to tell, namely, that wherever a State has a mortal, and no god, for ruler, there the people have no rest from ills and toils; and it deems that we ought by every means to imitate the life of the age of Cronos, as tradition paints it, and order both our homes and our States in obedience to the immortal element within us, giving to reason's ordering the name of "law." (713c-14a)

**LS:** Yes.[27] So we [ought] not obey these superhuman beings who ruled men in the age of Cronos, but[28] [rather obey] that in us which possesses immortality, and that is the intellect. And the dispensation effected by the intellect[29] we will call law. He does not say here *logos*, which is ordinarily translated by "reason," but he ascends to the highest, higher than *logos*, and that is the intellect. And of course that is the only form of theocracy which is now possible, or the only approximation to theocracy which is now possible. When he spoke of the relation of law and *logos*, and[30] in particular the true *logos*, they were identified and they were not identified. This ambiguous treatment pointed to a great difficulty. Here this ambiguity is avoided by a simple identification of the dispensation of the intellect with the law. And we can draw a further conclusion: this is the only way in which there can be legislation under Zeus: dispensation of the intellect. The Cretan legislation, allegedly due to Cronos's son, Zeus, that is not possible.[31] [That] is here implicitly excluded. Yes?

**Reader:**

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[v] Plato *Statesman* 268-74e.

ATH. But if an individual man or an oligarchy or a democracy, possessed of a soul which strives after pleasures and lusts and seeks to surfeit itself therewith, having no continence and being the victim of a plague that is endless and insatiate of evil,—if such an one shall rule over a State or individual by trampling on the laws, then there is (as I said just now) no means of salvation. This, then, is the statement, Clinias, which we have to examine, to see whether we believe it, or what we are to do.

**LS:** Yes. Now this seems to be clear:[32] the regime[33] must be the rule of law, not of men. Well, you have heard that formula very often. And[34] the rule of law is somehow the rule of God. How is not stated. But this is of course not obviously true. We know a bit about law, and some facts seem to suggest an entirely different interpretation, and that is brought out in the sequel.

**Reader:**
CLIN. We must, of course, believe it.
ATH. Are you aware that, according to some, there are as many kinds of laws as there are kinds of constitutions?

**LS:** Yes, "regimes." Yes?

**Reader:**
ATH. regimes? And how many regimes are commonly recognized we have recently recounted. Please do not suppose that the problem now raised is one of small importance; rather it is of the highest importance. For we are again faced with the problem as to what ought to be the aim of justice and injustice. The assertion of the people I refer to is this,—that the laws ought not to aim either at war or at goodness in general, but ought to have regard to the benefit of the established regime, whatever it may be, so that it may keep in power for ever and never be dissolved; and that the natural definition of justice is best stated in this way. (714b-c)[vi]

**LS:** Now let us wait here for one moment. So[35] this is a very important statement. You remember, formerly we were confronted with this alternative: the end of legislation, the end at which the legislator must aim, is either war—or the virtue of war, courage—or else the whole virtue. But now an alternative solution is suggested. However this may be,[36] even this third alternative is an answer to the question regarding justice. So it follows that, contrary to what I said before,[37] the *Laws* is devoted to the question of what justice is. Now how can one reconcile these two things? The [38]*Laws* is not as obviously devoted to the question of justice as the *Republic* is. Now what is the reason for that, the Platonic reason that only in the *Republic*, of these two works, the question of justice is *the* guiding theme? I believe one can say that the solution proposed in the *Republic* is that the just life is the philosophic life; and since the philosophic life is not to become a theme of the *Laws*, for very good reason, justice cannot be the guiding theme. But in a limited way, in a very qualified way, justice is of course also the subject of the *Laws*. The last remark we must repeat: the natural definition of the just will follow from what we have just heard about the relation of laws and regimes. Clinias doesn't quite understand; therefore the Athenian answers this question.

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[vi] The reader continues to substitute "regime" for the Loeb's "constitution" and "polity."

**Reader:**
CLIN. In what way?
ATH. That justice is "what benefits the stronger."
CLIN. Explain yourself more clearly.
ATH. This is how it is:—the laws (they say) in a state are always enacted by the stronger power? Is it not so?
CLIN. That is quite true.
ATH. Do you suppose then (so they argue), that a democracy or any other government—even a tyrant—if it has gained the mastery, will of its own accord set up laws with any other primary aim than that of securing the permanence of its own authority?
CLIN. Certainly not.
ATH. Then the lawgiver will style these enactments "justice," and will punish every transgressor as guilty of injustice.
CLIN. That is certainly probable.
ATH. So these enactments will thus and herein always constitute justice.
CLIN. That is, at any rate, what the argument asserts. (714c-d)

**LS:** This [is the] counterargument. The alternative view was: the law is the dispensation effected by the intellect, or the rule of law is in some way the rule of God. And here the opposite view: the rule of law[39] is just the rule of the stronger; justice itself is the rule of the stronger. Yes. Well, you remember doubtless from the first book of the *Republic* where Thrasymachus sets forth this view, and the basis of this view is not primarily some nasty Machiavellian cynicism, but the undeniable fact that in all political communities the laws are laid down by the stronger part. Stronger does not necessarily mean more numerous, of course, but the stronger part; and this stronger part of course can't help thinking of itself and of its own interest in the first place. Yes?

**Reader:**
ATH. Yes, for this is one of those "agreed claims" concerning government.
CLIN. What "claims"?
ATH. Those which we dealt with before,—claims as to who should govern whom. It was shown that parents should govern children, the older the younger, the high-born the low-born, and (if you remember) there were many other claims, some of which were conflicting. The claim before us is one of these, and we said that, to quote Pindar, "the law marches with nature when it justifies the right of might."
CLIN. Yes, that is what was said then.
ATH. Consider now, to which class of men should we entrust our State. For the condition referred to is one that has already occurred in States thousands of times.

**LS:** So now he formulates the question of the regime more precisely: To whom should we entrust the state? [Meaning], of course, to what kind of human beings shall we entrust the state? This question is not answered by[40] saying that the law should rule, and [that] the rule of law is the rule of God. Yes?

**Reader:**
CLIN. What condition?

ATH. Where offices of rule are open to contest, the victors in the contest monopolise power in the State so completely that they offer not the slightest share in office to the vanquished party or their descendants; and each party keeps a watchful eye on the other, lest anyone should come into office and, in revenge for the former troubles, cause a rising against them. Such polities we, of course, deny to be polities, just as we deny that laws are true laws unless they are enacted in the interest of the common weal of the whole State.

**LS:** So here we get a somewhat different notion, that a true law must aim at the common good and not at the good of a section. And what happens in all these other cities is[41] that the laws aim at a sectional good. Yes?

**Reader:**
ATH. But where the laws are enacted in the interest of a section, we call them "feudalities" rather than "polities"; and the justice they ascribe to such laws is, we say, an empty name. Our reason for saying this is that in your State we shall assign office to a man, not because he is wealthy, nor because he possesses any other quality of the kind—such as strength or size or birth; but the ministration of the laws must be assigned, as we assert, to that man who is most obedient to the laws and wins the victory for obedience in the State,—the highest office to the first, the next to him that shows the second degree of mastery, and the rest must similarly be assigned, each in succession, to those that come next in order. And those who are termed "magistrates" I have now called "ministers" of the laws, not for the sake of coining a new phrase, but in the belief that salvation or ruin for a State hangs upon nothing so much as this. For wherever in a State the law is subservient and impotent, over that State I see ruin impending; but wherever the law is lord over the magistrates, and the magistrates are servants to the law, there I descry salvation and all the blessings that the gods bestow on States. (714e-15d)

**LS:** The term which he translates by "servants," at least in the last passage, is the same as "slaves." Yes? Slaves of the law. Yes. Now [the] rule of law is the rule of God, and it follows that the human beings who are to be entrusted with rule must be the most lawabiding of the citizens and not the richest, or the most noble, or whatever[42] other qualities they might have. But this of course does not answer one little question. It is not merely a question of obeying the law, it is also[43] [a] question of who will make laws in that society. This simple solution of absolute obedience to the law as the highest consideration would be sufficient if the laws were simply immutable, but whether this is feasible[44] is a question, and[45] later on it will be explicitly discussed. So if human beings are to be legislators, they cannot be simply servants or slaves of the laws. They must be makers of laws, and then we are up against this old difficulty. Yes?

**Reader:**
CLIN. Aye, by heaven, Stranger; for, as befits your age, you have keen sight.

**LS:** [46]"By Zeus," he says. And the oath fits the theocratic context quite obviously. Yes?

**Reader:**
ATH. Yes; for a man's vision of such objects is at its dullest when he is young, but at its

keenest when he is old.
CLIN. Very true.
ATH. What then is to be— (715d-e)

**LS:** Now wait,[47] let us stop here. You see, this remark about the superiority of the old man to the young fits the context of course perfectly, because when the difference and the possible conflict between law and true *logos* disappears, then the difference between old age and wisdom will correspondingly disappear. So that is, I think, in perfect order. Now hitherto we have seen what the first step of the legislator following his art is: to establish the regime. And that is by no means fulfilled, this task, but[48] a very general description of it is given up to this point. Should we not make here a stop and discuss what we have read?

**Mr. Gonda:** I have . . . ambiguity. The ambiguity in the treatment of the *logos* and the law is the ambiguity whether the education stemming from the *logos* is for the perfect human being[49] [or for] the perfect citizen, isn't that right?

**LS:** It has something to do with that, yes.[50]

**Student:** [51]What is the justification for the suppression of that question so far?

**LS:** The Dorian context, the sub-Socratic context. For the same reason[52] [that] philosophy or the philosophers do not occur. That is a very defensible abstraction.[53] Think of the modern philosophers: What role do philosophers play in the political construction, say, of Hobbes, of Locke[54], of Rousseau? [55] And even in Kant, and in Hegel, in Hegel's *Philosophy of Right*? And even in Aristotle, where are the philosophers[56] as members of the citizen body? When he enumerates the parts of the *polis*, the priests are there but not the philosophers.

**Mr. Gonda:** Does that argue that the Dorian context is *the* political context, then?[57]

**LS:** Yes, you can say so, yes. But the trouble is that the *polis* has this ambiguity. In a way, it is closed to philosophy, but in another way it points to philosophy; and therefore this cannot be maintained in the long run, this abstraction from philosophy. And in the *Laws*, there will be some philosophic discussions later on, toward the end. I mean philosophic in the traditional sense of the word "philosophic."

**Mr. Gary:** I want to ask a question about the distinction made between "feudalities" and "polities."

**LS:** Yes, well, that is, I understand, an embarrassment of the translator. The Greek word is *stasiotai*, not *politai*. *Politai* means citizens, and[58] *stasiotai* is derived from *stasis*, the Greek word for civil strife, sedition, rebellion. So there will be—can you say seditionists?

**Mr. Gary:** Yes.

**LS:** It is an awkward[59] [term]. It is a coinage of Plato, I believe.

**Mr. Gary:** Would it be the case that in examining all organized groups of men that have a leader, we could divide the groups according to whether they were founded on the principle of loyalty or whether they were founded on the principle of courage? It seems that a feudality has something to do with—

**LS:** No, no, don't pay any attention to[60] [the word] "feudality." That is[61] Bury's embarrassment, which is perfectly excusable but it also leads away from Plato. There was no concept of feudality.

**Mr. Gary:** Yes, I'm not sure what that word means, but it seems—

**LS:** Say, "seditionists."

**Mr. Gary:** It seems that there is an alternative thing upon which a group of men with a leader might be founded other than loyalty, and that is courage.

**LS:** No, that is not the point. What Plato has in mind is[62] [that] the community or its laws aim at the common good, or at a sectional good. And these sectionalists, they are the seditionists. The true citizens are those who aim at the common good.

**Mr. Gary:** It started with a fight! It says here—

**LS:** Yes, sure.

**Mr. Gary:** At the end of this speech, the offices of rule are open to contest, the victors in the contest . . .

**LS:** Yes, well, he starts from an experience more or less common to all times and places, that various parts of the city wish to be in control, and what happens ordinarily is that the victorious part absolutizes its sectional interest to the detriment of the sectional interest which it dethroned.

**Mr. Gary:** I was just trying to point out that perhaps the fundamental element in a fight that determines which way the fight goes is the notion of courage, and that a state that begins with a fight is founded upon courage, whereas a state that begins with reason is founded upon loyalty.

**LS:** There is nothing said here about the state beginning with a fight.[63] People live in cities.[64] And then from time to time there are upheavals, what they now call revolutions. That he has in mind. And that[65] is open. Maybe both parts are equally courageous, maybe one part is more courageous than the other, and there is of course loyalty also in principle on both sides: the democrats are loyal to the democratic cause, and the oligarchs are loyal to the oligarchic cause. All these things are discussed in greater detail and perhaps more intelligibly in Aristotle's *Politics*, all these things. Also this competition for supremacy in the city, of which he speaks here. So we know now, provisionally at any rate, what the best regime is. And now he turns to another subject in 715e3 ff.

**Reader:**

CLIN. Very true.
ATH. What, then, is to be our next step? May we not assume that our immigrants have arrived and are in the country, and should we not proceed with our address to them?
CLIN. Of course.

**LS:** So now[66] in this new part the Athenian will address, in his own name and in Clinias's name, the future citizens, the future colonists. And what is he going to say to them? Yes?

**Reader:**
ATH. Let us then speak to them thus: —"O men, that God who, as old tradition tells, holdeth the beginning, the end, and the centre of all things that exist, completeth his circuit by nature's ordinance in straight, unswerving course. With him followeth Justice always, as avenger of them that fall short of the divine law; and she, again, is followed by every man who would fain be happy, cleaving to her with lowly and orderly behaviour; but whoso is uplifted by vainglory, or prideth himself on his riches or his honours or his comeliness of body, and through this pride joined to youth and folly, is inflamed in soul with insolence, dreaming that he has no need of ruler or guide, but rather is competent himself to guide others,—such an one is abandoned and left behind by the God, and when left behind he taketh to him others of like nature, and by his mad prancings throweth all into confusion: to many, indeed, he seemeth to be some great one, but after no long time, he payeth the penalty, not unmerited, to Justice, when he bringeth to total ruin himself, his house, and his country." (715e-16b)

**LS:** Now wait one second. Only one point I would like to mention: the term he translates "lowly"[67] is *tapeinos*, which is used in the New Testament for humility. That is the only occasion, as far as I know, in which Plato[68] praises humility.[69] [The word] is usually used in a negative sense. Yes. So it is a very pious speech. Yes?

**Reader:**
ATH. "Looking at these things, thus ordained, what ought the prudent man to do, or to devise, or to refrain from doing?"
CLIN. The answer is plain: Every man ought so to devise as to be of the number of those who follow in the steps of the God.
ATH. What conduct, then, is dear to God and in his steps?

**LS:** Yes,[70] Clinias had been silent on this conduct, on the action; he had only spoken of the state of mind, as it were, of the right state of mind. Yes?

**Reader:**
ATH. One kind of conduct, expressed in one ancient phrase, namely, that "like is dear to like" when it is moderate, whereas immoderate things are dear neither to one another nor to things moderate. In our eyes God will be "the measure of all things," in the highest degree—a degree much higher than is any "man" they talk of.

**LS:** So that is[71] an allusion to the famous proposition of Protagoras that man is the measure of all

things,[vii] to which Plato opposes the rule that God is the measure of all things. But he qualifies it: God deserves, we can say, to a much higher degree to be called the master of all things than[72] any human being. Yes?

**Reader:**
ATH. He, then, that is to become dear to such an one must needs become, so far as he possibly can, of a like character; and according to the present argument, he amongst us that is temperate is dear to God— (716b-d)

**LS:** Yes,[73] *sōphrōn*, what I translate always by "moderate." So we have now rehabilitated moderation completely; and that is in perfect agreement with the praise of humility in the same context. Yes?

**Reader:**
ATH. since he is like him, while he that is not temperate is unlike and at enmity,—as is also he who is unjust, and so likewise with the rest, by parity of reasoning. On this there follows, let us observe, this further rule,—and of all rules it is the noblest and truest—that to engage in sacrifice and communion with the gods continually, by prayers and offerings and devotions of every kind, is a thing most noble and good and helpful towards the happy life, and superlatively fitting also, for the good man; but for the wicked, the very opposite. For the wicked man is unclean of soul, whereas the good man is clean; and from him that is defiled no good man, nor god, can ever rightly receive gifts. Therefore all the great labour that impious men spend upon the gods is in vain, but that of the pious is most profitable to them all. Here, then, is the mark at which we must aim, but as to the shafts we should shoot, and (so to speak) the flight of them,—what kind of shafts, think you, would fly most straight to the mark?

**LS:** So the aim is assimilation to God, and that means being moderate, living a moderate life in the full sense of the word moderate. And now he comes with a specification. What does such a moderate life precisely mean? Yes?

**Reader:**
ATH. First of all we say, if—after the honors paid to the Olympians and the gods who keep the State—we should assign the Even and the Left as their honours to the gods of the under-world, we would be aiming most straight at the mark of piety—as also in assigning to the former gods the things superior, the opposites of these. Next after these gods the wise man will offer worship to the daemons, and after the daemons to the heroes. After these will come private shrines legally dedicated to ancestral deities; and next, honours paid to living parents. For to these duty enjoins that the debtor should pay back the first and the greatest of debts, the most primary of all dues, and that he should acknowledge that all that he owns and has belongs to those who begot and reared him, so that he ought to give them service to the utmost of his power—with substance, with body, and with soul, all three,—thus making returns for the loans of care and pain spent on the children by those who suffered on their behalf in bygone years, and recompensing the old

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[vii] Plato *Theaetetus* 152a.

in their old age, when they need help most. And throughout all his life he must diligently observe reverence of speech towards his parents above all things, seeing that for light and winged words there is a most heavy penalty,—for over all such matters Nemesis, messenger of Justice, is appointed to keep watch; wherefore the son must yield to his parents when they are wroth, and when they give rein to their wrath either by word or deed, he must pardon them, seeing that it is most natural for a father to be especially wroth when he deems that he is wronged by his own son. When parents die, the most modest funeral rites are best, whereby the son neither exceeds the accustomed pomp, nor falls short of what his forefathers paid to their sires; and in like manner he should duly bestow the yearly attentions, which ensure honour, on the rites already completed. He should always venerate them, by never failing to provide a continual memorial, and assigning to the deceased a due share of the means which fortune provides for expenditure. Every one of us, if we acted thus and observed these rules of life, would win always a due reward from the gods and from all that are mightier than ourselves, and would pass the greatest part of our lives in the enjoyment of hopes of happiness. (716d-18a)

**LS:** So this is the end of the speech of the Athenian and Clinias to the new citizens, and[74] *the* subject is piety. Piety is *the* fundamental virtue, on which everything depends. But he also says moderation, and he enumerates the various duties, as we can say, which are implied in that but he speaks most fully of the duties[75] to one's parents, living or dead. That belongs to piety. There is a sense in which, also in Latin, *pietas*, means this in the first place. Then he concludes his speech. Yes?

**Reader:**
ATH. As regards duties to children, relations, friends, and citizens, and those of service done to strangers for Heaven's sake, and of social intercourse with all those classes,—by fulfilling which a man should brighten his own life and order it as the law enjoins,—the sequel of the laws themselves, partly by persuasion and partly (when men's habits defy persuasion) by forcible and just chastisement, will render our State, with the concurrence of the gods, a blessed State and a prosperous. There are also matters which a lawgiver, if he shares my view, will necessarily regulate, though they are ill-suited for statement in the form of a law; in dealing with these he ought, in my opinion, to produce a sample for his own use and that of those for whom he is legislating, and, after expounding all other matters as best he can, pass on next to commencing the task of legislation. (718a-c)

**LS:** So[76] what was stated in that long speech and in the quasi-appendix to it, is not yet legislation. What it is he will explain soon. But even before he made a distinction between what belongs to legislation, like, for example,[77] how one has to behave towards neighbors, and kin, and fellow citizens, strangers, and so on, as distinguished from parents and other higher beings. And now he makes an insensible transition to the third step of the legislator. The first was, to repeat, the clarification of what the best regime is; the second was the address to the future citizens; and then he takes the third step, which consists in a word in trying to fill the greatest lacuna in what he had said before about the law, that law is a dispensation effected by the intellect. This is very incomplete, and he will now show why and in what respect it is incomplete. Yes?

**Reader:**
CLIN. What is the special form in which such matters are laid down?[78]
ATH. It is by no means easy to embrace them all in a single model of statement (so to speak); but let us conceive of them in some such way as this, in case we may succeed in affirming something definite about them.
CLIN. Tell us what that "something" is.
ATH. I should desire the people to be as docile as possible in the matter of virtue; and this evidently is what the legislator will endeavor to effect in all his legislation.
CLIN. Assuredly.
ATH. I thought the address we have made might prove of some help in making them listen to its monitions with souls not utterly savage, but in a more civil and less hostile mood. So that we may be well content if, as I say, it renders the hearer even but a little more docile, because a little less hostile. For there is no great plenty or abundance of persons anxious to become with all speed as good as possible; the majority, indeed, serve to show how wise Hesiod was when he said, "smooth is the way that leadeth unto wickedness," and that "no sweat is needed to traverse it," since it is "passing short," but (he says):

"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."[viii]

**LS:** Yes. So the first consideration which he suggests is this: that the majority of men are rather lukewarm to the acquisition of virtue. That we must keep in mind. And then he quotes Hesiod with some slight variations, but we know that this is not due to a different tradition because[79] in the *Protagoras*, Plato quotes this as in our Hesiod manuscripts. The only deviation which he makes is especially in the last verse he quotes, when he says[80] [that] virtue is easy to *bear*, whereas in Hesiod it is: Virtue *dwells* easily, once you have reached the heights. This I mention in passing. Yes. And then the answer of Clinias?

**Reader:**
CLIN. The poet speaks nobly, I should say.

**LS:** Yes. It is funny that the reply of Clinias is metrical:[81] "*Kalōs g'eoike legonti*." And later on, after some time, in 722A there will be another metrical reply of Clinias. The reason, you will see soon, of these jocular events is that we come now to speak of poets. And in which way we will see. Yes?

**Reader:**
ATH. He certainly does. Now I wish to put before you what I take to be the result of the foregoing argument.

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[viii] The Athenian quotes Hesiod *Works and Days* 287ff.

CLIN. Do so.
ATH. Let us address the lawgiver and say: "Tell us, O lawgiver: if you knew what we ought to do and say, is it not obvious that you would state it?"
CLIN. Inevitably.

**LS:** So "if"—"if," "if." A big "if." Now let us assume that the legislator is not a man of supreme knowledge. Then we would be confronted with this situation: the legislator is supposed to lead to virtue men imperfectly motivated to virtue; and he [is] lacking the full knowledge required. This would be "quote a realistic unquote" view of laws, and we must see how to fill it in with what we have heard before [about] what a law should be. Yes?

**Reader:**
ATH. "Now did not we hear you saying a little while ago that the lawgiver should not permit the poets to compose just as they please? For they would not be likely to know what saying of theirs might be contrary to the laws and injurious to the State." (718c-19b)

**LS:** Yes. That we have heard indeed.[82] But the thought is coming this way. The legislator is not necessarily a man of supreme knowledge; a truly wise man. Now what kind of human being apart from the legislators could possibly be wise? In the sub-Socratic context, only the poets. And therefore we come now to the poets and see whether they do not help us out of the predicament, but the difficulty is this, of course: that we have previously subordinated the poets to the legislator's control and censorship, but if the legislator is not supremely wise, we may have to reconsider it. Yes—

**Reader:**
CLIN. That is quite true.
ATH. Would our address be reasonable, if we were to address him on behalf of the poets in these terms?—
CLIN. What terms?

**LS:** So now he addresses the legislator, together with Clinias on behalf of the poets, and here in[83] that speech itself he speaks to the legislator in the name of the poets, not only on [their] behalf. Now what does he say?

**Reader:**
ATH. These:—"There is, O lawgiver, an ancient saying,—constantly repeated by ourselves and endorsed—"

**LS:** "By ourselves," by us poets. Yes?

**Reader:**
ATH. "by us poets—"

**LS:** No, no, that is explanation, that is not in the text.

**Reader:**

ATH. "and endorsed by everyone else—that whenever a poet is seated on the Muses' tripod, he is not in his senses, but resembles a fountain, which gives free course to the upward rush of water; and since his art consists in imitation, he is compelled often to contradict himself, when he creates characters of contradictory moods; and he knows not which of these contradictory utterances is true. But it is not possible for the lawgiver in his law thus to compose two statements about a single matter; but he must always publish one single statement about one matter. Take an example from one of your own recent statements. A funeral may be either excessive or defective or moderate: of these three alternatives you chose one, the moderate, and this you prescribe, after praising it unconditionally. I, on the other hand, if (in my poem) I had a wife of surpassing wealth, and she were to bid me bury her, would extol the tomb of excessive grandeur; while a poor and stingy man would praise the defective tomb, and the person of moderate means, if a moderate man himself, would praise the same one as you. But you should not merely speak of a thing as 'moderate' in the way you have now done, but you should explain what 'the moderate' is, and what is its size; otherwise it is too soon for you to propose that such a statement should be made law."
CLIN. Exceedingly true. (719b-e)

**LS:** Yes, so let us stop here. So in other words, it appears that now the legislator has to sit at the feet of the poet, and the example would indicate why. The poet voices what very different kinds of human beings demand, think, feel. They would instruct the legislator in the natures and habits, in the variety of natures and habits of human beings,[84] to which the stranger had referred at the end of the first book. But this is of course only a very small part of the story. Let us see that. Now the poets—the simplest example is that of course of a dramatic poet, but it would apply to all poets[85]—have an art, the art of imitation. That is clearly stated. But at the same time, when they are creative, as they say today, they are not in their senses, and this leads to the consequence that they do not know whether what they say is in agreement with the law or not. That is funny, because they could very well find out immediately after being out of their trance, but what does he say here? They make, they create human beings who are of opposite, or let us say contradictory dispositions, like that rich woman and that stingy poor man. Yes? And therefore the consequence is that the poet contradicts himself—which is, I think, not true, because if he makes a rich woman speak in this way and the stingy man speak in that way, the poet doesn't contradict himself at all. Nor does he show that he does not know which of the contradictory statements is true, because that is not his primary concern. The primary concern is whether the speeches he makes[86] fit the different characters or not. So this statement about the poets is in itself self-contradictory; and it is based on the ancient story going back to the poets and propagated by the poets which says the poets are not responsible for what they say, whereas in fact they are. At any rate, the poets are said to say different things on the same subject. The legislator of course must say only one thing on the same subject. Now to say different things on the same subject to different people, that precisely is irony in the original meaning of the term. And it is obvious that the legislator's speech must under no circumstances be ironic. This I believe doesn't need any proof.

So now what about Plato's own speech? It is clear that Plato also makes different human beings say different contradictory things, just as he just reproduces the speech of those who say that the laws are dependent on the regimes, and therefore are made in the interest of the stronger and not

with a view to any other end. But the legislator's speech must be radically different. So Plato's writings must be diametrically opposed to the legislator's writings. Now whether that is the last word about that legislator who is a Platonic legislator[87] remains to be seen. At any rate, we are now confronted with the question, which will be discussed in the immediate sequel: Must the legislator's own speech be truly simple, as it is stated here, truly simple? Or must it not also be twofold or even manifold, as the speeches of the poets are? And[88] the answer which he will give[89], at least to begin with, is they must be twofold, and that means in principle also manifold. And if this is true, then indeed the Platonic legislator, the legislator inspired by Plato, in his speeches would approximate the Platonic speeches, and this difference would disappear. But the completely non-Platonic legislator, that is clear, his speeches would be at the other pole of the Platonic speeches. I believe that is the strongest statement on behalf of the poets which occurs in Plato's writings; and it is also no accident that it occurs in the *Laws*, in which Homer and Hesiod of course are never blamed as they are in the *Republic*. That has all to do[90] with the fact that philosophy is pushed out of sight, but it is always there nevertheless. Is there any point you would like to bring up? Then we will meet next week.

[1] Changed from "[break in recording]—directly, and some other considerations of a similar nature, so we [break in recording] applicable as—in their result—as standards of judgement also—to cities already founded, or to to every legislation, past or future."

[2] Deleted "he."

[3] Deleted "remember."

[4] Deleted "being his help."

[5] Deleted "we must see what—."

[6] Deleted "does—."

[7] Deleted "inverts."

[8] Deleted "memory—."

[9] Deleted "Most easily."

[10] Deleted "so that would—and they are not—."

[11] Deleted "in the rich."

[12] Deleted "in a Nestor-like man."

[13] Deleted "there."

[14] Deleted "among us, [inaudible word]."

[15] Deleted "three."

[16] Deleted "the Ath—now."

[17] Deleted "now."

[18] Deleted "what their polities are."

[19] Deleted "but of true."

[20] Deleted "in the colony."

[21] Deleted “happen.”

[22] Deleted “the Solonian regime.”

[23] Deleted “but—.”

[24] Deleted “led to or.”

[25] Deleted “he does not—.”

[26] Deleted “has.”

[27] Deleted “now.”

[28] Deleted “obeying.”

[29] Deleted “that.”

[30] Deleted “particularly—.”

[31] Deleted “that is not possible. This.”

[32] Deleted “the rule of law—.”

[33] Deleted “is—.”

[34] Deleted “that—.”

[35] Deleted “we—.”

[36] Deleted “the alternative sol—but.”

[37] Deleted “the *Republic*—.”

[38] Deleted “*Republic*—the.”

[39] Deleted “is the rule of—the law.”

[40] Deleted “the question.”

[41] Deleted “a sectional good—.”

[42] Deleted “else—.”

[43] Deleted “the.”

[44] Deleted “that.”

[45] Deleted “it will later on—.”

[46] Deleted “there isn’t—there.”

[47] Deleted “now.”

[48] Deleted “in—.”

[49] Deleted “versus.”

[50] Deleted “something with—yes.”

[51] Deleted “But if that’s—that’s irrelevant. That something is irrelevant. Why is the question regarding the education of the perfect human[51] or the question of the perfect human being suppressed? What is that—.”

[52] Deleted “for which.”

[53] Deleted “because—well.”

[54] Deleted “in.”

[55] Deleted “which role do the philosophers play in their political construction, say, in Hobbes, in Locke, in

Rousseau."

[56] Deleted "there."

[57] Deleted:

"**LS**: I beg your pardon?

**Mr. Gonda**: [inaudible] argue that the Dorian context, [inaudible] combination, is the political context?

**LS**: I didn't understand the adjective—is what kind of context?

**Mr. Gonda**: Is *the* political context.

[58] Deleted "*stasis* is derived—."

[59] Deleted "I mean—."

[60] Deleted "that."

[61] Deleted "Bury's coin."

[62] Moved "either."

[63] Changed from "There—is something—there is nothing said about here that the state begins with a fight."

[64] Changed from "there are people—men live in cities."

[65] Deleted "can—."

[66] Deleted "that."

[67] Deleted "is the same which."

[68] Deleted "or—."

[69] Deleted "it."

[70] Deleted "this—."

[71] Deleted "a famous—."

[72] Deleted "some human being."

[73] Deleted "what I—."

[74] Deleted "it—."

[75] Deleted "to parents."

[76] Deleted "that was—this—."

[77] Deleted "what one—."

[78] The following exchange was deleted:

**LS**: You omitted something, I believe, didn't you?

**Reader**: What?

**LS**: Did you not omit the end of the Athenian's speech? You read only that he will thereafter begin with the laying-down of the laws. And then—

**Student**: There's a problem in the text, that [inaudible words]

**LS**: He omitted that—

**Reader**: I read right down to here and then I continued here.

**LS**: Oh, I see, all right. That is not [inaudible word]. Yes—

[79] Deleted “in ano—.”

[80] Deleted “after.”

[81] Deleted “and you will see soon—.”

[82] Deleted “now.”

[83] Deleted “from.”

[84] Deleted “and—.”

[85] Deleted “is this: they.”

[86] Deleted “are—.”

[87] Deleted “that.”

[88] Deleted “that—.”

[89] Deleted “is—.”

[90] Deleted “with this—.”

**Session 13: no date**

**Leo Strauss:** We are reading now the fourth book, the first book in which the Athenian speaks as an advisor of Clinias, of an individual legislator here and now, and no longer merely as a teacher of legislators in general. And[1] the first subject which he takes up here is the nature of the land, of the population, and of his helper—his most desirable helper, a young tyrant; and that implies also, as we have seen, the nature of the legislator himself. After he has completed this discussion, he turns to the three fundamental acts of the legislator's art, those acts which precede the legislation proper. And here again we have a tripartition: first, the determination of the regime, which is, to use a non-Platonic word, a theocracy; more precisely, the rule of the intellect. The dispensation effected by the intellect, by the *nous* or *noos*, is *nomos*, law. So it is thus rule of law, not rule of man. There follows, as a second act, the allocution to the future colonists or citizens, who are exhorted to piety and humility. There is also an exhortation to the future citizens in the *Republic*, in 415a to b, in the context of the noble lie, a much shorter statement and a very different statement.

Now the third step, and this is the one with which we are now concerned, is this: the Athenian reconsiders what he had said first on law. And he starts from two facts: the majority of men are lukewarm to the acquisition of virtue, and the legislator is likely to be a man of imperfect knowledge. Then we have this situation in legislation: a man of imperfect knowledge is to lead to virtue human beings who are not very eager to acquire virtue. That is a difficult proposition. Now the lack of evidence [in support] of the legislator's prescriptions due to the imperfection of his knowledge and, on the other hand, the recalcitrance of the people calls in the first place for coercion. So from this point of view, the law is nothing but coercive command, as it is most clearly in later thinkers—in Hobbes. But in Plato this is only the flooring, because the other statement on law, that it is a dispensation effected by the intellect, must not be forgotten. But this[2] statement, that law is a dispensation effected by the intellect, is the ceiling. And between this flooring and that ceiling: the whole task of any respectable legislation. [3]

Now these two extremes, coercion and intellect, call for a mediation; and that mediation is effected by persuasion. The most effective persuaders are the poets, and therefore the Athenian leads up to this subject as we have already seen last time. But I think we should reread the section on poets which we began, in 719b4. Yes?

**Reader:**
ATH. "Now did we not hear you saying a little while ago that the lawgiver should not permit the poets to compose just as they please? For they would not be likely to know what saying of theirs might be contrary to the laws and injurious to the State." (719b)

**LS:** So in other words, previously the poets had been subordinated to the legislators because of their ignorance of what seemed to be most important, namely, of the law. This is perhaps not so easy to understand, because why should the poets not know the laws? You know in our time the poets who praise all kinds of weird things condemned by the legislators know very well that these things are condemned by the legislators. This is the first minor difficulty. But let us see how he proceeds.

**Reader:**
CLIN. That is quite true.
ATH. Would our address be reasonable, if we were to address him on behalf of the poets in these terms?—
CLIN. What terms?

**LS:** So[4] the Athenian now addresses[5] the legislator on behalf of the poets, that is to say, he wishes to make a case for the poets against the legislator and, as you will see,[6] he speaks to the legislator not only on behalf of the poets but he makes the poets or poet himself speak. Yes?

**Reader:**
ATH. These:—"There is, O lawgiver, an ancient saying—constantly repeated by ourselves and endorsed by everyone else—that whenever a poet—"

**LS:** By "ourselves," he means here[7] by the poets. The poets have originated this story—yes?—but it has been accepted by all men. Yes?

**Reader:**
ATH. "that whenever a poet is seated on the Muses' tripod, he is not in his senses, but resembles a fountain, which gives free course to the upward rush of water; and since his art consists in imitation, he is compelled often to contradict himself, when he creates characters of contradictory moods; and he knows not which of these contradictory utterances is true." (719b-c)

**LS:** Yes. So[8] according to their own claim,[9] [the poets] possess an art, which means[10] they know what they are doing. But on the other hand, they deny that they know what they are doing while in the state of poetic production. And furthermore, they make their characters say contradictory things, because their characters have contradictory dispositions, but they do not know which of their characters, if any, says the truth. The poets might say that this is not their major concern, or not their first concern, their first concern being whether the speeches fit their characters. Yes?

**Reader:**
ATH. "But it is not possible for the lawgiver in his law thus to compose two statements about a single matter; but he must always publish one single statement about one matter. Take an example from one of your own recent statements. A funeral may be either excessive or defective or moderate: of these three alternatives you chose one, the moderate, and this you prescribe, after praising it unconditionally. I, on the other hand—"

**LS:** "I," the poet. Yes?

**Reader:**
ATH. "if (in my poem) I had a wife of surpassing wealth, and she were to bid me bury her, would extol the tomb of excessive grandeur; while a poor and stingy man would praise the defective tomb, and the person of moderate means, if a moderate man himself, would praise the same one as you. But you should not merely speak of a thing as 'moderate,' in the way you have now done, but you should explain what 'the moderate'

is, and what is its size; otherwise it is too soon for you to propose that such a statement should be made law."
CLIN. Exceedingly true. (719c-e)

**LS:** Yes, now let us see. So what is the legislator supposed to learn from the poet? That the legislator's speech is insufficient is not precise enough. It is not quite clear whether the poet means that the legislator should prescribe different burial expenses to that rich woman, to that poor man,[11] [and to] the man of moderate means. That is not clear. But the poet will always speak in the character of these three different people. In the center you see the stingy and poor man;[12] he is a more comical character than the two others, yes? And so that is not too surprising, that the comical should be in the center. Now at any rate, the poet's speech is manifold and the legislator's speech must be simple, one. One, about one subject. But now the question arises, as we shall see from the sequel, as to whether one can leave matters at the unqualified univocity of the legislator's speeches. Must the legislator too not speak in a manifold manner? And if he has to do that, must he not learn from the poets[13] how to speak in a manifold manner? Yes?

**Reader:**
ATH. Should, then, our appointed president of the laws commence his laws with no such prefatory statement, but declare at once what must be done and what not, and state the penalty which threatens disobedience, and so turn off to another law, without adding to his statutes a single word of encouragement and persuasion? Just as is the way with doctors, one treats us in this fashion, and another in that: they have two different methods, which we may recall, in order that, like some children who beg the doctor to treat them by the mildest method, so we may make a like request of the lawgiver. Shall I give an illustration of what I mean? There are men that are doctors, we say, and others that are doctors' assistants; but we call the latter also, to be sure, by the name of "doctors."
CLIN. We do.
ATH. These, whether they be free-born or slaves, acquire their art under the direction of their masters, by observation and practice and not by the study of nature—which is the way in which the free-born doctors have learnt the art themselves and in which they instruct their own disciples. Would you assert that we have here two classes of what are called "doctors"?
CLIN. Certainly.
ATH. You are also aware that, as the sick folk in the cities comprise both slaves and free men, the slaves are usually doctored by slaves, who either run round the town or wait in their surgeries; and not one of these doctors either gives or receives any account of the several ailments of the various domestics, but prescribes for each what he deems right from experience, just as though he had exact knowledge, and with the assurance of an autocrat—

**LS:** A "tyrant."

**Reader:**
ATH. of a tyrant; then up he jumps and off he rushes to another sick domestic, and thus he relieves his master in his attendance on the sick. But the free-born doctor is mainly

engaged in visiting and treating the ailments of free men, and he does so by investigating them from the commencement and according to the course of nature; he talks with the patient himself and with his friends, and thus both learns himself from the sufferers and imparts instruction to them, so far as possible; and he gives no prescription until he has gained the patient's consent, and only then, while securing the patient's continued docility by means of persuasion, does he attempt to complete the task of restoring him to health. Which of these two methods of doctoring shows the better doctor, or of training, the better trainer? Should the doctor perform one and the same function in two ways, or do it in one way only and that the worse way of the two and the less humane?
CLIN. The double method, Stranger, is by far the better. (719e-20e)

**LS:** Yes. Now he has not yet made here an application to the legislator, and has spoken hitherto only of medicine and the two classes of physicians. And here these are different men: the physicians of slaves, and the physicians of free men, and what will come out later on is that in the case of the legislator, the two functions must be fulfilled by the same man, the legislator, in the same act. But let us first consider a few things in this speech here. At the end he brings in for a second, so to speak, the gymnastic trainer in addition to the physician. Now what is the relation between these two arts, gymnastics and medicine? They are obviously the arts dealing with the human body, strengthening it and restoring it to health.[14] The art of the legislator must be compared to both that of the gymnastic trainer and that of medicine: an edifying function like [that of] building up[15], and a restorative or punitive function. In the case of the body they are strictly separated, but in the case of the soul they must be exercised by one and the same man.[16] This is at least the demand here. Of course one can also conceive of a medicine of the mind, which is limited altogether to the medicine of the free man, of the free physician who treats free patients. And then one would, I believe, naturally think of Socrates, whose proceedings are here implicitly described, who talks to people and himself learns something by talking to the patient about his disease; and he talks to the patient's friends, and he reaches agreement with the patient. Well, think of Charmides and his headaches, and then the patient will comply with the prescription without any coercion.[i] The main point, however, is that[17] according to what is implied here,[18] in legislation as distinguished from medicine, the treatment of freemen and the treatment of slaves belong to one and the same art: the legislative art. The free treatment, the generous treatment and the tyrannical treatment both belong to the legislative art. The legislative art must be in itself twofold. And therefore it is possible or even necessary that the legislator must speak in a twofold manner: to the free men and to the slaves, in the literal as well as in the metaphoric sense of the words "freemen" and "slaves." Yes—?

**Reader:**
ATH. Do you wish us to examine the double method and the single as applied also to actual legislation?
CLIN. Most certainly I wish it.
ATH. Come, tell me then—

**LS:** "By the gods."

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[i] Plato *Charmides* 155b ff.

**Reader:**
ATH. by the gods—

**LS:** I mean, that is one of the very few oaths occurring here. Yes?

**Reader:**
ATH. what would be the first law to be laid down by the lawgiver? Will he not follow the order of nature, and in his ordinances regulate first the starting-point of generation in States?
CLIN. Of course.

**LS:** Yes. Now[19] is it "of course"? One could have had the impression from the allocution to the future citizens that the first laws, the laws coming first, would be those regarding divine worship. But perhaps there is no contradiction because here he speaks first of what would come first according to nature. And then the two statements would be easily reconciled. At any rate,[20] the oath "by the gods" reminds us of this question. Yes?

**Reader:**
ATH. Does not the starting-point of generation in all States lie in the union and partnership of marriage?
CLIN. Certainly.
ATH. So it seems that, if the marriage laws were the first to be enacted, that would be the right course in every State.
CLIN. Most assuredly.
ATH. Let us state the law in its simple form first: how will it run? Probably like this:—
"A man shall marry when he is thirty years old and under five and thirty; if he fails to do so, he shall be punished both by a fine in money and by degradation—" (720e-21b)

**LS:** Yes.[21] Well, "with a fine of so-and-so much and with such and such a degradation." So the lacuna has to be filled out by the legislator, and this is not meant to be a final formulation, as you see when he says it would "perhaps" run somehow in the following manner. Therefore, if later on a statement occurs which conflicts with this and where the age is stated differently (I think thirty is the maximum), there is naturally no contradiction, because this is meant to be a provisional statement. And one must not assume that Plato has forgotten what he wrote earlier, because[22] he qualified this statement by the "perhaps." This[23], what we have read, is a simple statement and now we will hear the double statement. Will you read that?

**Reader:**
ATH. Such shall be the simple form of marriage law. The double form shall be this,—"A man shall marry when he is thirty years old and under thirty-five, bearing in mind that this is the way by which the human race, by nature's ordinance, shares in immortality, a thing for which nature has implanted in everyone a keen desire. The desire to win glory, instead of lying in a nameless grave, aims at a like object."

**LS:** Yes,[24] this is the reason: for to become famous and not lie nameless after one's death is the desire for suchlike things, namely, for immortality. Yes?

**Reader:**
ATH. "Thus mankind is by nature coeval with the whole of time, in that it accompanies it continually both now and in the future; and the means by which it is immortal is this:—by leaving behind it children's children and continuing ever one and the same, it thus by reproduction shares in immortality. That a man should deprive himself thereof voluntarily is never an act of holiness; and he who denies himself wife and children is guilty of such intentional deprivation. He who obeys the law may be dismissed without penalty, but he who disobeys and does not marry when thirty-five years old shall pay a yearly fine of such and such an amount,—lest he imagine that single life brings him gain and ease,—and he shall have no share in the honours which are paid from time to time by the younger men in the State to their seniors." When one hears and compares this law with the former one, it is possible to judge in each particular case whether the laws ought to be at least double in length, through combining threats with persuasion, or only single in length, through employing threats alone. (721b-e)

**LS:** Yes. This[25] long statement of the Athenian is double, because it contains both the law in the narrow sense and the reason of the law. This much is clear. But this is [not] a wholly unproblematical twofoldness, as we see. A difficulty is indicated by a fact which is not mentioned in the *Laws* or anywhere else in Plato's writings, but which is nevertheless firmly established, and that is that Plato never married. Plato, in other words, contradicted his own legislator, and his own legislator is not just[26] any legislator but the man whose laws are supposed to be the dispensations of the intellect. Is then Plato, as they say today, a hypocrite,[27] preaching one thing and doing another? Or is the law not sufficiently flexible, twofold, to permit of Plato's seemingly lawless action? Well, I think he makes one crucial qualification: voluntarily. There is indicated here that this desire for immortality which finds its normal outlet in the generation of children may be satisfied also in other ways, by immortal fame. And if this desire is overpowering, then there is no place left for marriage; and therefore the abstention from marriage is involuntary. This possibility is provided for. So if this is so, however, we see that the law is not only twofold because it consists of the law proper and the reason for the law, but the reason for[28] the law itself is twofold because it says different things to different people. Now if this is the case, then Plato's legislator's writings will be as manifold as Plato's own writings, which also say different things and are meant to say different things to different people. Yes. So[29] the question is now: What kind of law should we have, the usual one, the statement: "Do that or else," or a statement appealing to the understanding of the subject? Yes?

**Reader:**
MEG. Our Laconian way, Stranger, is to prefer brevity always. But were I bidden to choose which of these two statutes I should desire to have enacted in writing in my State, I should choose the longer; and, what is more, I should make the same choice in the case of every law in which, as in the example before us, two these alternatives were offered. It is necessary, however, that the laws we are now enacting should have the approval of our friend Clinias also; for it is his State which is now proposing to make use of such things. (721e-22a)

**LS:** Yes. Well, Megillus is apparently worried in the first place by the length, the greater

length—and the Spartans were laconic—but he assures the Athenian that this kind of length is entirely welcome so there will be no conflict on this ground. The Athenian will have to say something about length almost immediately. But now what does Clinias say? Yes?

**Mr. Licht:** . . . May we assume that slaves would not be persuaded by them? May we assume that slaves might not be persuaded by the persuasive laws?

**LS:** Yes.

**Mr. Licht:** I wonder whether also, given the nature of the people who . . . whether it is possible that free men might not be persuaded also.

**LS:** Unfortunately, yes.

**Mr. Licht:** So then in fact the statement of the law presumes a certain docility of character?

**LS:** Yes, generally speaking, yes. But it has also what they call teeth in it for those who are not docile.

**Mr. Licht:** So the end of the law is really not persuasion but coercion.

**LS:** Yes, but a coercion which should try to make itself superfluous in the given case. There[30] will always be the necessity for coercion; but in a given case, the coercion may become superfluous because all people [can] become convinced that it is the best way.[31]

**Mr. Licht:** These are people who wish to be convinced that this is the best way; and for the doctor, to complete the analogy, there are people who wish to be cured, healed, and so forth.

**LS:** Yes, but[32] of course the genuine doctor, the competent doctor,[33] would succeed in persuading the patient that he has to take the bitter pill or whatever it may be, and then he will take it. Similarly in the case of legislation. So what Clinias says here in the last speech we have read is again metrical: *kalōs g' ō Megille eipes*, just as we found a metrical statement shortly before,[34] in 719a3, before the discussion of poets and after the discussion of poets. That is a meaningful little joke of Plato. The Athenian now takes up the suggestion of Megillus that one should make no objection to the length of the speeches. Yes?

**Reader:**
CLIN. I highly approve of all you have said, Megillus.
ATH. Still, it is extremely foolish to argue about the length or brevity of writings, for what we should value, I suppose, is not their extreme brevity or prolixity, but their excellence; and in the case of the laws mentioned just now, not only does the one form possess double the value of the other in respect of practical excellence, but the example of the two kinds of doctors, recently mentioned, presents a very exact analogy.

**LS:** Yes,[35] "the genus of the[36] twofold doctors." It is really not two genera of doctors, as in the case of ordinary medicine, but it is one genus in the case of legislation, which performs the free

doctor's and the slave doctor's function. Yes?

**Reader:**
ATH. But as regards this, it appears that no legislator has ever yet observed that, while it is in their power to make use in their lawmaking of two methods,—namely, persuasion and force,—in so far as that is feasible in dealing with the uncultured populace, they actually employ one method only: in their legislation they do not temper compulsion with persuasion, but use untempered force alone. And I, my dear sirs, perceive still a third requisite which ought to be found in laws, but which is nowhere to be found at present.

**LS:** So now this much is clear:[37] we need both, and one special reason is that the legislator has to do with the crowd inexperienced in education. This is clear. But there will be a third consideration, which he has not yet made and which follows. And what is it?

**Reader:**
CLIN. What is it you allude to?
ATH. A matter which, by a kind of divine direction, has sprung out of the subjects we have now been discussing. It was little more than dawn when we began talking about laws, and now it is high noon, and here we are in this entrancing resting-place; all the time we have been talking of nothing but laws, yet it is only recently that we have begun, as it seems, to utter laws, and what went before was all simply preludes to laws. (722a-d)

**LS:** Yes. Now let us stop here for one moment. So they started at dawn and now it is high noon, and we are about at the end of the fourth book. Now if it is reasonable to assume that books 5 to 8, and then books 9 to 12—the *Laws* consists altogether of twelve books—will take approximately the same time,[38] that would mean that books 9 to 12 will be spoken in the evening and[39] at dusk, the beginning of the night. Now these last four books are devoted to penal law; in other words, this is[40] something which we should obscure if possible, but of course we must have it. And the very last discussion in the *Laws* deals with something called the nocturnal council: that is the closest approximation to the rule of philosophers which is possible in this work here. And the very name "nocturnal council" points to the night. Of course one doesn't know whether the next four books will also[41] be spoken in the shade, as this very passage here is. That cannot be settled, I believe. Yes?

**Reader:**
ATH. What is my object in saying this? It is to explain that all utterrances and vocal expressions have preludes and tunings-up (as one might call them), which provide a kind of artistic preparation which assists towards the further development of the subject.

**LS:** Yes, "artistic" in this precise sense: according to art, according to rules of art. All speeches need preludes, which must be composed in an artful, artistic manner; and this applies also to laws, as we shall see. Yes?

**Reader:**
ATH. Indeed, we have examples before us of preludes, admirably elaborated, in those prefixed to that class of lyric ode called the "nome," and to musical compositions of

every description. But for the "nomes" (i.e., laws) which are real "nomes,"—and which we designate "political"—

**LS:** So it's the same word in Greek, of course, *nomoi*, for this kind of songs as well as for laws. Yes?

**Reader:**
ATH. no one has ever yet uttered a prelude, or composed or published one, just as though there were no such thing. But our present conversation proves, in my opinion, that there is such a thing; and it struck me just now that the laws we were then stating are something more than simply double, and consist of these two things combined—law, and prelude to law. The part which we called the "despotic prescription"—comparing it to the prescriptions of the slave-doctors we mentioned—is unblended law; but the part which preceded this, and which was uttered as persuasive thereof, while it actually is "persuasion," yet serves also the same purpose as the prelude to an oration. To ensure that the person to whom the lawgiver addresses the law should accept the prescription quietly, and because quietly, in a docile spirit—that, as I supposed, was the evident object with which the speaker uttered all his persuasive discourse. Hence, according to my argument, the right term for it would be, not legal "statement," but "prelude," and no other word. Having said this— (722d-23b)

**LS:** No, it's "prelude but not a speech of the law." So he retracts now the earlier statement[42] about the twofoldness of the law, a statement which has now fulfilled its purpose and is no longer necessary. But now he says that the reason[43] [for] the law which is stated in the prelude is not law. The law is a statement: Do this or that, or else. That's the law—the tyrannical statement—and generous, persuasive statement does not belong to the law proper. But the whole thing, the law plus its prelude, consists of a tyrannical ingredient, and of an ingredient which wishes to elicit consent, free consent. Well, if we assume for a moment that the political order most concerned with consent is democracy, then we would have to say that a law, a law as it should be, is based on a mixture of a democratic and a tyrannical ingredient. And perhaps one should enlarge that, in Plato's spirit, to say that all sensible political arrangements are mixtures of tyranny and democracy, so that when Aristotle says in his *Politics*, in criticizing the Athenian Stranger, that according to the Athenian Stranger the best mixture is one of tyranny and democracy, Aristotle has read the *Laws* better than we,[44] because that statement never occurs. Then of course the modern scholars point their finger of disapproval at Aristotle, and say: That's the way in which he reads and slanders. But he doesn't slander at all. He only[45] [thinks] through this subject more than the people who believe there is only that in the book which can be quoted by every reader, however superficial. So this is crucial for the understanding, and we remember perhaps that earlier he said in the third book that there are two mothers of regimes, monarchy and democracy. He did not say kingship and democracy.[46] Tyranny would also be a monarchy, of course. And this is another confirmation of Aristotle's interpretation.

**Mr. Kaplan:** Mr. Strauss, perhaps I forgot it, but we are speaking now about the tyrannical state with a legislator, and if so—

**LS:** No, no. Yes?

**Mr. Kaplan:** And if so, my question is: What is the relation between the tyrant [and] the legislator who takes this law, from the *nous*, from the *logos*—what is the relation between the tyrant and the legislator?

**LS:** The tyrant came in only in the context of the question of how to establish most quickly and most easily this particular kind of society. But afterwards, after it has been established, the tyrant disappears.

**Mr. Kaplan:** I understand that—

**LS:** I mean, whether he can be pushed aside[47] [so] easily is another question.

**Mr. Kaplan:** . . . process, once . . . state.

**LS:** Not all tyrants have a state.

**Mr. Kaplan:** No, my question is: Is it the tyrant who chooses the legislator?

**LS:** No, I think the legislator chooses the tyrant. Yes, and the tyrant is supposed to be a very docile man. [Laughter]

**Mr. Kaplan:** A very docile man. Yes . . .

**LS:** Yes, well, that is only one of the—

**Mr. Kaplan:** Excuse me, not only docile; he has to negate himself in order that the legislator—

**LS:** Yes, sure. Well, the legislator will tell him. And since he has such a high regard for the legislator, he will do it. But[48] that is as impossible as the arrangement made in the *Republic* that the philosophers should become kings or the kings should become philosophers. There is no quick and easy solution. Yes. Yes?

**Reader:**
ATH. Having said this, what is the next statement I would desire to make? It is this: that the lawgiver must never omit to furnish preludes, as prefaces both to the laws as a whole and to each individual statute, whereby they shall surpass their original form by as much as the "double" examples recently given surpassed the "single."
CLIN. I, for my part, would charge the expert in these matters to legislate thus, and not otherwise.

**LS:** So the key point which we must keep in mind for the immediate sequel is this: there will be first a general prelude to the whole code, and then there will be particular preludes to the particular laws; of the latter we have an example in what is said about the marriage laws. Yes?

**Reader:**
ATH. You are right, I believe, Clinias, in asserting at least thus much,—that all laws have preludes, and that, in commencing each piece of legislation, one ought to preface each enactment with the prelude that naturally belongs to it—for the statement that is to follow the prelude is one of no small importance, and it makes a vast difference whether these statements are distinctly or indistinctly remembered; still, we should be wrong if we prescribed that all statutes, great and small, should be equally provided with preludes. For neither ought that to be done in the case of songs and speeches of every kind; for they all naturally have preludes, but we cannot employ them always; that is a thing which must be left in each case to the judgement of the actual orator or singer or legislator. (723b-d)

**LS:** Yes. Now it would be interesting to know whether Plato meant here also some of his own works [49]which were susceptible of having a prelude but do not have one because it would not be useful in their case. There are two Platonic writings which occur to me immediately, today generally regarded as spurious, which have no prelude in any sense, and these are[50] the *Minos* and the *Hipparchus*.[51] Especially the *Minos* begins in a very abrupt way, without any preparation. But Plato may have thought of something else, I do not know. Yes?

**Reader:**
CLIN. What you say is, I believe, very true. But let us not spend more time, Stranger, in delay, but return to our main subject, and start afresh, (if you agree) from the statements you made above—and made not by way of prelude.

**LS:** At that time they did not make them as if they were pronouncing a prelude. Yes—

**Reader:**
CLIN. Let us, then, repeat from the start the "second thoughts" that are "best" (to quote the player's proverb), treating them throughout as a prelude, and not, as before, as a chance discourse; and let us handle the opening part as being confessedly a prelude. As to the worship of the gods and the attention to be paid to ancestors, our previous statement is quite sufficient; it is what comes next to these that you must try to state, until the whole of the prelude has been, in our opinion, adequately set forth by you. After that you will proceed with your statement of the actual laws.

**LS:** Now Clinias makes now a momentous proposal: that they should retroactively declare the allocution to the future citizens to be the first part of the prelude to the whole code. You know[52] it was meant to be an allocution to the citizens, nothing else. And now it is, as I said, retroactively declared to be such, the first part of the prelude. Yes?

**Reader:**
ATH. So then the prelude we previously composed concerning the gods and those next to the gods, and concerning parents, living and dead, was, as we now declare, sufficient; and you are now bidding me, I understand, to bring up, as it were, to the light of day the residue of this same subject.
CLIN. Most certainly.
ATH. Well, surely it is both fitting, and of the greatest mutual advantage that, next to the

matters mentioned, the speaker and his hearers should deal with the question of the degree of zeal or slackness which men ought to use in respect of their souls, their bodies, and their goods, and should ponder thereon, and thus get a grasp of education as far as possible. Precisely this, then, is the statement which we must actually make and listen to next.
CLIN. Perfectly right. (723d-24b)

**LS:** So the Athenian indicates here now the subject which follows: the souls, bodies, and properties of the people. And they, the speaker and the hearers—and this includes of course also the Athenian as a speaker, and Clinias and Megillus as hearers—would by this fact acquire education, as much as they are capable [of]. This is expected from the statement about the souls, the bodies, and the properties, whereas nothing has been said about the educating function of the first part of the prelude, i.e., the statement about the gods and the parents. So this is the end of the fourth book. Before we turn to the fifth book, I would like to make a stop for a moment and see whether there is any point which you would like to discuss. Mr. Sitte?

**Mr. Martin Sitte:** [53]You indicated briefly but didn't elaborate on a connection between the fact that the central part of the fourth book culminates in a theocracy, in the rule of gods, which is also expressed as rule of intellect—

**LS:** And the rule of law.

**Mr. Sitte:** Yes, and then the last part of the book, which reintroduces the poets. Now is there a connection between these two facts, between the rule of gods on the one hand, and the higher status which the poets are then given in the last part of book 4?

**LS:** [54]No. I mean, the first part is still implicitly based on the negative judgment on poets. You know, the legislator is a man of supreme knowledge and the poets, of course, while being competent in matters purely poetic, have to obey the legislator in the truly important questions. But in this last section of the fourth book, where the knowledge of the legislator is questioned, the status of the poets[55] [rises] automatically. That is, I believe, the connection. But the chief relation of these two discussions of the law in the fourth book is[56] what I called the ceiling, law as a dispensation of the intellect, and the flooring, law as tyrannical command. And he has separated this by these two statements, by the allocution to the citizen which now proves to be, according to Clinias at least, the first half of the prelude to the whole code. Yes?

**Mr. Gary:** At 719e10[57] there is a speech that the Athenian gives in which there's talk about[58] the poets who are able to speak in different ways, one about the defective tune, one about the excessive tune, and one about the moderate. And then Clinias responds, "Exceedingly true." And I was wondering if there are some things in which there is no possibility of excess,[59] so [that] therefore[60] the thrust of the statement that is made in this speech by the Athenian is ironically countermanded by what Clinias says, because he suggests by saying "exceedingly true" to the reader who considers that perhaps there are certain things that cannot be in excess, like truth.

**LS:** I don't think so. I believe that Clinias's statement must be understood at least in the first place as a response to what the Athenian said last, namely, that the legislator cannot leave

matters[61] at praising the mean, the moderate, but he must be more specific about it, as is shown by the example of the variety of what various kinds of people regard as becoming like the rich woman, the stingy poor man, and so on. I believe that has no further bearing. Clinias[62] accepts everything the Athenian says here, but especially this main point, that the poet has got a point against the legislator.

**Mr. Gary:** [63]I wasn't suggesting that Clinias was trying to contradict the Athenian, but I was suggesting that Clinias might be saying something that has a meaning that even he doesn't understand.

**LS:** That could be, yes.

**Mr. Gary:** And when he says "exceedingly true," he makes us think about the truth, and whether it's possible that it be exceeding. And if it's not possible, then we have to look back at the speech—

**Mr. Berns:** The Greek doesn't say a thing about excess. It just says—

**LS:** Exceedingly, no. "Very." It's always superlative: "very true."

**Mr. Berns:** "Most true." [*Alethestata legeis*]

**LS:** Yes.

**Mr. Gary:** Oh, I see.

**LS:** Oh, yes, I see. Yes?

**Dr. Kass:** Could I return to the point about the status—[ii]

**LS:** —be called in. And the further consideration that poetry might be questioned from a higher point of view has no place here because that higher point of view is, so to speak, suppressed.[64] We cannot forget that, but on the other hand we must also remember this statement of the *Laws* in order not to take[65] in too simple a manner the condemnation of poetry in the *Republic*. You know? That's twofold. All these things are twofold.

**Dr. Kass:** Would it be fair to say that in this context, in the *Laws*, insofar as the legislator is not simply a tyrant, he is a poet?

**LS:** Yes, one can say that. But the question is: How much would follow from that? I mean, surely his statements do not have to be metrical, although Clinias somehow seems to believe that, you know, by his two metrical utterances. But in another sense, yes, he must tell untrue but edifying stories,[66] which would be the work of poets, for instance. But if you go into the details of the laws of purchasing and selling, that is not likely to make us think of poets. Yes? Although

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[ii] The tape was changed at this point.

conceivably a fellow like Balzac could give it a quasi-poetical treatment, yes? Mr. Gonda?

**Mr. Gonda:** I'm not sure if I understand[67] what the sub-Socratic element to this is, because it seems as if the same point is made in the *Gorgias*, that somehow rhetoric has to be ministerial to philosophy . . . [iii][68]

**LS:** Yes. Well, quite superficially, in the *Gorgias* Socrates talks to the most famous teacher of rhetoric in Athens; and here the Athenian Stranger talks to two old Dorians in a very underdeveloped part of Greece, at least at that time underdeveloped. So that is clear; the situation is very different. And of course in the *Gorgias*, Socrates speaks of philosophy without any hesitation and it is perfectly fitting there—you know, the whole contrast with Callicles is that between the political man and the philosophic man. This contrast is also effective in the *Laws*, but not in such an extreme way as in the *Gorgias*. We will see that later. Mr. Berns?

**Mr. Berns:** Isn't the real problem that is broached by talking about on the one hand, the flooring and the ceiling, coercion and persuasion, that it would seem to be impossible to simply talk about law, to define law as one thing? You have to always define the law for the free and the law for the unfree. It seems that it's really impossible to talk about simply law.[69] I'm thinking of Thomas' treatise on law, where he begins and defines it in terms of an ordinance of reason, persuasion, and then towards the end of the treatise, you suddenly find him talking about the coercive power of the law.[iv]

**LS:** That was implied from the very beginning. In the general question on laws, preceding the particular kinds of laws, the question of sanctions was mentioned.

**Mr. Berns:** Yes, it was mentioned, but it doesn't really fit in with the definition.

**LS:** Yes, but he does not bring up the sanctions especially in connection with the natural law, because that would bring up the whole question of divine punishment and rewards, and he doesn't wish to bring that up in this context. But he does speak of them, of course, when he comes to human law. But Thomas simply starts from the premise that the law, in particular also the human law, is or ought to be a dictate of reason. And he does not go into the complexities of law as much as Plato does.

**Mr. Berns:** Yes, but it still bothers me that in the general definition, which at first appears to be *the* definition of law that he works from, there is no mention of compulsion. And yet it is clear that,[70] as you said, when he talks about human law, he does talk about it.

**LS:** Yes, sure.

**Mr. Berns:** In other words, this seeming failure of the definition seems to indicate that it is almost impossible to define law simply, that one always has to define it in terms of the law for those who are persuadable, and the law for those who are not.

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[iii] Plato *Gorgias* 465c. The remainder of the question is largely inaudible.

[iv] St. Thomas Aquinas, *Summa Theologiae*, Ia-IIae.90-108.

**LS:** Yes, but still, does not every law have this dual appeal, at least implicitly?[71] [For instance], if the legislator forbids drinking of alcoholic beverages, what does he do?[72] He or his friends point out the awful ravages wrought by demon rum. Yes? That is the persuasion. And then the legislator comes with his tyrannical prescription and says: He who buys or sells or drinks this kind of thing will be punished in such and such a way. You have both things in all legislation, only[73] it is not generally thought to be the function of the legislator to do both things, as Plato, or rather the Athenian Stranger, demands.[74] I think there is no difficulty in that; at least I don't see it.

**Mr. Berns:** Well, I mean, I'm not sure[75] if I see anything either. But, for instance, if one takes Hobbes, who defines law in a systematic way as a command, will, he leaves out entirely what he calls counsel. That's perfectly clear and logical, but it leaves out half the story.

**LS:** Yes.

**Mr. Berns:** And then if you take Thomas, who defines law as counsel, or as an ordinance of reason, which in Hobbes's terms would be counsel, that definition also, which is perfectly clear, proves to be insufficient[76] because then the coercion comes in. It really seems as if there is no simple way to define law; one has to define it in terms of the two.

**LS:** Yes. Is this terrible?

**Mr. Berns:** Well, only for those who would like a simple, systematic treatment of it.

**LS:** [77]You know what Aristotle says about Hippodamus, who had such a simple scheme:[v] it only led to confusion. And perhaps this is true in this case too. But even Hobbes, who is[78] in this respect so wonderfully clear and has been properly admired for that[79], even Hobbes brings in the ceiling when he speaks of the office of the sovereign.[vi] Yes? And there he speaks of what is a good law. He denies that there can be unjust laws, but he admits that there can be bad laws. And then he speaks of good laws and of a good code, and this became then the model for people up to Bentham and the Utilitarians. So he has this too, but nevertheless it is a much narrower statement than that of Plato, I grant that. Yes?

**Student:** At the end of book 4, when the Athenian speaks of the prelude that he has previously discussed, and the gods and parents, I wondered what specifically he is referring to as a prelude.

**LS:** That is what was presented as an allocution to the future colonists. And I can only repeat: Clinias proposes that this allocution be raised retroactively to the status of the first half of the prelude. And the second half of the prelude is given in the first part of book 5. Is this so difficult?

**Student:** Well, I'm not sure that I'm clear.[80] The question I was asking was: Where in the previous books does he discuss the prelude to the gods and to the parents?

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[v] Aristotle *Politics* 1268a-b.

[vi] Hobbes, *Leviathan*, 2.19.

**LS:** No, he doesn't mean anything but this particular section: the allocution to the future citizens, and that was the exhortation to piety, humility, etc. And where he spoke of the gods as well as of the parents, both living and dead, as he said here. But you want to say something?

**Student:** If I understand the analogy between medicine and the legislative art, then it would seem that the medicine of[81] the free doctor treating free men corresponds to what he later called the prelude, or the art of making preludes to the laws. And the slave doctor treating slaves corresponds to the coercive part of the law.

**LS:** To the coercive part, yes.

**Student:** . . . properly called the law, the law itself. And if that's true—if the analogy is, as you said, complete—then there seems to be another function of the free medicine: the free medicine seems to serve as a model for the slave medicine. The slave medicine couldn't exist without the free medicine. And I was wondering, if the analogy is complete, whether there is something analogous to that in the art of legislation, whether one might say that the coercive function of law in some way depends on the persuasive function of law.

**LS:** I have not been able acoustically to understand everything you said, but let me only make one point: the legislator's function combines that of the slave doctor and of the free doctor. That is clear. You have seen that?

**Student:** Yes.

**LS:** Yes. Now what was your difficulty?

**Student:** Well, given that he combines both of those functions, nevertheless there seem to be two kinds of functions that the legislator must fulfill.[82] On the one hand, there is the prelude and on the other hand, there's the coercive part of the law. But[83] if we take the analogy of medicine, the free medicine seems to serve as a model for the slave medicine, the free doctor is said to be the teacher of the slave doctor, and I was wondering if this—

**LS:** No, the free doctor is not the teacher of the slave doctor. The slave doctor is a simple empiric [and] has no scientific knowledge, no knowledge of the nature of things. And they are two entirely different kinds of people, united only by the fact that they both are supposed to heal human beings.

**Student:** . . .

**LS:** No, but it follows only that the legislative art consists—and that's its paradox—of two heterogeneous things,[84] but both are equally essential to it: the free and the tyrannical ingredient. And—

**Mr. Light:** Doesn't the free doctor look to nature and the slave doctor look to the free doctor? Isn't that the point—

**Previous student:** That was the point I thought I was making.[85]

**LS:** I don't think so. This is not the way in which I understood that. Now let me see. [Sound of pages being turned.]

**Mr. Light:** He's an assistant.

**LS:** Yes, he may—that he says—

**Mr. Light:** 720a.

**LS:** Yes,[86] all right, say, a kind of male nurse, but this is then later on dropped. In the detailed discussion in 720b to d, there is nothing said of the slave doctors being guided by the free doctors.

**Mr. Light:** I think that—[720]d, exactly.[87]

**LS:** Yes, that is hard to say. Let me see. [Sound of pages being turned] Yes, these male nurses: they treat their patients, free or slave, according to the command of the masters; and "masters" means here the free doctors. Yes. "And they acquire their art by experience," but not according to nature, as the free doctors themselves. So there are two kinds of the men who are called doctors, physicians. Yes. So in other words, there is—

**Student:** . . . What I would like to ask is, if that's the case, then in whatever way the slave doctors seem to be under the direction of free doctors, or to learn from the free doctors or to observe the free doctors,[88] in what sense can we apply that to the analogy with the legislator? In what sense can the coercive function of law be said to be contingent on the persuasive function?

**LS:** Yes. Now[89] what appears from this passage, 720a to d, would be this: that[90] slave medicine is a very crude version of free medicine. Accordingly, the law as law, the tyrannical prescription, is a very crude version of the dispensation effected by the intellect. Does this not make sense? That something sensible and reasonable must be crudified enormously in order to become a law, in order to acquire this character of the tyrannical prescription. All[91] [fine] distinctions must be dropped. Mrs. Kaplan?

**Mrs. Kaplan:** Wouldn't it be easier, from the standpoint of these analogies, to explain the . . . [92] coercion and persuasion as two sides of legislation, if we were to keep in mind that the first part is education? And this is certainly there. Persuasion, after all—this is here not mentioned as such, but[93] education is part of legislation. I know it is done in the *Republic* in one way, in our day . . . No one real ordinance or statute is written with law and persuasion apart, and then [a] statement what you have to do. But it isn't everywhere . . . education. And I think that this whole analogy just points to this—two sides of each legislator, like Mr. Berns mentioned, but one is education, the other one has to be formal [law]. Law has to be defined as a law and accordingly law has to be different in the status as a law.

**LS:** Yes, but—

**Mrs. Kaplan:** That—this—from what we discussed here that it is difficult, this analogy, to refer to the meaning of these two sides of legislation, of making law.

**LS:** Yes, but Plato is very much concerned[94] [to point] out the heterogeneous character of these two ingredients: the educational and the correctional.[95] And I believe all the discussions today about the questionable effect of so-called rehabilitation and the difficulties there would confirm what Plato says. All human societies of which we know, at least all somewhat more developed ones, have penal justice. And[96] what is punishment? It is supposed to better men. Does it better men? Perhaps negatively, by deterring men, but [is] the mere deterrence from crime education? In a way, yes, but a very low kind, a very crude kind of education compared with education proper. And Plato is very much concerned, as you see from the strong language which he uses, with bringing out the radical difference between these two ingredients. That is,[97] a simple harmony between them [is not] possible, and I think we see it up to the present day. Now as for the—yes?

**Mr. Berns:** I think there's another problem that in a way I think most of us fall prey to, and that is, in a democratic society,[98] insofar as it is controlled by public opinion, you find people who come to expect the persuasive element in the law to slowly absorb,[99] until it absorbs[100] completely the coercive part.

**LS:** The withering away of the gallows.

**Mr. Berns:** Definitely. The withering away of the gallows. There was an article that we read[101] on our "Cambodia Days"[vii] here, an article by someone who had been connected with this college, called "The Law as Question," where the proposal was that every law should be taken as merely an opening question for a discussion. And I guess from Plato's point of view that view of law would suffer from a fatal one-sidedness.

**LS:** Yes. Well, what he said about the crowd: inexperienced in education. You know that remark which occurred?

**Mr. Berns:** Yes, but then of course the answer is: Suppose everyone becomes experienced in education.

**LS:** Yes, but "suppose." And[102] that is a question which Plato will discuss in his way later on when he really speaks about the regime of the *Laws*. Hitherto he hasn't yet done it, in spite of the claim. But[103] after he has completed the prelude, that is the first thing he does, and there he will lay the foundation for the whole political order, and there the first indications are given. I mean, this tough side of the laws—the teeth in them, that which is of course overdone by people like Machiavelli—was absolutely recognized by Plato. And by Aristotle too of course, you know, at

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[vii] "Cambodia Days" might refer to College events in connection with the invasion of Cambodia in 1970, when U.S. and Vietnamese troops entered the country to engage Vietnamese communist forces.

the end of the *Ethics*, when he speaks of the compulsory power which the law must have.[viii] Otherwise one gets into the difficulty into which Don Quixote came when he tried to liberate the galley slaves, you know, and was shocked that they were chained. You remember? Well, at any rate, to come back to our context: in the sequel, in the second half of the prelude,[104] the Athenian will discuss the proper treatment of the souls, the bodies, and property. And I think we can use without any danger the expressions taken from theology, that the first half of the prelude is this first table of that decalogue. And now in the second half we get the second table, and we must see whether that fits or does not fit. And that we must[105] begin to do next time.

[1] Deleted "in this—."

[2] Deleted "first."

[3] Changed from "the whole task of legislation moves ,of any respectable legislation."

[4] Deleted "now."

[5] Deleted "now."

[6] Deleted "he talks to the—."

[7] Deleted "the—by—by ourselves—."

[8] Moved "the poets;" deletd "are—."

[9] Deleted "they."

[10] Deleted "they are—."

[11] Deleted "or."

[12] Deleted "that is more a."

[13] Deleted "how to speak—."

[14] Deleted "what is—."

[15] Deleted "function."

[16] Deleted "but."

[17] Deleted "in the—."

[18] Deleted "is that."

[19] Deleted "this is—."

[20] Deleted "the sermon."

[21] Deleted "no."

[22] Deleted "he made—."

[23] Deleted "is—."

[24] Deleted "but only—."

[25] Deleted "statement, this."

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[viii] Aristotle *Nicomachean Ethics* 10.9.

[26] Deleted “anybody.”

[27] Deleted “by.”

[28] Changed from “reason of . . . reason of.”

[29] Deleted “now it is clear—so.”

[30] Deleted “can be—there.”

[31] Deleted Mr. Licht: These are people who wish to be convinced that this is the best way. LS: Pardon?

[32] Deleted “the doctor must—.”

[33] Deleted “he.”

[34] Deleted “before the—.”

[35] Deleted “that is a little bit more—“the two-fold”—no.”

[36] Deleted “‘two-fold or—.’”

[37] Deleted “what the—.”

[38] Deleted “and.”

[39] Deleted “the beginning—.”

[40] Deleted “something which is—.”

[41] Deleted “be in the shade, as—will.”

[42] Deleted “which has ful—.”

[43] Deleted “of.”

[44] Deleted “and not—first.”

[45] Deleted “has thought.”

[46] Deleted “monarchy, which could—.”

[47] Deleted “as.”

[48] Deleted “this is only—.”

[49] Deleted “and which, I mean”

[50] Deleted “the *Hippias* and the—no, not the *Hippias*.”

[51] Deleted “The *Minos* and the *Hipparchus*, they.”

[52] Deleted “it was not—.”

[53] Deleted “is there any conne—.”

[54] Deleted “The higher status given to what in the last part? Mr. Sitte: To the poets. You spoke of, you know, the fact that the poets are re-established—LS: Oh, the poets.”

[55] Deleted “raises.”

[56] Deleted “law—.”

[57] Deleted “p. 307 in the Loeb—

LS: E10?

Mr. Gary: Yes.

LS: Yes?

Mr Gary:”

[58] Deleted “the poets—.”

[59] Deleted “and.”

[60] Deleted “the statement—.”

[61] Deleted “at saying—.”

[62] Deleted “does not—.”

[63] Deleted “I think I was suggesting that—.”

[64] Deleted “but—.”

[65] Deleted “too—.”

[66] Deleted “for example.”

[67] Deleted “the—.”

[68] Deleted “and in the same way it is used—the relationship between medicine and justice—well, medicine and gymnastics [inaudible words] in fact [inaudible words] example used in the beginning, where Gorgias counsels the patients of his brother to take the medicine, even though [inaudible] principle denounced there [inaudible words] the context is the fact that the [inaudible word] is actually spelled out [inaudible words].”

[69] Deleted “even if one—.”

[70] Deleted “when he does talk of—.”

[71] Deleted “think of.”

[72] Deleted “there is at—.”

[73] Deleted “not—.”

[74] Deleted “I must—.”

[75] Deleted “what I’m—.”

[76] Deleted “It seems that you—that you must—.”

[77] Deleted “Perhaps one—the simplicity is—.”

[78] Deleted “as—.”

[79] Deleted “but on the but.”

[80] Deleted “what I was.”

[81] Deleted “the—that.”

[82] Deleted “he has to—.”

[83] Deleted “in—.”

[84] Delete “which are ne—.”

[85] Deleted “LS: I beg your pardon? Mr. Light: The doctor—I’m sorry, that the free doctor looks to nature, but the slave doctor looks to the free doctor. Is not that—“

[86] Deleted “servants of the—yes.”

[87] Deleted “LS: Pardon? Mr. Kass: In the next speech of the Athenian. Mr. Klein: 720D. Mr. Kass: The next speech of the Athenian.

[88] Deleted “then in what sense can we carry over—.”

[89] Deleted “that is—I mean, if we—.”

[90] Deleted “the slave doctors, or.”

[91] Deleted “final.”

[92] Deleted “coercion and persuasion as two sides—.”

[93] Deleted “it is—.”

[94] Deleted “in pointing.”

[95] Deleted “That they are heterogeneous.”

[96] Deleted “is—.”

[97] Deleted “there is not.”

[98] Deleted “one that—.”

[99] Deleted “almo—and then.”

[100] Deleted “it.”

[101] Deleted “on the—.”

[102] Deleted “Plato—.”

[103] Deleted “he will come and—.”

[104] Deleted “he.”

[105] Deleted “do—.”

**Session 14: no date**

**Leo Strauss:** We completed last time our reading of book 4. Only a few points remain which I would like to remind you of. The *Laws* is the only Platonic dialogue located far away from Athens. The only other Platonic dialogue located outside of the walls of Athens is the *Phaedrus*. The theme of the *Phaedrus* is erotic speeches, in particular erotic written speeches. There is a long discussion on the defects of writing: writings say always the same thing, and they say the same things to all. From this we may conclude that the Platonic writings are writings free from that essential defect of writing. Now the *Laws* deals with written laws, the writings of the legislator. The legislator, as we have seen, must say the same thing to all. This will be changed by the Platonic legislator. But primarily the writings of the legislator and the Platonic writings, or poetic writings in general, are at opposite poles. To this crucial fact we are directed by the most superficial fact, namely, that only the *Laws* and the *Phaedrus* are located outside the walls of Athens, in the country.

Now the question which was discussed again in the second half of book 4 is: What is law? You remember the earlier answer: it is the true *logos* when it has become the decision of the city. This was superseded by a new formula according to which law is the dispensation effected by the intellect. But this was implicitly questioned. It was said that law is the tyrannical or threatening command; yet it is that while being a dispensation effected by the intellect, and this was made clear by the example of the slave and free doctors.[1] The slave doctors learn from the free doctors, and they do what the free doctors do: they imitate it, in a very crude manner. So the law as a tyrannical command is still derivative from the dispensation effected by the intellect. Now while he made these things clear, he made clear the need for preludes: preludes have exactly the function of giving the reason for the tyrannical command. This was agreeable to the two others, and then Clinias proposed that the allocution to the future citizens—which the Athenian had made, or that the legislator made—that this allocution to the future citizens be raised to the status of the first half of the prelude of the whole code. Now we come to the second half of that prelude. It is surely not Platonic usage, but it is defensible to call these two parts[2] of the prelude of the code the first table—what has to do with the gods—and the second part, to which we turn now, the second table. Now let us begin to read the beginning of book 5.

**Reader:**
ATH. Let everyone who has just heard the ordinances concerning gods and dear forefathers now give ear. Of all a man's own belongings, the most divine is his soul, since it is most his own. (726a)

**LS:** Now let us stop here for one moment**.** So the soul comes after, of course, the gods and the dear ancestors. He doesn't say that it comes after the parents, although the parents might be included among the forefathers. That is of some importance, the status of the parents, especially of the fathers.[3] Aristotle gives as the example of an ethical controversy the question whom must one obey more, the law or the parents? And this problem is somehow present here. We must see whether we get more specific information.

**Reader:**
ATH. A man's own belongings are invariably twofold: the stronger and better are the ruling elements, the weaker and worse those that serve; wherefore of one's own belongings one must honour those that rule above those that serve. Thus it is that in charging men to honour their own souls next after the gods who rule and the secondary divinities, I am giving a right injunction. But there is hardly a man of us—

**LS:** Now wait. He says more literally: "After the gods, being lords, and those who follow these." So that does not necessarily mean divinities. It may also mean ancestors, the dear ancestors. Perhaps even the parents; that is not excluded.

**Reader:**
ATH. But there is hardly a man of us all who pays honour rightly, although he fancies he does so; for honour paid to a thing divine is beneficent, whereas nothing that is maleficent confers honour—

**LS:** Ya, that is not the most—"Now honor is somehow a divine good, a divine good, and nothing bad is worthy of honor."

**Reader:**
ATH. and he that thinks to magnify his soul by words or gifts or obeisances, while he is improving it no whit in goodness, fancies indeed that he is paying it honour, but in fact does not do so. Every boy, for example—

**LS:** Now wait a moment. Honoring consists in making the soul better, that appears clearly. Now he gives a long list of the ways in which people dishonor the soul, and in this way throws some light indirectly on what honoring the soul is. I think he mentions seven such ways of dishonoring the soul.

**Reader:**
ATH. Every boy, for example, as soon as he has grown to manhood, deems himself capable of learning all things, and supposes that by lauding his soul he honours it, and by eagerly permitting it to do whatsoever it pleases. But by acting thus, as we now declare, he is not honouring his soul, but injuring it; whereas, we affirm, he ought to pay honour to it next after the gods. (726a-27b)

**LS:** Yes, now that is absolutely certain: "next to the gods." And so the status of the parents remains in abeyance. That was the first point.

**Reader:**
ATH. Again, when a man counts not himself but others responsible always for his own sins and for the most and greatest evils, and exempts himself always from blame, thereby honouring, as he fancies, his own soul,—then he is far indeed from honouring it, since he is doing it injury. Again, when a man gives way to pleasures contrary to the counsel and commendation of the lawgiver, he is by no means conferring an honour on his soul—

**LS:** "On his soul" is not there. That is a plausible suggestion of the translator, but the words only say *oudamōs timai*. But he dishonors him[self].

**Reader:**
ATH. but rather dishonour, by loading it with woes and remorse.

**LS:** That is the only place here where the legislator is mentioned, and here the soul is *not* mentioned. Now this leads one to an important question: Is honoring the soul the same as obeying the laws? You may know that in the *Crito*, where Socrates speaks up in favor of lawabidingness more than anywhere else, there the word "soul" is studiously avoided. The question which is here present is exactly this. What is worthy more of honor: the soul, or the city and its laws? This question, of course, in the *Crito* could not with propriety be raised because it would complicate matters much beyond Crito's interest. Now the next point, number three.

**Reader:**
ATH. Again, in the opposite case, when toils, fears, hardships and pains are commended, and a man flinches from them, instead of stoutly enduring them,—then by his flinching he confers no honour on his soul, for by all such actions he renders it dishonoured. (727b-c)

**LS:** Again, "soul" is not there; it is simply "honors," only it is said later at the end of this: "For he makes it dishonored by doing all these things." Praised? When[4] he again says "praises," [speaking] of the pains and fears and so on—praises—it is not said by whom, but it is[5] implied by the legislator. Mr. Gonda, you wanted to say something?

**Mr. Gonda:** Are "blaming others for his sins or mistakes" and "giving way to pleasures" the same? Do they belong together?

**LS:** No, this was number two: if a man does not regard himself as responsible for his sins or mistakes, but makes others responsible. He believes by this[6] [that he] honor[s] his soul; in fact he dishonors it. He does the opposite because he harms it.[7] Here the soul is mentioned.

**Mr. Gonda:** Then when the pleasures are mentioned, the soul is not mentioned, is that correct? When pleasure comes up,[8] that's a different argument, is it not?

**LS:** Yes, number three. Yes, that is a different thing.[9] The first has to do with one's posture towards one's sins or mistakes, and the third has to do not with mistakes as such but with pleasures. Giving in to them may be a mistake, but pleasure is not a mistake. The fourth was toils, fears and pains. Number four.

**Reader:**
ATH. Again, when a man deems life at any price to be a good thing, then also he does not honour, but dishonour, to his soul; for he yields to the imagination of his soul that the conditions in Hades are altogether evil, instead of opposing it, by teaching and convincing his soul that, for all it knows, we may find, on the contrary, our greatest blessings in the realm of the gods below.

**LS:** So that refers to death in particular. Immortality of the soul is here not asserted, but there is

merely the argument, also [found in] the *Apology*, that we do not know.[i] And if we give in to fear of death, we act as if we knew what we do not know. Yes?

**Reader:**
ATH. Again, when a man honours beauty above goodness, this is nothing else than a literal and total dishonouring of the soul; for such a statement asserts that the body is more honourable than the soul,—but falsely, since nothing earth-born is more honourable than the things of heaven, and he that surmises otherwise concerning the soul knows not that in it he possesses, and neglects, a thing most admirable.

**LS:** That's number seven now, to which we come.

**Reader:**
ATH. Again, when a man craves to acquire wealth ignobly, or feels no qualm in so acquiring it, he does not then by his gifts pay honour to his soul,—far from it, in sooth!—for what is honourable therein and noble he is bartering away for a handful of gold; yet all the gold on earth, or under it, does not equal the price of goodness.

**LS:** So these are the seven ways in which one cannot—not the seven deadly sins, but seven ways of dishonoring one's soul. Now he summarizes the argument:

**Reader:**
ATH: To speak shortly:—

**LS:** "To take it all together"

**Reader:**
ATH. in respect of the things which the lawgiver enumerates and describes as either, on the one hand, base and evil, or, on the other hand, noble and good, if any man refuses to avoid by every means the one kind, and with all his power to practise the other kind,—such a man knows not that everyone who acts thus is treating most dishonourably and most disgracefully that most divine of things, his soul. (727c-28b)

**LS:** So here he identifies the standard with what the legislator declares. To honor one's soul and to obey the legislator are a benefit according to this, then. Yes?

**Student:** I have a question that goes back to the beginning of book 5, second paragraph, second sentence. He says there: "A man's own belongings are invariably two-fold; the stronger and better are the ruling elements, the weaker and worse those that serve." In that argument, it doesn't seem to me in the first place that it's invariably twofold; and secondly, that stronger and better should be the same.

**LS:** The word which he translates as "stronger" is not simply that; it means superior also, *kreittō*. The superior and better. And of course it must also be stronger if it is to exercise its rule. Take a

[i] Plato *Apology* 40c-41d.

simple example: Would you regard the stomach as superior and a man in which the stomach is in control as in good shape?

**Same Student:** No, but that was what I questioned about the term "stronger," you see. A man whose stomach is in control, his stomach is stronger in that sense.

**LS:** Yes, very well, but there are situations in which what ought to be weaker is stronger; for example, if you have cancer or something of this kind. "Weaker": that which by nature is weaker, is by violence against nature, stronger.

**Same Student:** To return to the first part of my argument, though, does he go into the twofold nature of man's belongings, or does he just mention it once and just leave it? Is there any argument to support that in other passages?

**LS:** Not here, but you can say he doesn't give an opportunity to Clinias and Megillus to take issue with him. But I believe[10] they would not have taken issue with him, but [they] have taken for granted that of course there is a ruling part in man and a ruled one. And if the ruled—what by nature is ruled—is somehow in control, that is like a household ruled by children or the wife. That happens, but it is a disordered household. And the same would be true of the individual. I mean, if I use the example of the wife, I am speaking of the way in which it is understood by Plato and Aristotle. That is not necessarily my opinion.

**Reader:**
ATH. Hardly anyone takes account of the greatest "judgment" (as men call it) upon evil-doing; that greatest judgment is this,—to grow like unto men that are wicked, and in so growing, to shun good men and good counsels and cut oneself off from them, but to cleave to the company of the wicked and follow after them; and he that is joined to such men inevitably acts and is acted upon in the way that such men bid one another to act. Now such a resultant condition is not a "judgment" (for justice and judgment are things honourable) but a punishment, an infliction that follows on injustice; both he that undergoes this and he that undergoes it not are alike wretched,—the one in that he remains uncured, the other in that he is destroyed in order to secure the salvation of many others.

Thus we declare that honour, speaking generally, consists in following the better, and in doing our utmost to effect the betterment of the worse, when it admits of being bettered. Man has no possession better fitted— (728b-c)

**LS:** Let us stop here. Here the legislator came in, as we see, and it seemed that obeying the legislator is identical with honoring one's soul. But in this discussion which follows immediately, which we just read, he doesn't speak of honoring the soul but of punishment. The punishment is not merely that inflicted by the human legislator but rather that which follows wickedness inevitably, namely, that you are attractive to the wicked and have this kind of company. So it is not perfectly clear that honoring the soul and obeying the legislator are identical. Not only may there be a law of the legislator which is unwise, but it may even be that the whole range of the legislator may perhaps not be sufficient for honoring the soul. So this

much about not honoring the soul and, only by indirection, honoring the soul. What follows next?

**Reader:**
ATH. Man has no possession better fitted by nature than the soul for the avoidance of evil and the tracking and taking of what is best of all, and living in fellowship therewith, when he has taken it, for all his life thereafter. Wherefore the soul is put second in order of honour; as for the third, everyone would conceive that this place naturally belongs to the honour due the body. But here again one has to investigate the various forms of honour,—which of them are genuine, which spurious; and this is the lawgiver's task.

**LS:** Here he[11] [says] at the beginning of this section that the soul must[12] follow and try to get hold of that which is best of all. This, what is best of all, seems to be most worthy of honor, more worthy than the soul. Of course one could say, these are the gods, but we must make a distinction, because we assume the gods to be good,[13] very good. But why are the gods good from Plato's point of view? By participating in goodness. Therefore this goodness is a higher consideration than the gods. This is the argument of the *Euthyphro*, you know, when the question arises: Do the gods determine what is right with a view to the right, or is it determined by them arbitrarily?[ii] We have then what is best of all, the soul, and then the body. Now he continues to speak of the body: his other enumeration of . . .

**Reader:**
ATH. Now he, as I suppose, declares that the honours are these and of these kinds:—the honourable body is not the fair body nor the strong nor the swift nor the large, nor yet the body that is sound in health,—although this is what many believe; neither is it a body of the opposite kind to any of these; rather those bodies which hold the mean position between all these opposite extremes are by far the most temperate and stable; for while the one extreme makes the souls puffed up and proud, the other makes them lowly and spiritless. (728c-e)

**LS:** What he translates here "lowly" is the same word we translated by "humble" when it occurred in the first part of the prelude, the part about the gods. And that illustrates very well the difference between the two tables: that now humility—or humbleness, *tapeinotēs*—is regarded, as it ordinarily is in Plato, to say nothing of Aristotle, as something defective.

**Reader:**
ATH. The same holds good of the possession of goods and chattels, and they are to be valued on a similar scale. In each case, when they are in excess, they produce enmities and feuds both in States and privately, while if they are deficient they produce, as a rule, serfdom.

**LS:** The order is perfectly clear up to this point: the soul; the body, which belongs after all to a man himself; and then that which can be divorced from him without his ceasing to be a man, his wealth. How does he go on from here?

**Reader:**

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[ii] Plato *Euthyphro* 9e-11b.

ATH. And let no man love riches for the sake of his children, in order that he may leave them as wealthy as possible; for that is good neither for them nor for the State. For the young the means that attracts no flatterers, yet is not lacking in things necessary, is the most harmonious of all and the best; for it is in tune with us and in accord, and thus it renders our life in all respects painless. To his children it behoves a man to bequest modesty, not money, in abundance.

**LS:** That is modesty in the sense of shame.

**Reader:**
ATH. We imagine that chiding the young for their irreverence is the way to bequeath this; but no such result follows from the admonition commonly given nowadays to the young, when people tell them that "youth must reverence everyone."

**LS:** "Have a sense of shame, be ashamed, bashful."

**Reader:**
Rather will the prudent lawgiver admonish the older folk to reverence the young, and above all to beware lest any of them be ever seen or heard by any of the young either doing or saying anything shameful; for where the old are shameless, there inevitably will also the young be very impudent. The most effective way of training the young—as well as the older people themselves—is not by admonition, but by plainly practising throughout one's life the admonitions which one gives to others. By paying honor and reverence to his kinfolk, and all who share in the worship— (728e-29c)

**LS:** Wait a moment. What was the subject here, up to this point, after wealth? [I ask this] so that we understand the sequel of the argument. It is not a profound question, it is very obvious. What did he talk about? Children.[14] So there is a kind of insensible transition from wealth to children. You can understand it in the way that ordinarily the heirs to one's wealth are the children. There are other ways of understanding it, but this is . . . the children. Now there is a new argument.

**Reader:**
ATH. By paying honour and reverence to his kinsfolk, and all who share in the worship of the tribal gods and are sprung from the same blood, a man will, in proportion to his piety, secure the good will of the gods of Birth to bless his own begetting of children.

**LS:** So this is the fourth item: kinsfolk.

**Reader:**
Moreover, a man will find his friends and companions kindly disposed, in regard to life's intercourse, if he sets higher than they do the value and importance of the services he receives from them, while counting the favours he confers on them as of less value than they are deemed by his companions and friends themselves.

**LS:** The fifth.

**Reader:**

ATH. In relation to his State and fellow-citizens that man is by far the best who, in preference to a victory at Olympia or in any other contest of war or peace, would choose to have a victorious reputation for service to his native laws, as being the one man above all others who has served them with distinction throughout his life. Further, a man should regard contracts made with strangers as specially sacred;—

**LS:** That is a new one. As opposed to fellow citizens, strangers.

**Reader:**
ATH. for practically all the sins against Strangers are—as compared with those against citizens—connected more closely with an avenging deity. For the stranger, inasmuch as he is without companions or kinsfolk, is the more to be pitied by men and gods; wherefore he that is most able to avenge succours them most readily, and the most able of all, in every case, is the Strangers' daemon and god, and these follow in the train of Zeus Xenios.

**LS:** The god of strangers, protecting strangers.

**Reader:**
ATH. Whoso, then, is possessed of but a particle of forethought will take the utmost care to go through life to the very end without committing any offense in respect of Strangers. Of offences against either strangers or natives, that which touches suppliants is in every case the most grave; for when a suppliant, after invoking a god as witness, is cheated of his compact, that god becomes the special guardian of him who is wronged, so that he will never be wronged without vengeance being taken for his wrongs. (729c-30a)

**LS:** "The suppliants" is the eighth item, and that was the second section after the enumeration of the wrong ways of honoring the gods. Here he speaks of honoring the soul, in particular. Now what is the subject here of this section, beginning in 720a to d and leading to 730a? By the way, the gods are mentioned here when he speaks of kinsfolk as "strangers and suppliants," for a very obvious reason which I indicated. Now what is the subject of this section? These all are not the soul. First the body, then wealth, then various kinds of human beings other than oneself. So one could say our obligations or duties to others, at least—this is second—as distinguished from honoring the soul.[15] Let us read the very beginning of the section following, because there he gives a kind of title to what he has said.

**Reader:**
ATH. As concerns a man's social relations—

**LS:** No, not social relations: "ways of intercourse," would be better. With what?

**Reader:**
ATH. towards his parents, himself and his own belongings, towards the State also and friends and kindred,—whether foreign relations or domestic,—our exposition is now fairly complete.

**LS:** Now in this enumeration the parents precede oneself, as you see. They precede, of course, what belongs to one and other items. Whether this is simply[16] a descending order is not quite

clear. But to what extent oneself is treated here apart from the body, that is not clear. It will become a little clearer from the immediate sequel.

**Reader:**
ATH. It remains to expound next the character which is most conducive to nobility of life; and after that we shall have to state all the matters which are subject, not to law, but rather to praise or blame,—as the instruments whereby the citizens are educated individually and rendered more tractable and well-inclined towards the laws which are to be imposed on them. (730a-b)

**LS:** Let me translate it a bit more literally. "As to what quality one must oneself be[17] in order to spend his life in the most noble manner, would be the subject [that] must now be taken up. As for the things which not the law but praise and blame by educating [instill, and] enable us to be well-disposed to the laws to be laid down in the future, this must be told afterward."

So the next subject is the man himself, the qualities of the man himself. And as will appear from the sequel, they are[18] the good qualities of the soul: the virtues. After all, they have not been discussed. He referred hitherto only to how one dishonors the soul. And then we have been given an enumeration of our relations to body, wealth, and other human beings. But of the central aspect of honoring the soul, the virtues, we have not yet heard anything in the prelude at any rate. And he turns to this subject now. For the discussion which follows it is good to consider the passage in the *Republic*, book 6, on the nature of the philosophers.[iii] The virtues mentioned here remind of that enumeration there, but there are considerable differences, as you will see when we come to the details. Now let us turn to[19] virtue.

**Reader:**
ATH. Of all the goods, for gods and men alike, truth stands first. Thereof let every man partake from his earliest days, if he purposes to become blessed and happy, so that he may live his life as a true man so long as possible. He is a trusty man; but untrustworthy is the man who loves the voluntary lie; and senseless is the man who loves the involuntary lie; and neither of these two is to be envied. For everyone that is either faithless or foolish is friendless; and since, as time goes on, he is found out, he is making for himself, in his woeful old-age, at life's close, a complete solitude, wherein his life becomes almost equally desolate whether his companions and children are living or dead. He that—

**LS:** That is the first item: truth, followed by reliability, trustworthiness. This is of course mentioned in the enumeration of the[20] natural qualities of the philosopher. But there it is said [that] what is characteristic of the philosopher is a passionate love for the *whole* truth; this is of course not here. By[21] virtue of truth, a man will become blessed and happy. That is a very strong epithet which occurs in this context only here. Now we come to the next.

**Reader:**
ATH. He that does no wrong is indeed a man worthy of honour; but worthy of twice as much honour as he, and more, is the man who, in addition, consents not to wrongdoers when they do wrong; for while the former counts as one man, the latter counts as many, in that he informs the

[iii] Plato *Republic* 485-487a.

magistrates of the wrongdoing of the rest. And he that assists the magistrates in punishing, to the best of his power,—let him be publicly proclaimed to be the Great Man of the State and perfect, the winner of the prize for excellence. (730b-d)

**LS:** So this is the second virtue, which is justice, but the emphasis [is] on punitive justice. Here the man who denounces the wrongdoers to the authorities, and even joins the authorities in their punitive action: he is called the Great Man, *anēr*, hombre in the city and perfect. That is also high praise, but praise different from the one given in the case of truth.[22] In the case of truth, it was not said that this man is the great man of the city, and here it is not said [that] he is blessed and happy. These are two very different virtues. We can say they are the two peaks of virtue, but we must understand these two peaks as poles of virtue, two different poles. Now we come to number three.

**Reader:**
ATH. Upon temperance and upon wisdom one should bestow the same praise—

**LS:** That is, good sense; moderation and good sense.

**Reader:**
and upon good sense one should bestow the same praise, and upon all the other goods which he who possesses them can not only keep himself, but can share also with others. He that thus shares these should be honoured as highest in merit, and he that would fain share them but cannot, as second in merit; while if a man is jealous and unwilling to share any good things with anyone in a friendly spirit, then the man himself must be blamed, but his possession must not be disesteemed any the more because of its possessor,—rather one should strive to gain it with all one's might. Let every one of us be ambitious to gain excellence, but without jealousy. For a man of this character enlarges a State, since he strives hard himself and does not thwart the others by calumny; but the jealous man, thinking that calumny of others is the best way to secure his own superiority, makes less effort himself to win true excellence, and disheartens his rivals by getting them unjustly blamed; whereby he causes the whole State to be ill-trained for competing in excellence, and renders it, for his part, less large in fair repute.

**LS:** So that is the third item. This is moderation, good sense, and so on. One should translate by "envy," not "jealousy," to make it somewhat clearer what he has in mind. He doesn't speak here of punitive activities of the virtuous man as he did in the case of justice. There is also a kind of caring for others, but this time in sharing the good things and not in sharing in the punitive activities of the magistrate. And of course it is important that this man who does all these fine things mentioned here is not called either a great man or a blessed and happy man. Yes?

**Dr. Kass:** There is an indication that the recent discussion of sharing occurs only here and not in the other two. [Does this suggest] that those are not capable of the same kind of sharing?

**LS:** Yes. But there is a kind of sharing in the punitive activity, isn't there? I mean, he doesn't limit himself to abstaining himself from wrongdoing; he prevents also others from wrongdoing. But this is a negative kind of sharing, and here the emphasis is altogether on the positive. Yes?

**Reader:**
ATH. Every man ought to be at once passionate and gentle in the highest degree. For, on the one hand, it is impossible to escape from other men's wrongdoings, when they are cruel and hard to remedy, or even wholly irremediable, otherwise than by victorious fighting and self-defense, and by punishing most rigorously; and this no soul can achieve without noble passion.

**LS:** The word which he translates by "passion" is *thymos*, spiritedness, which you know from the *Republic*.

**Reader:**
But, on the other hand, when men commit wrongs which are remediable, one should, in the first place, recognize that every wrongdoer is a wrongdoer involuntarily; for no one anywhere would ever voluntarily acquire any of the greatest evils, least of all in his own most precious possessions. And most precious in very truth to every man is, as we have said, the soul. (730e-31c)

**LS:** We have not said this very clearly, but perhaps we have suggested it.

**Reader:**
ATH. No one, therefore, will voluntarily admit into this most precious thing the greatest evil and live possessing it all his life long. Now while in general the wrongdoer and he that has these evils are to be pitied, it is permissible to show pity to the man that has evils that are remediable, and to abate one's passion and treat him gently, and not to keep on raging like a scolding wife; but in dealing with the man who is totally and obstinately perverse and wicked one must give free course to wrath. Wherefore we affirm that it behooves the good man to be always at once passionate and gentle. (731c-d)

**LS:** "Spirited and gentle." Now all crime is involuntary, and therefore of course also the incorrigible criminal is involuntarily what he is. Now involuntary crimes are matters of indulgence, of pity. You cannot act on that in the case of the incorrigible crimes, however; there they have to be treated as incorrigibility demands. Let us read this next part. Yes?

**Mr. Gary:** I had a question. Aristotle makes a distinction between the man who has bad habits and bad principles, and the man who has good principles and bad habits, and the man who has good principles and good habits. It seems that the one who does involuntary crimes that are correctable would be a man who has bad habits but could have good principles; and a man who is incorrigible has bad principles. And it seems to me that one would have to have not so much gentleness with the ones that have bad habits and could have good principles. I don't understand why the gentleness is emphasized; and I don't know what it would be.

**LS:** Yes. Well, in the first place, spiritedness and gentleness together, but more gentle than spirited, because it is more worthy of a human being not to act savagely.

**Mr. Gary:** But aren't there different times in people's lives when it is better—

**LS:** Yes, surely. Surely—

**Mr. Gary:** to act with more spiritedness, with young people, to establish the best habits and principles?

**LS:** Yes. And therefore they had of course in former times to become soldiers in these young years, to use it[23] against foreign enemies. But still, this is when they are young; and when we speak of the virtue of man we mean a mature man, beyond that.

**Mr. Gary:** I see.

**LS:** Now the difficulty I think[24]—this will be taken up later, when he comes to the penal law—[25] the difficulty is this: take the case of a man who commits[26] a murder [once]. He will never do it again. He can be corrected—rehabilitated, as they say now. But then take on the other hand a man who is a petty thief and cannot kick that habit. He is incorrigible. Should this petty thief be exterminated because he is incorrigible, whereas a man who commits[27] a murder [once] who can be rehabilitated should come to a kind of reformatory or, as Plato would call it, *sophronisterion*, where he is chastised, a place of chastisement? We come then to a fifth in the sequel.

**Reader:**
ATH. There is an evil, great above all others, which most men have, implanted in their souls, and which each one of them excuses in himself and makes no effort to avoid. It is the evil indicated in the saying that every man is by nature a lover of self, and that it is right that he should be such.

**LS:** "Of self?" Of "*him*self. "Is to himself by nature a friend."

**Reader:**
ATH. But the truth is that the cause of all sins in every case lies in the person's excessive love of self. For the lover is blind in his view of the object loved, so that he is a bad judge of things just and good and noble, in that he deems himself bound always to value what is his own more than what is true; for the man who is to attain the title of "Great" must be devoted—

**LS:** "Of the Great Man"—again the same expression was used before. The Great *Hombre*.

**Reader:**
ATH. the man who is to attain the title of the Great Man must be devoted neither to himself nor to his own belongings, but to things just, whether they happen to be actions of his own or rather those of another man. And it is from this same sin that every man has derived the further notion that his own folly is wisdom; whence it comes about that though we know practically nothing, we fancy that we know everything; and since we will not entrust to others the doing of things we do not understand, we necessarily go wrong in doing them ourselves. Wherefore every man must shun excessive self-love, and ever follow after him that is better than himself, allowing no shame to prevent him from so doing. (731d-32b)

**LS:** So this is the fifth and, in a way, final item regarding the virtues. To repeat: truth, justice, the

other virtues, gentleness and spiritedness, and finally, control in regard to self-love. The last item, as you see here when he speaks, is wisdom proper, just as it was in the beginning where he spoke of truth. There was something else—.

Now let us for a moment consider which qualities mentioned in the *Republic* he omits here, because many of them are mentioned there. Magnificence, for example, is not mentioned; gracefulness, *eucharis*. Memory and facility of learning, they are here omitted, naturally. The point of view is different: we are here concerned not with philosophers but with citizens, who are not philosophers. And you see also in these five items the statement on moderation and good sense, and the central virtue there is flanked on both sides by statements on punishment, on the great man who helps the authorities in punishing criminals, and then here on[28] how one must behave in punishing, the proper mixture of gentleness and spiritedness. This, I think, is also illustrative of the whole passage here. But he has one point to add, as we will see in the immediate sequel. I think we will make a stop after that.

**Reader:**
ATH. Precepts that are less important than these and oftentimes repeated—but no less profitable—a man should repeat to himself by way of reminder; for where there is a constant efflux, there must also be a corresponding influx, and when wisdom flows away, the proper influx consists in recollection; wherefore men must be restrained from untimely laughter and tears, and every individual, as well as the whole State, must charge every man to try to conceal all show of extreme joy or sorrow, and to behave himself seemly, alike in good fortune and in evil, according as each man's *daimōn*[iv] ranges itself,—hoping always that God will diminish the troubles that fall upon them by the blessings which he bestows, and will change for the better the present evils; and as to their blessings, hoping that they, contrariwise, will, with the help of good fortune, be increased. In these hopes, and in the recollections of all these truths, it behoves every man to live, sparing no pains, but constantly recalling them clearly to the recollection both of himself and of his neighbour, alike when at work and when at play.

Thus, as regards to the right character of institutions and the right character— (732b-e)

**LS:** Let us wait here. Now this is said to be of lesser rank, but nevertheless[29] no less useful than before: equanimity in good and evil fortune. Here is the only case in which in this section on the virtues divine help is referred to. What is missing in this discussion of virtues altogether? I mean what one would expect in such a discussion, however provisional, of the virtue which is not in [here]—without any reference to powers like the discussion of the nature of the philosopher. But you know the so-called cardinal virtues—

**Student:** Courage.

**LS:** Courage is missing. Very strange. Although[30] he uses [the word for] courage—in Greek, *andreia*, manliness—and he speaks twice in this section even of a *megas anēr*, of a great man, how would you account for that not mentioning of courage? That would be a question.

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[iv] In the Loeb: "Genius."

**Mr. Berns:** Well, there seems to be a suggestion of it in the *anēr*, *andra*. In his use of *anēr*, *andra* there seems to be a suggestion of courage.

**LS:** And where does it occur? In two cases, doesn't it?

**Mr Berns:** With justice.

**LS:** With punitive justice, yes, that was one; and the other was that one prefers the truly noble, the good and noble, to one's own. But in the first case it is clear that this is connected with courage in the simple meaning of the term, and also when he speaks later on of spiritedness in the case of punishment. Spiritedness is as it were the raw material of courage. But it is striking that it is not as such mentioned.

Now let us survey before we go on what we have read. We have seen first the wrong ways of honoring the soul, then a list of the things to be honored next to the soul, which included the duties toward other human beings; and then we have the virtues of the soul. And this is the discussion of what he will call immediately the divine things or the divine pursuits. And then he turns to the human things. Now is there any point you would like to raise regarding this?

**Mr. Robert Williamson:** Just one on the question of courage . . . the word *anēr* appears again in the section on self-love.

**LS:** Yes.

**Mr. Williamson:** On love of self. In book 6 of the *Republic*, courage is reinterpreted as being—as resulting from the fact that the philosopher is concerned with all things and hence can regard himself as being only a small part of the whole.

**LS:** And therefore despises death, and therefore—

**Mr. Williamson:** Despises death and thinks it the smallest of things. Here the concern of the great man is not the totality of things but rather what is just, and as a consequence he considers himself and those things which belong to him as being less important than what is just. Isn't that perhaps a nonphilosophic analogue in the *Laws* to the kind of contempt that the philosopher has for his own?

**LS:** Yes, well he had spoken of that before, when he spoke of the wrong ways of honoring the soul, or of the ways of dishonoring it. There he had mentioned, as you have seen, "believing to know what one does not know" by regarding death as evil. But this is not the reasoning given in the *Republic*; that was given in the *Apology of Socrates*.[v]

**Mr. Gary:** I have a question. It seems that there is an implicit discussion of friendship that runs through this last section, beginning with the section on page 335 on the top, where he speaks of the man who winds up being friendless because he either loves the voluntary lie or because he

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[v] Plato *Apology* 29a.

loves the involuntary lie. And then the following section is about sharing good things, and I think that also is an attribute of friends. I think that is brought out in the *Lysis*.

**LS:** Yes, the very term *philia* occurs there also in this third section. That is quite correct.

**Mr. Gary:** But the whole section—

**LS:** But the whole section cannot be said to be devoted to friendship.

**Mr. Gary:** No, I don't think it is devoted to friendship, but I think that here [in] particular in the *Laws*, there is an implicit overtone of a discussion of friendship that goes on along with the main discussion, which is of the virtues. I think that the argument about why a man should wish to not be foolish and love involuntary lies, or be bad and love voluntary lies, seems to boil down to—well, if you are this way, when you get old, you won't have any friends, because bad and foolish people can never get together and share enough things with each other to become good friends.

**LS:** I believe that this must be seen in a different way. This occurs in the praise of trustworthiness or reliability. And reliability is presented as a consequence of truth. Knowledge of truth, veracity: both are implied in the Greek word for truth. Now truth is here praised very highly, and the man partaking in it is blessed and happy. But nevertheless, truth is praised with a view to this effect: trustworthiness, and therefore being friends, not from the other point of view. That I believe is the way in which it must be seen.

**Student:** Isn't the section on the overcoming of self-love, is that through the description of friendship?

**LS:** By implication, yes. But only by implication. But I don't see[31] that the section as a whole would become clearer if we would say that the subject here is friendship. It touches at various points on friendship, but that is not the theme. I believe it would be simpler to say that what he discusses here are the virtues, and that is what he says himself at the very beginning, of what quality one's self should be. The [theme is the] good qualities, of course, of the soul, as it appears: that is to say, the virtues. And I do not know how to state positively what he says in 731d following about excessive self-love[32]—I mean the virtue which is here meant, reasonable self-love. Self-love can of course also have a good meaning. Does he mean that, *philautia*? I do not know. Do you have any notion?

**Mr. Klein:** I think a *certain* amount of self-love is unavoidable.

**LS:** Yes, that goes without saying. But we are speaking not now of that but whether the right amount is not virtuous, [whether it] does not deserve to be called a virtue.

**Mr. Gary:** I'm[33] thinking about a case where people have less than the right amount of self-love, and were condemned as not virtuous, and that is in the Garden of Eden. I'm not sure that this[34] helps us to understand this, bringing that in, but that just occurs to me as a deficiency of the kind of self-love that would be involved in virtue.

**LS:** Yes, but in this case you can say all sinners are deficient in self-love involuntarily because they choose what harms them. You can say that, then.

**Mr. Gary:** I was thinking more specifically of the fact that they made clothes to hide their nakedness, and in some sense they must have not loved something about their nakedness if they wished to hide it. It is maybe their sin they're hiding as well, but I think that that original lack of self-love, that deficiency of self-love might be—

**LS:** Ya, but,[35] when we speak today, we of course could regard it as possible that a man is deficient in self-love in which way? If he is sacrificing himself for others. Do you mean that, by any chance?

**Mr. Gary:** I didn't understand.

**LS:** That someone is sacrificing himself completely for others in an unreasonable way.

**Mr. Gary:** That would be a deficiency of self-love.

**LS:** Yes, but still Plato would deny that. He would not see it in the way in which we do. It is a deficiency of *reasonable* self-love, of the right kind of self-love but not, so to say, altruism, as we would call it. Excessive altruism. Do I make myself clear?

**Mr. Gary:** Yes, you do, but I wish you'd say something about the Garden of Eden [laughter] because . . . I'm now saying something that's more specifically directed, I guess, against Plato: the denigration of the body as we see it in the *Republic*, the notion that only the best part of man is the only part that's worthwhile. That might be a kind of deficiency of self-love in the fuller sense that we might learn of in the Bible.

**LS:** That is a very long question, and I think that Plato is not in favor of emaciation, extreme asceticism, or what have you. What is the basis of this judgment?

**Mr. Gary:** He seems at certain point to ignore part of himself—that is, the body—entirely. I was wondering if—

**LS:** I would like to know an example so that I can follow you better.

**Mr. Gary:** In the *Republic*, as has been pointed out, Socrates seems to forget . . .

**LS:** Well, assuming that is true, that doesn't prove of course that Plato underestimates the body, but that for certain purposes, in a certain conversation, from a certain point of view, he abstracts from the body more than is wise.

**Mr. Gary:** So he wouldn't—

**LS:** No. No, no. But I know that there is a certain traditional Platonism which can be said to be responsible for certain extremely ascetic tendencies. Yes?

**Mr. Fairbanks:** I wasn't quite clear on when you were talking . . . whether the self-love he's speaking of is simply a love of physical, or not just the physical self but of the passionate self as—or whether it's a—I gather that is probably the kind of self-love which he means when he speaks of excessive self-love, he says it is self-love of the self that is the soul.

**LS:** Well, the most striking example of self-love, of excessive self-love here is if someone regards himself as knowing while he is ignorant. He doesn't mean particularly people who are greedy of food or wealth and so on; these are relatively harmless forms of self-love. The really great forms are those like the one mentioned here: being blinded to one's defects by self-love, by identifying the good with one's own. That is a simple formula for self-love in the bad sense. Yes?

**Dr. Kass:** In that connection, at the beginning of book 5, the soul is spoken of as a possession.

**LS:** Yes.

**Dr. Kass:** One difficulty I have with the notion of self-love is: What is the self which possesses soul, body and all these other things? He speaks of the soul as something of one's own.

**LS:** Well, [36]does a man not speak of "my soul"? And this pronoun is called possessive pronoun. And Plato says possession, *ktēma*. I mean, the[37] deeper question of whether the[38] ultimate possessor is not the soul alone, that is a longer question that is not raised here. But in common parlance, I say: My body, my property, my soul. My eyes, my ears, my intelligence, and so on and so on.[39] Even the gods are called here a man's possessions. That does not mean necessarily any statues of gods, of tutelary gods of his family or tribe which he has at home, although that can also be meant. But in the wide sense, wherever you use the possessive pronoun, you speak, grammatically speaking, of possessions. I think not more than this is meant here. But the soul is nevertheless particular as a possession because it is most, in the highest degree one's own, as he said at the very beginning of book 5. Yes? You want to continue?

**Dr. Kass:** Would you say then, that—getting back to your question, as I understand it—what would be the proper self-love? In what way one might speak of self-love as a virtue? Might that not mean the proper love of that part of oneself that is the soul, and its proper cultivation?

**LS:** Yes.

**Mr. Klein:** But it's not a virtue.

**LS:** Well, if it is the proper cultivation, the activity directed toward it, is that not praiseworthy?

**Mr. Klein:** No, I would say that this common parlance of "my soul" is the expression of unavoidable self-love.

**LS:** All right, but—I see. Then I misunderstood. I did not hear what it was about. But does it not make sense to say that the right kind of self-love is a virtue, although it is ordinarily not called

so?

**Mr. Klein:** I am not sure.

**LS:** Well, then, I give you an example, of which I can't help thinking. There is a well-known vice apart from self-love which is generally regarded as very bad, and that is love of gain, *philokerdeia*. There is [40]a Platonic dialogue called the *Hipparchus*, in which it is shown that love of gain rightly understood is very good, i.e., a virtue. Because gain, you mean of something good, because losses are no good. You want, again—of course you must distinguish between worthwhile gains and gains which are not worthwhile. And then love of gain is[41] love of the good, and to that extent a virtue.

**Mr. Klein:** But at that moment therefore ceases.

**LS:** On the highest level, yes. But still, that takes some time. [Laughter]

**Mr. Berns:** Mr Klein, [42] if the greatest evil is blindness, which would suggest that the greatest good is seeing, which really means intellectual seeing, would you be suggesting that when you see, you are no longer yourself?

**Mr. Klein:** That's right. And I believe Plato means that.

**Mr. Berns:** Then *nous* is not a part of the soul.

**Mr. Klein:** It is as long as we can't avoid it, but strictly speaking not. It is a very difficult question. One moment: there is a simple—the simple expression of self-love is vanity.[43]

**LS:** Yes, sure.

**Mr. Klein:** Now I mean, can any one of us get rid completely of vanity? *Completely*?

**Mr. Berns:** That I don't know, but I'm not sure that self-love is always vanity. You know, Aristotle talks about the man who is unduly humble. For example, if a man is a good runner, it is good for him to know that he isn't a bad runner. He shouldn't think he is a bad runner; otherwise he would have an intellectual defect.

**LS:** But Mr. Berns, if a man has a sound estimate of his worth, and perhaps of his great worth, he is not vain: he is magnanimous.

**Mr. Berns:** He has a sound estimate of his worth, and—

**LS:** And the worth is great.

**Mr. Berns:** And the worth is great. Yes, but that seems to be what Mr. Klein is denying.

**LS:** No, that cannot be.

**Mr. Klein:** No, I don't deny that, but I only asked the question whether anyone is completely without vanity. Now—

**LS:** Self-complacency, you mean that.

**Mr. Klein:** Yes.

**LS:** But that is a long question. *Sibi ipsi placere*, to please oneself, the traditional answer, as distinguished from *Deo placere*, pleasing God, is from the biblical point of view terrible. But from the Platonic–Aristotelian point of view, it is perfectly all right that one is pleased with oneself—is rightly pleased. For example, if someone (to take a simple and humble example)[44] goes through high school and college and has always done his homework and has received the proper honors, and his family are pleased with him and he is pleased with himself, what is wrong with that?

**Mr. Klein:** Not much. [Laughter]

**LS:** No, there is nothing wrong with it. I mean, if he has the feeling that this is proof he is of presidential timber, as they say, then he is a fool, but if he is pleased with himself for having achieved these limited goals, that is perfectly all right. And I don't see how one can call that vanity.

**Mr. Klein:** I didn't mean that. But I mean in addition to that, there is always—always, I would say—some minimum vanity in man.

**LS:** Yes, but that is a real question, I mean *Sibi ipsi placer* . . . is viewed very differently from the biblical point of view and from the Platonic-Aristotelian point of view, very differently. And what you call vanity is something which has no proper status, I believe, in Plato or Aristotle. When they speak of *chaunotēs,* to what does it refer? To a puffed-up, inflated ass. Well, such a great defect [is] a harmless defect, in a way, because in most cases it is ridiculous. But this kind of self-scrutiny—"Am I not unduly pleased while I should still think more of my improvement and of my past sins?" and so on—they do not expect that.

**Mr. Klein:** I don't deny that, but when he mentions here excessive self-love—

**LS:** Yes, sure. That refers to that, [it's] very clear: vanity in the most radical sense, namely, to be enamored of one's opinions and even more than of one's judgments.

**Mr. Klein:** And the question is whether it is possible to avoid that altogether.

**LS:** I don't know. I would say, I would believe Plato and Aristotle that it is possible. When one sees another human being—which is always easier, according to a famous word of the New Testament—who is vain in an act of vanity, it is always amusing, is it not?

**Mr. Klein:** Or annoying.

**LS:** Perhaps, yes. But it is a weakness, a folly. One can observe it from time to time, especially in some famous people when I have seen them. It was extremely funny.

**Mr. Berns:** I just wanted to try another formulation. What you seem to suggest is that no man can ever have justifiable pride, because you seem to suggest that—

**Mr. Klein:** No, no. I don't mean that. There is a difference between justifiable pride and any kind of vanity. There is a difference. But what I really mean—

**Mr. Berns:** But a man who has the former point of view will always have the suspicion: is he perhaps being vain in having any kind of pride? That's what you sort of lead one to think.

**Mr. Klein:** No. What is behind my statement is something much more, much more fundamental. There is that which we mean by the personal pronoun "I." Now I do think that ultimately Plato *mourns* about the fact that we can never forget that I am I.[45]

**LS:** I don't see that. Where do you find it particularly?

**Mr. Klein:** For instance, in the ninth book of the *Republic* when he talks about soul, which is a complex question. Then at one point he says: Yes. But at a certain point the complexity vanishes; it becomes simple. Now at that point there is no I.[vi] [Silence]

**LS:** Yes. But still, I would say then, do you understand—then it is hard to recognize vanity in what you say now, I mean the phenomenon we generally call vanity. Self-love, yes, but not vanity.

**Mr. Robert Williamson:** It is not clear without some distinction . . . Isn't it important that in this human life each of us wants good things for himself?

**Mr. Klein:** Yes, now wait a moment. That would be as you said, in human life. And that's precisely what I mean,[46] that some minimal amount is unavoidable in our human life.

**Mr. Williamson:** And perhaps even necessary: when the student recognizes that learning is good, he has to get his own body out of . . . coming to reflect—that learning is going on elsewhere, and go there. From the standpoint of pure *nous,* there's no difference.

**Mr. Klein:** Yes, sure!

**Mr. Gary:** Also, if a man—it seems to me that there is something about that state of simplicity in which the "I" disappears which is incompatible with what we're talking about here, because we say that it is important to honor the parents, that that's one of the highest things, to honor the parents. If a man gets to the point of distinction where honor disappears, where this stuff is simply not there any more, then there's no reason to honor the parents, at least no reason to

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[vi] Plato *Republic* 588b-92b.

honor the specific parents. One might honor parents in general, or parentness, but one would not honor one's own parents.

**LS:** That's not honoring parents.

**Mr. Gary:** No. In order to honor parents, there has to be some of this stuff and you have to have some regard for it, you have in some sense *love* it, love that it's there. And it's important that—

**LS:** But it must be your parents. Whether, I mean, truly or legally is not so important, provided that you are sure that they are your parents. Yes?

**Mr. Gary:** Yes.

**LS:** I mean, they must be yours. If you have a generally reverential posture toward people of the preceding generation, that's not honoring the parents.

**Mr. Gary:** That's not what's spoken of.

**LS:** No, it must be people who can command and forbid to you things. That's the real test of honoring parents, I would say. Well, we will continue next time.

[1] Changed from "the slave doctors and the free doctors."

[2] Deleted "of the code."

[3] Deleted "There was."

[4] Deleted "he says when."

[5] Deleted "here."

[6] Deleted "to."

[7] Deleted "he does harm."

[8] Deleted "that's not."

[9] Deleted "It is a different item."

[10] Deleted "I think."

[11] Deleted "speaks."

[12] Deleted "try to—must."

[13] Deleted "therefore."

[14] Deleted "Children."

[15] Deleted "And then he."

[16] Deleted "an order of."

[17] Changed from "oneself must be."

[18] Deleted “the qualities of the soul.”

[19] Deleted “[the where is?]”

[20] Deleted “qualities, the.”

[21] Deleted “The man who.“

[22] Deleted “There are two.”

[23] Deleted “against the public.”

[24] Deleted “and we come.”

[25] Deleted “but.”

[26] Moved “once.”

[27] Moved “once.”

[28] Deleted “the use.”

[29] Deleted “useful.”

[30] Deleted “he speaks.”

[31] Deleted “that it would be.”

[32] Deleted “which.”

[33] Deleted “not.”

[34] Deleted “is.”

[35] Deleted “did, I mean.”

[36] Deleted “don’t we speak”

[37] Deleted “question.”

[38] Deleted “possessor, the.”

[39] Deleted “It is said to be.“

[40] Deleted “a Socratic”

[41] Deleted “then.”

[42] Deleted “is what you said—what.”

[43] Deleted “LS: Is what? Mr. Klein: Is vanity.”

[44] Deleted “someone.”

[45] Deleted “(he speaks very slowly) LS: I didn’t hear the verb. Plato— Mr Klein: Mourns.”

[46] Deleted “is.”

**Session 15: no date**

**Leo Strauss:** [In progress] —book first gives what I venture to call the second table, the second half of the prelude to the whole code of law, the first table having been presented in book 4. Here the following subjects have been discussed: first, the things or beings to be honored next to the gods and the dear forefathers,[1] the first [of which] is the soul. And he discusses first the wrong ways of honoring the soul. Here we come across the question: Is the legislator concerned with honoring the soul? Honoring the soul means improving the soul. This question is reinforced by the fact that Socrates discusses laws and obedience to the laws in the *Crito*. There the term "soul" is studiously avoided.

The second subject was the other things to be honored next to the soul, and these are: first, the body, then wealth, children, kinsfolk, friends, the city and fellow citizens, strangers and suppliants. And then he turns to what is in fact, although it is not so called, the right way of honoring the soul. And this means the virtues, [the virtues that transcend somehow the sphere of law.] In this section he is silent on the legislator.[2]

Now here was a passage which was not well translated by Bury and which we should perhaps briefly read again. That is 730b.

**Reader:**
ATH. As concerns a man's social relations towards his parents, himself and his own belongings, towards the State also and friends and kindred,—whether foreign relations or domestic,—our exposition is now fairly complete. It remains to expound next the character which is most conducive to nobility of life;—

**LS:** [3]"Of what quality he himself should be in order to live his life most nobly." Yes?

**Reader:**
ATH. and after that we shall have to state all the matters which are subject, not to law—

**LS:** [4]This "after that"—that is, I think,[5] very misleading because it means exactly the same [as] what he said earlier:[6] "next," what we have to discuss next. So then: "What not law, but praise and blame, through education, makes everyone amenable to obedience to the law, this will, next to what we have said, be said." So it is not a matter of law but of praise and blame, something which cannot be affected by law.

Now then, among the virtues, a section which begins here, he speaks first of truth and calls a man who adheres to truth blessed, then justice; and of the just man he says he is a great man in the city and perfect. Truth and justice are the two peaks of virtue, but as is indicated by the different epithets, two different poles of virtue. I think that is the same as in Aristotle's *Ethics*, where we have, if we look at it quite from the outside, the highest of the moral virtues, justice, and then the theoretical life or the life devoted to truth as a different pole, as a higher pole.

Now the third mentioned is good sense and moderation; then fourth, spiritedness and gentleness;

and finally, the right kind of self-love. The word self-love—in Greek, *philautia*—does not occur in Plato, but it is perfectly legitimate to use that term here. Now the question is: Why is this subject discussed here, and especially in this place? The reason I believe is this: the Athenian has suggested that the soul is to be honored to a higher degree than the friends and the city, to say nothing of others. That is to say the concern with oneself has a much higher status, and therefore the warning of the wrong kind of self-love is particularly in order. Now after we reached that point,[7] there was a discussion between Mr. Klein and me, and I would like to repeat that, at least as I understand it and could agree with it.

Mr. Klein brought up the[8] relation of self-love and vanity. Plato of course doesn't speak of vanity. Yet what is vanity? One can say, considering what the Athenian says here: to be pleased with oneself, with one's own, so that one prefers it to what is truly good and noble, and on the ground that it is one's own. But to be pleased with oneself, to be self-complacent in the literal sense, pleasing oneself: if this does not go together with such irrational preference, and in addition if it is well-founded, it is all right. I believe we agreed up to this point.

Now there is a more subtle case not discussed by Plato, and that is this: that one is deservedly pleased with his own and does not discourage the deeds or speeches of others, which are equally good, but enjoys his own more than that of others. That, I think, was the case.

**Mr. Klein**: [Yes.]

**LS:** Now you said this was vanity, and that would imply, I think, that it is bad but inevitable. Inevitable, yes?

**Mr. Klein:** Ya.

**LS:** I would say it is inevitable but not vanity, for the reason that one cannot help but enjoy that of one's own which is satisfactory, which is good. Now why did Plato not discuss it? Now let us take an example. Someone has written a good page and is pleased with it. Let us assume rightly pleased. He necessarily enjoys that page more than good pages of equal merit written by others. That is inevitable. But here is a difficulty. The exhibition or the display of that feeling is petty, unbecoming, and therefore absolutely to be disparaged. Now[9] Plato doesn't go into that kind of question, I believe, because he is concerned with the becoming, with what in Greek is called *euschēmōsynē*: with what is proper to exhibit, to display. And he prefers that to what we would call today "psychology." He doesn't go into these kinds of questions because they are not truly enlightening. Would you agree with that?

**Mr. Klein:** Yes.

**LS:** Good. Yes, because they are not truly enlightening. The impression which many modern people have is that the ancients, in particular Plato, were in a way naïve because they did not have or use or show that psychology for which modern novelists in particular are so famous. I don't believe that is true. I think they knew that very well but they distinguished between what is proper to discuss, useful to discuss, and what is not. A kind of morbid dissection of what is sinful and what is not sinful in one's feelings was wholly alien to them. In the beautiful sentence of

Aristotle: "The intentions, or feelings, are immanifest."[i] We take our bearings in judging by the actions or speeches of man, and by their whole way of life and so on, but do not make this kind of psychology. Is there anyone who would like to take up this issue?

**Mr. Berns:** I wonder what you think of Nietszche's view, this—Nietzsche's apparent suggestion in the *Genealogy of Morals* that—well, it's the same argument, I think, it's got a kind of bullfrog in it, that the souls of the best men have been more refined by this—

**LS:** Yes. Yes, sure. Nietzsche was of course a psychologist, perhaps more than anyone else. That was even his boast: psychology.[10] That is wholly alient to the ancients. But he spoke of the naïveté and the superficiality of the ancients with a view to that. A grotesque example of this you can find—well, there are many psychological remarks which he makes throughout his work, but what I found most revealing is a speech of Zarathustra called "Of the Pale Gray Criminal."[ii] Here is a man who has committed murder and taken the money from the murdered individual, and then of course he is regarded as a man who murdered for greed, or need, whatever the case may be. And Nietzsche says that is a very superficial understanding. He uses this I think abominable expression: "They haven't crawled deep enough into the soul of that fellow." What he truly wanted was to see blood, but he did not have the courage to admit that to himself, and therefore he took away the money and in order to have a "rationalization," as I think they would call that today. And there are many more things of Nietzsche, sometimes very impressive things, of course, of this psychology, revealing this psychology. What he says about many philosophers and poets is psychological in this sense. "Crawling into their souls."

**Mr. Berns:** But, well, if there's a serious argument, I guess the argument might be that the exploration of these things can allow—the fuller explanation by modern thinkers of these things could allow a man to discover more fully the obstacles in his own psyche to seeing things as they are.

**LS:** Yes, but here[11] you must not forget—I think Freud himself pointed out the fact that what he called the "Oedipus complex" was perfectly known to Plato. You know, in the tenth book of the *Republic*, where he speaks of what is going on in the underworld of the soul and there are such desires like those of Oedipus.[iii] But they do not come to the fore because they are—or they only come to the fore in dreams and not when people are awake. So Plato knew this kind of thing, that there is such an underworld; but how revealing it is regarding man and his ends, his destiny, that is a great question. Now if our destiny is determined, say, by our first three years, before any education in the serious sense of the word can start, then of course Plato is entirely wrong and all the other things which Freud explicitly or implicitly objects[12] are correct. But if this is a kind of prehistory of the individual and the true history begins with his education, [13]and not merely toilet training and such things, then the prehistory is of rather little interest. Although it may accidentally be of interest, and in the case of sick people it is so. Yes?

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[i] Strauss might be referring to Aristotle *Nicomachean Ethics* 1178a30.

[ii] *Thus Spoke Zarathustra*, 1. 6, "On the Pale Criminal."

[iii] Strauss is presumably referring to 571c-d, where incest with one's mother is among the crimes the faculty of desire considers as it dreams.

**Mr. Berns:** I thought that that the issue, if there was an issue between you and Mr. Klein,[14] had something to do with the nature of intellection, that what Mr. Klein's argument ultimately depended on [is] an understanding about or a view of how intellection takes place, that intellection in the highest sense would have nothing to do, or almost nothing to do with an . . .

**Mr. Klein:** With an "I"?

**Mr. Berns:** With an "I," okay, yes, that's an easy way out. Or with the individual soul, the "I."

**LS:** Yes, surely, intellection, by intellection. But the question of vanity would come up if someone is, say, the discoverer of some insight and this awareness: then of course the "I" as they call it comes in. But that is accidental, not essential. I don't—

**Mr. Klein:** The inappropriateness of this kind of "crawling psychology," this has not really any paradigm. You do not deny this. For the ancients it was not important to show how they found something, what was important is only to show that it is true—

**LS:** Is true, yes—

**Mr. Klein**: Is true. But how it was found, that didn't belong to the discipline of mathematics. And that is exactly what the moderns consider as today "real."

**LS**: The inventive, the logic of invention.

**Mr. Klein:** And analysis—

**LS:** Yes.

**Mr. Klein:** The analytical way.

**LS:** Yes, but I think one would have to distinguish. For example: Can one not learn something, and not merely psychological, from the history of a discovery?

**Mr. Klein:** Well, apparently the ancients thought that was not the important thing. The important thing was to show simply that something is true.

**LS:** Yes, sure. Let us take this simple lesson which one may draw from observation: that it is impossible to say which starting questions lead to discovery of important things. That is of some importance for every man, especially young people:[15] that there are not, say, so-called important questions with which you have to start. Wherever you begin to dig, something important may appear. That is, I think, useful and can be brought home by the study of the lives of discoverers.[16] I don't think this is psychology.

**Mr. Klein:** No.

**Student:** You mean, it is not psychology?

**LS:** No.

**Same Student:** Why?

**LS:** But it is not—I mean, I am not speaking of a logic of invention but simply of some notion of how infinitely various the ways are, the possibly profitable ways, to go about one's inquiries. Someone told me (maybe you) that Heidegger said once to a student who wanted to—had some notion of a doctoral thesis,[17] and Heidegger [said]—perhaps he[iv] didn't know enough of the subject: "Try whether you succeed." And this was, I think, wise advice. Yes?[18] One cannot know in advance. Of course it is not psychology, but it derives from an insight about the complexity of investigation, of understanding. Yes? Good. So shall we continue at 732D, to the end?

**Reader:**
ATH. Thus, as regards the right character of institutions and the right character of individuals, we have now laid down practically all the rules that are of divine sanction. Those that are of human origin we have not stated as yet, but state them we must; for our converse is with men, not gods. (732d-e)

**LS:** Yes.[19] "But regulations of human origin"[20]: we have said about these pursuits, we have said about everything insofar as they are divine, but the human things have not yet been said. Now this distinction between divine and human occurred before, especially in this first long speech of the Athenian in book 1, 631b to d, in which he distinguished between the divine goods and the human goods. Now there the divine goods were the virtues; that corresponds roughly to what he means here also. But the human goods there were the body and wealth, which have been discussed already, as we have seen. So he means here something else by the human things, and what they are we will see at once. I mention only the main point: the human things he has here in mind are pleasures and pains. Pleasures and pains. And these are phenomena belonging to the soul. So the subject is here, as it was in the section on the virtues, honoring the soul, but now from a human rather than from a divine point of view. Now what does he say about the pleasures?

**Reader:**
ATH. Pleasures, pains and desires are by nature especially human;—

**LS:** "To the highest degree human." Not that animals don't have that, but to the highest degree, they are not. That distinguishes men from gods, not from animals. Yes?

**Reader:**
ATH. and from these, of necessity, every mortal creature is, so to say, suspended and dependent by the strongest cords of influence. Thus one should commend the noblest life, not merely because it is of superior fashion in respect of fair repute,—

**LS:** Sanction? What is it? "Of superior—"

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[iv] I.e., the student.

**Reader:** "Fashion."

**LS:** Yes. One could even say "stateliness." "In regard to good repute." Yes?

**Reader:**
ATH. but also because, if a man consents to taste it and not shun it in his youth it is superior likewise in that which all men covet,—an excess, namely, of joy and a deficiency of pain throughout the whole of life.

**LS:** So the noblest life is at the same time pleasant, that is to support the recommendation of the virtues which preceded it. Yes?

**Reader:**
ATH. That this will clearly be the result, if a man tastes of it rightly, will at once be fully evident. But wherein does this "rightness" consist? That is the question which we must now, under the instruction of our Argument, consider: comparing the more pleasant life with the more painful, we must in this wise consider whether this mode is natural to us, and that other mode unnatural. (732e-33a)

**LS:** So the question is: Is not the noble life by nature pleasant, and the ignoble life by nature unpleasant, apart from considerations of nobility? Yes?

**Reader:**
ATH. We desire that pleasure should be ours, but pain we neither choose nor desire; and the neutral state we do not desire in place of pleasure, but we do desire it in exchange for pain; and we desire less pain with more pleasure, but we do not desire less pleasure with more pain; and when the two are evenly balanced, we are unable to state any clear preference. Now all these states—in their number quantity, intensity, equality, and in the opposites thereof—have or have not, influence on desire, to govern its choice of each. So these things, being thus ordered of necessity, we desire that mode of life in which the feelings are many, great, and intense, with those of pleasure predominating, but we do not desire the life in which the feelings of pain predominate; and contrariwise, we do not desire the life in which the feelings are few, small and gentle, if the painful predominate, but if the pleasurable predominate, we do desire it. Further, we must regard the life in which there is an equal balance of pleasure and pain as we previously regarded the neutral state; we desire the balanced life in so far as it exceeds the painful life in point of what we like, but we do not desire it in so far as it exceeds the pleasant lives in point of the things we dislike. The lives of us men must all be regarded as naturally bound up in these feelings; and what kinds of lives we naturally desire is what we must distinguish. But if we assert that we desire anything else, we only say so through ignorance and inexperience of the lives as they really are. (733b-d)

**LS:** So Plato, or the Athenian, claims to have laid down the limits of our wishes or desires, and within these limits we move. You must have observed the emphasis on nature and what is natural: more emphatic here than in the preceding sections. After these limits have been laid down, the question will now be answered: Which life is by nature more pleasant, the noble or the

ignoble? Is there any point you would like to raise regarding this longish statement about the various factors involved in pleasure and pain?

This is a subject which is taken up by Plato in quite a few dialogues, for example, in the *Protagoras*, where there is a kind of calculus of pleasures suggested.[v] And something like this also seems to be here also implied, but a very complicated calculus, so that it would perhaps not be wise to call it a calculus. Now let us go on then.

**Reader:**
ATH. What, then, and how many are the lives in which a man—when he has chosen the desirable and voluntary in preference to the undesirable and the involuntary, and has made it into a private law for himself, by choosing what is at once both congenial and pleasant and most good and noble—may live as happily as man can?

**LS:** "As blessedly"; it is a somewhat stronger expression. Now he must make it a law to himself. "Private" is an addition of Bury. This is a law which each man gives to himself; it is not left to the decision of the legislator because the guiding consideration now is pleasure, and the legislator is not concerned with our pleasures as pleasures but with what should be banned to our pleasures or pains and that we should, how we should control them and so on. And therefore it is . . . Yes?

**Reader:**
ATH. Let us pronounce that one of them is the temperate life, one the wise, one the brave, and let us class the healthy life as one; and to these let us oppose four others—the foolish, the cowardly, the licentious, and the diseased. (733d-e)

**LS:** You see here the first three are interchanged, that means interchangeable: moderation, or temperance, good sense, and courage. Healthy is kept separate, distinct in both cases because that is obviously something very different. Yes?

**Reader:**
ATH. He that knows the temperate life will set it down as gentle in all respects, affording mild pleasures and mild pains, moderate appetites and desires void of frenzy; but the licentious life he will set down as violent in all directions, affording both pains and pleasures that are extreme, appetites that are intense and maddening, and desires the most frenzied possible—

**LS:** Now the word for desire here is *erōs*, *erōtēs*, so the least one would have to say is "passionate desires," to distinguish it from desire in general.

**Reader:**
ATH. and whereas in the temperate life the pleasures outweigh the pains, in the licentious life the pains exceed the pleasures in extent, number, and frequency. Whence it necessarily results that the one life must be naturally more pleasant, the other more painful to us; and it is no longer

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[v] Plato *Protagoras* 351b-d.

possible for the man who desires a pleasant life voluntarily to live a licentious life, but it is clear by now (if our argument is right) that no man can possibly be licentious voluntarily; it is owing to ignorance, or incontinence, or both, that the great bulk of mankind live lives lacking in temperance. (733e-34b)

**LS:** Yes, let us stop here. You see that he makes here a point apart from the general thesis: those who prefer the dissolute life do it either from ignorance or from incontinence; that is, [this] differs from what is usually called the Socratic view, when Socrates tried to say that incontinence is ignorance. Plato makes, or the Athenian Stranger rather makes a distinction between the two. Yes?

**Mr. Gary:** Is incontinence the same thing as compulsion?

**LS:** No, not the same thing.

**Mr. Gary:** Well—

**LS:** For example, if you may be compelled by hunger to steal a roll,[21] you wouldn't call such a man dissolute, would you?

**Mr. Gary:** But—

**LS:** Or you may be compelled to jump out of the window because a house is on fire. You couldn't call a man who does this dissolute. The most you can say is that dissoluteness is a kind of compulsion.

**Mr. Gary:** Aren't there some cases, for example, in the case of an alcoholic who has been drinking for ten years and then suddenly one day realizes that drinking is very bad and has the right principle, but now he has a habit that is bad and because he is not commensurately strong, he can't break the habit.

**LS:** He knows that drinking is bad, but he cannot act on it.

**Mr. Gary:** Yes.

**LS:** Yes, that is common sense, and therefore we should all make a distinction between ignorance and incontinence, however we call it. But Socrates seems to have said the opposite; that is a minor difficulty here.

**Mr. Gary:** Yes, it looks as if it might be possible for a man to act in a licentious way voluntarily; not voluntarily in the sense that it is by deliberate choice, but voluntarily in the sense that he has a habit that he's not able to break, and even though he knows something is better, he—

**LS:** I understand that. But still, I think we must also consider the fact that this is on the face of it a very un-Socratic assertion, which is made here, the distinction. Perhaps Socrates didn't mean it as simply as it is understood and as, for example, Aristotle presents it in the *Ethics*. That could

be. But as for the argument itself, the Athenian[22] makes an important qualification. He says "if what has been said now is correct," so in other words, he does not claim that this has been proven simply, that the moderate life, the temperate life is more pleasant than the intemperate life. He has made a case for it. Yes?

**Student:** . . . There are three of the four cardinal virtues mentioned here. Justice is left out.

**LS:** Yes, it did not escape me, but I believe we can discuss it more profitably at the end of this section. Is that all right? Yes,[23] I'm glad you observe it.[24] Now he does something—perhaps we get some light on the difficulty here—that this is not said to be firmly established, unqualifiedly established, from the sequel. Yes?

**Reader:**
ATH. Similarly with regard to the diseased life and the healthy life, one must observe that while both have pleasures and pains, the pleasures exceed the pains in health, but the pains the pleasures in disease. Our desire in the choice of lives is not that pain should be in excess, but the life we have judged the more pleasant is that in which pain is exceeded by pleasure. (734b-c)

**LS:** Yes, that is elementary, that the healthy life is more pleasant than the life of sickness, and[25] therefore no qualification occurs here. But what about disease? Has disease anything to do with ignorance and incontinence? I mean, in all cases, say, if someone[26] suffers from cancer. Pardon?

**Mr. Fairbanks:** It may occur by chance or accident.

**LS:** Yes, but not necessarily through ignorance or incontinence.

**Mr. Fairbanks:** Right.

**LS:** Yes. So that is a very different case. And so the question is whether something of this might be true as it were retroactively of moderation. Perhaps this would fall under incontinence. Maybe. I mean such cases in which a disease of the organism leads to certain forms of dissoluteness, one couldn't call this—surely not—one could not ascribe this to ignorance, but it also might also be wrong to ascribe it to incontinence.

**Student:** Incontinence is somewhat unclear, the word—

**LS:** That is the same word which[27] is ordinarily translated by incontinence, but which one can also translate[28] by dissoluteness. It all depends on the context and, you know, the precision which one pursues. But the example which Mr. Gary gave is perfectly correct, that the alcoholic is incontinent, not ignorant. At least he doesn't have to be, you know. Yes?

**Student:** Mr. Strauss, I just missed it earlier, when—which do you classify the alcoholic who realized that drinking is bad?[29]

**LS:** [30]If he realizes that it is bad, that is not ignorance.

**Student:** Earlier in the book, when he asked the question, "What is the greatest ignorance?" and he answered, "That which we see in a man who hates instead of loving what he judges to be noble and good," or the converse, and you brought up the example of cigarette smoking: that seems to be now fairly close to what you call incontinence.

**LS:** Yes. I mean, that's—it is good you remind us of that passage. But then you perhaps can understand also—in the first passage, if I remember it well, the disharmony between desires and one's thoughts is the greatest ignorance, is it not? Is this not what he says there? Where is the passage?

**Student:** It's 689 . . . page.

**LS:** 689. Yes. "The dissonance of pleasure and pain with the opinion according to the *logos*, I assert to be the utmost ignorance." (689a) And if this is so, then clearly the alcoholic would be an ignorant man and Socrates would be right in reducing incontinence to ignorance. So the difficulty occurs within the *Laws* itself, that you have this. And one would have to figure out what the reasoning is leading up to the assertion that incontinence is ignorance. That is a long question. It would probably not be sufficient to say that the alcoholic was originally able not to become an alcoholic. That is one of Aristotle's arguments. Yes? It was a kind of original ignorance which led to the incontinence. That is a bit forced, to explain it in this way. Yes?

**Student:** What about a man who seeks[31] the most powerful position, say, a man who wants to be, say, the next president of the United States? It seems that if he is close enough for this to be a feasible endeavor, close enough to the position that it is possible to attain, that he would understand that this life is not the more pleasant life he's choosing but a life that will be a frenzy of activity, almost like madness, with many things happening, always the most important decisions to be made; he is subject to the strongest attacks on his person, his character. It seems that he chooses the less pleasant life for the sake of power, the position he would have.

**LS:** The question of course is whether he does not derive pleasure from the power, as you call it. I mean, if you would—I think we all have some inkling of how harried a man['s life][32] is who is president of the United States, especially in our age. But when we think of miserable people who lead a miserable life, the president of the United States would not occur to us as the most obvious example, because there are many comforts going with that kind of misery. I mean,[33] if he needs a retreat into a placid environment, it is for no one easier than for the president to get it, to say nothing of other pleasures. And there are some people who derive pleasure from the mere fact that they are universally known in the country—yes?—and on the whole treated with great respect.

**Student:** I was thinking more of the fact that to wish to attain the presidency must stem from an immoderate desire or passion for the position, for fame.

**LS:** That is not true. Are there not considerations other than those of pleasure?

**Student:** Yes.

**LS:** Could a man not think that he is the only man with a chance to be elected who could give the policies of this country a sensible direction?

**Student:** Sure.

**LS:** Would he not, as we say, for reasons of duty—as the Greeks might say, because of its nobility—choose that and[34] prefer it even at the price of considerable discomfort? That's a different question.

**Student:** I think I follow you.

**LS:** Yes. Some people thought that in 1968 of Senator Eugene McCarthy,[vi] that he was such a man. Senator Eugene McCarthy appeared in this light to many people in 1968, if you remember that. I mean, such human beings are thinkable, are they not? So pleasure is surely not the only consideration, and of course that is understood, that is human as distinguished from the divine ones, which he had mentioned before. Now he wishes to show that the noble life is the same as the most pleasant life, and he has shown it hitherto only with a view to, let us say, temperance: that a man who is very moderate in his desires for food, drink, and so on, and doesn't go in for exciting trips[35] has more chance of leading a placid and serene life and a pleasant life than one who goes in for this kind of thing, who has paroxysms of infinite indescribable pleasures but bought at the price of terrible pain. That is the only consideration here. Yes?

**Mr. Fairbanks:** . . . Maybe the wrong word is pleasure, but if the right thing is to do what in the situation you propose, to run for office in the case you mentioned, isn't that that be a form of pleasure, since he is doing what is right?

**LS:** Ya, but that's a different consideration, isn't it?

**Mr. Fairbanks:** . . .

**LS:** No, no, no, Plato would say—he implies here that these are two different considerations, nobility on the one hand and pleasure on the other; but if we want to have some unity or harmony in our life, we would surely wish that the noble life is also preferable from the view of pleasure. And that is what he's trying to establish here.

**Mr. Sterling:** Mr. Strauss, are all pleasures here to be considered as bodily pleasures?

**LS:** No. Presumably in the case of moderation or temperance, the bodily pleasures are primarily meant, but there is no explicit limitation to bodily pleasures. That is to say pleasures going with hopes, and pains going with fears would also[36] have been considered, though they are not strictly speaking bodily though they may refer to bodily pleasures or pains.

**Mr. Sterling:** With regard to hopes and also to objects of desire in general, can't these objects of

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[vi] Senator Eugene McCarthy (1919-2005) sought the Democratic Party's presidential nomination "as a liberal and anti-war candidate" but eventually lost out to Hubert Humphrey.

desire seem from the standpoint of desire be seen as pleasures? But pleasures are a state. Primarily speaking, is it possible to speak of intellectual pleasures?

**LS:** Yes, well the intellectual pleasures surely would be, it is implied, in favor of the noble life. So we have to think more the better-known ones. Yes. Let us continue, then.

**Reader:**
ATH. We will assert, then, that since the temperate life has its feelings smaller, fewer, and lighter than the licentious life, and the wise life than the foolish, and the brave than the cowardly, and since the one life is superior to the other in pleasure, but inferior in pain, the brave life is victorious over the cowardly and the wise over the foolish; consequently the one set of lives ranks as more pleasant than the other: the temperate, brave, wise and healthy lives are more pleasant than the cowardly, foolish, licentious, and diseased. To sum up, the life of bodily and spiritual virtue, as compared with that of vice, is not only more pleasant, but also exceeds greatly in nobility, rectitude, virtue and good fame, so that it causes the man who lives it to live ever so much more happily than he who lives the opposite life. (734c-e)

**LS:** Yes. So you see, no attempt is made to show in any detail that the superiority of pleasure applies also to the sensible life, to the sensible man, and to the life of courage. Now when he speaks of courage here first in c5, then he changes the expression. He doesn't say the courageous life but the life of courage, and also the opposite, the life of cowardice. There is a certain change of the expression which may be due to the fact that the relation of courage to pleasure and pain differs from that of the other virtues. That is at least the case according to Aristotle's analysis. Aristotle says: "Courage is painful; in all the other virtues, the being-in-act is pleasant."[vii] For example, acting [moderately], eating moderately, drinking moderately is pleasant. But exposing your life to the enemy (that is the classic case for Aristotle), that is not pleasant. The imminence of death and wounds is necessarily painful, and therefore there is the question whether, in the case of the courageous and cowardly man, the cowardly man might not lead within limits a more pleasant life than the courageous man. So this is a difficulty. Whether this has anything to do retroactively with the case of the moderate man, that is a question which I cannot answer. The difficulty here is this: as someone has said, nothing is said about justice. And he has four lives, or four virtues, just as in the *Republic*, but the fourth is health, bodily health, replacing justice. Why does he do that?

Now the question of the relation of virtue and pleasure had been discussed before, in the second book, in 660d to 63a. And there the Athenian stated what the legislator must persuade or compel the poets to say; and they are compelled to say that one cannot separate the just from the pleasant.[37] And how does he prove it? In this way, and only in this way: that justice is accompanied by good repute, and good repute is something not unpleasant, as he puts it there mildly. Yes, but good repute is precisely the thing from which he abstracts here explicitly.[38] And therefore abstracting from good repute and thinking of only other pleasures, he cannot say that the just life is more pleasant than the unjust life. What does it mean? What is the difference between justice and the other virtues[39] with particular reference to good repute? In[40] the cases of the other virtues, the pleasures deriving from their exercise or from their possession[41] [are]

[vii] Aristotle *Nicomachean Ethics* 1117b15-16.

independent of other people's knowing. In the case of justice, the pleasure deriving from one's being just depends on other people's knowing. And therefore he is silent here on justice. So the pleasure deriving from justice is in a precise sense less natural than the other pleasures, and that is, I think, the reason.

You see here he says explicitly at the end of the passage which we just read, that is, the noble life excels the others by an excess of nobility and correctness and virtue and good repute. That we admit. But in addition, the new thing: it excels it also in regard to pleasure. So pleasure and good repute are two very different things here. They were treated differently in that earlier section. The status of justice among the virtues is from this point of view unique. So now we are at the end of the prelude, and come to the laws. Mr. Sitte?

**Mr. Sitte:** I'm not sure of the role of the discussion of the calculus of pleasures in ways, because it seems that there are many other issues which are not necessary for the later discussion of the comparison of lives. That is, in comparing the lives, all we ask is which life[42] has an excess of pleasure or of pain, and which has more pain than pleasure. But the discussion of the calculus of pleasures raises such other issues, such as the degree of intensity, the frequency and so forth—

**LS:** Yes.

**Mr. Sitte:** which seem to be unnecessary for the other discussion.

**LS:** No, that is being considered, as he makes clear in the discussion of moderation. The moderate man's pleasures cannot be compared in their intensity and vehemence to the pleasures of the immoderate man.[43] But he says of the gentle and quiet pleasures: in these respects the moderate life surpasses the immoderate life, the dissolute life. That has been considered.

**Mr. Sitte:** In[44] the case of the discussion of the calculus of pleasures, we have also encountered with such possibilities as there is an equal balance between pleasure and pain, let's say, a neutral state.

**LS:** Yes.

**Mr. Sitte:** But in one case, both the pleasures and the pains are violent, and—

**LS:** Are what?

**Mr. Sitte:** Are violent, are strong, intense. But in the other case, they both are mild. And in that case, it seems, no distinction is possible.

**LS:** That is what he said.[45]

**Mr. Sitte**: And that sort of case does not require a further discussion about the comparison of lives because in the comparison of lives, you have the simple case that pleasures predominate in the good lives, and pains in the—

**LS:** Yes, and what shall he do if the two lives are equal in respect to pleasures or pains? Then there would be no ground of preferring one to another on the ground of pleasure.

**Mr. Sitte:** We are fortunate enough that there is such a ground, in pleasure.

**LS:** Yes.[46] I mean, there is a certain difficulty which I have[47] not succeeded in enunciating that has to something to do with the fact that moderation or temperance is accompanied by health, where the case is obviously different. Let us assume a man has all the three human virtues discussed here but suffers from a very painful and long-lasting disease. How[48] does his life compare in regard to pleasure with the life of a crook who enjoys perfect health? That is a point which would have to be discussed and which is not discussed. Yes? Would you say that?

**Mr. Sitte:** Is the discussion of the calculus of pleasures . . . for analysis, for proceeding in this case?

**LS:** Yes, but if you have in the one case many, and strong and varied pleasures, and in the other case continuous, very intense pain, which life would you prefer? And could it not very well be that the virtuous man might have a very painful disease? And how to make the choice in this case? And[49] from the point of view of the calculus of pleasure, the sick man,[50] if he could get rid of his sickness by virtue of an abominable action and then live, [would he not] restore his health and live in pleasure? What would be his situation? This is of course not discussed. But the immediate reason he can avoid it is because he replaces justice by health and therefore a certain disharmony, a certain lack of balance, comes in.

**Mr. Fairbanks:** Is that where he introduced incontinence?

**LS:** No,[51] he doesn't bring in justice, and instead of it he brings in health. And health has nothing to do with the other things, at least not necessarily. I mean, a man may be a coward, and intemperate, and rather senseless, and yet have an excellent physique and [be] perfectly healthy.

**Mr. Fairbanks:** We were talking about the alcoholic, and why he introduced a new element—

**LS:** Yes, the alcoholic was not Plato's example, was it? The Athenian's example.

**Mr. Fairbanks:** No, the example was not, but the word incontinent or something of that sort.

**LS:** Yes, that was certain sort of intemperance. Well, I think of another case, of a man who is intemperate but not to the extent that it ruins his health, as would be the case of the alcoholic, but in other ways intemperate. Intemperance doesn't have to go to the length of alcoholism or something similar. No?

**Mr. Fairbanks:** Yeah, I was wondering why he brought in the dichotomy, why he—

**LS:** Which dichotomy?

**Mr. Fairbanks:** When he introduced the idea that someone might be incontinent as well as

being ignorant.

**LS:** Well, let me ask you now about the healthy life and the diseased life, that is a different case. And the healthy life is, everyone would admit,[52] superior [to that of disease] from the point of view of pleasure.[53] Now the question is: Cannot a healthy life go together with the vices here mentioned? And would not a healthy crook lead a more pleasant life than a decent man living in the most terrible agonies? So that in this case the virtuous life is not pleasant. But of course, what the Athenian means is that[54] in itself the moderate life is superior, but accidentally the virtuous life may be unpleasant because of the crucial importance of health, for example. There could be other things, too. Now shall we read the transition to the beginning of the next one?

**Reader:**
ATH. Thus far we have stated the prelude of our laws, and here let that statement end: after the prelude must necessarily follow the tune,—or rather, to be strictly accurate, a sketch of the State-organisation. Now, just as in the case of a piece of webbing, or any other woven article, it is not possible to make both warp and woof of the same materials, but the stuff of the warp must be of better quality—for it is strong and is made firm by its twistings, whereas the woof is softer and shows a due degree of flexibility—from this we may see that in some such way we must mark out those who are to hold high offices in the State and those who are to hold low offices, after applying in each case an adequate educational test. For of State organisation there are two divisions, of which the one is the appointment of individuals to office, the other the assignment of laws to the offices. (734e-35a)

**LS:** Yes. Now[55] he wants to speak first about the laws of the political order, the laws of the regime—a modern equivalent would be the constitution, but it is not quite the same.[56] Now there are two kinds of things involved in any regime or political order, and the first is the establishment of political offices or magistracies, and then the laws which have to be administered or enforced by the magistrates. The magistracies come first. Aristotle says the same thing, and regarding the magistracies he makes the distinction like that of warp and woof.[viii] There is a stronger ingredient, and these are the men who[57] occupy the high offices; and the others would be those who have only a little education, people who cannot occupy any office to speak of except perhaps something like dogcatchers. So that he will discuss. But it takes a very long time until he takes it up: only in the sixth book does he discuss the magistracies. The next sentence here is [that] before all this one must consider things like the following, and these things like the following take up the rest of book 5. What are they? What is a *politeia*, the regime? The simplest answer is it is an order of the inhabitants of the city.

There is a multitude of people who live in a city, and they must be and are always in one way or another ordered in order of rank. The first question is: Who belongs to the citizen body? Who is a citizen and who is not? In other words, the first question is the composition of the citizen body; that is a more fundamental question than the question of the magistracies. This he takes up first. But there is one closely linked to that, and that is the question closely linked to the question of the composition of the citizen body because there are in all societies, even[58] literally all up to the present day, two kinds of people whom one can call, with old-fashioned expressions, the rich and the poor. That is crucial for the character of the city: What is to be done regarding the rich and

[viii] Strauss seems to be referring to Aristotle's discussion of the *Laws* in *Politics* 1265b19-21.

the poor? And which has also some subdivisions: what kind of rich, and what kind of poor, of course. This is the second question which the Athenian takes up in the rest of book 5.

These questions would be called perhaps today, at least the latter one, a social question. But this is of course a wholly un-Platonic distinction, between political and social. It is a political question. The whole character of the political society depends on how these arrangements are made. And so the first question then is the composition of the citizen body, and that he begins to discuss here. We postponed the detailed discussion of this last time.

For the next, what he discusses here would have its contemporary equivalent in immigration laws. In Australia, I believe, they spoke in former times—not so long ago they wanted to admit only the right kind of settlers, whatever that might mean. And that is what the Athenian means. What kind of colonists should be admitted, and what should be done about those who cannot be admitted? That is the first question. The second question which comes [up] then[59] is that of the rich and the poor. The conflicts between the rich and the poor: that the poor want land and want the remission of debts, and the rich say no, they want[60] [them] to pay their debts, and they want to keep their land. In a new city, we can assume there are not old debts. And the land is distributed from scratch. So these great sources of civil unrest will not be there, and the question arises:[61] How shall they distribute the land? But this leads to a previous question: Should the land be distributed at all? And should not the land be owned in common, farmed in common, and should not also[62] the dwellings be common? You know the teaching of the *Republic* in this respect, and this is here repeated. Naturally Plato doesn't quote the *Republic*, and Clinias and Megillus cannot be supposed to have read the *Republic*.

This is a minor difficulty here, but he repeats that this would be the best solution: the absolute communism of the *Republic*, the community of property, women, and children. But, it is said here, this is feasible among gods and sons of gods but not among the present people, who are not sons of gods; and therefore we must be satisfied with the second-best solution, and that would require private property but in a severely limited way. The division of the land into so-and-so many plots; and these, plus the land plus a dwelling-place, farmed privately by itself; and the plots must be preserved forever: only one heir, a son, will be admitted. And the question arises naturally: [What] if a man has more children than one, or even female children who cannot become owners of a plot because they cannot be defenders of the land? And this he will discuss.[63] This number he explains, 5040, is so eminently useful because it is divisible by all numbers up to ten, and so all kinds of divisions, say, for tax purposes, for division of the population in armed units, is possible. There is one passage there, if I may ask Mr. Klein, which I cannot answer because of my insufficient knowledge of Greek mathematics or of mathematics in general, in[64] 738a.[65] After he says that this number 5040 is so wonderfully frequently divisible, and it has the greatest number of continuous divisions, namely, by two, by three, by four, by five, six, seven, eight, nine, ten. And then he says how many: *pas eis panta pasas tomas eilēchen*. What does that mean? "The whole number is susceptible of all divisions, in all respects?" . . . Does it mean the totality of numbers? Or does it mean every number?

**Mr. Klein:** . . .

**LS:** Yes. Yes, because it cannot mean every number because of the prime numbers, so I do not

know what it means.

**Mr. Klein:** I have to read that, I don't know it.

**LS:** There is another difficulty here which has something to do with the question of numbers, and that is in 739d where he says such a city, meaning a perfectly communist city, whether gods dwell in it somehow . . . or sons of gods, but more than one. Now why does he add more than one? Does he emphasize the fact that any city, any community, is a community of at least two people? Two beings? Does it need emphasis? The latest commentator of whom I know, and I suppose others before him, just bracketed that because they think it is not necessary. I do not know.

**Mr. Klein:** 739?

**LS:** [739]d.

**Mr. Klein**: I do not know.

**LS:** Is there any other point you would like to raise? Do you have a notion?

**Mr. Klein:** No. I will read it.

[end of session]

[1] Deleted "and."

[2] Moved "the virtues that transcend somehow the sphere of law."

[3] Deleted "Yeah. How he himself."

[4] Deleted "Yes, no."

[5] Deleted "is."

[6] Deleted "and what you read—that will be."

[7] Deleted "and."

[8] Deleted "que—the."

[9] Deleted "to make it—."

[10] Deleted "But."

[11] Deleted "I."

[12] Deleted "to."

[13] Deleted "I mean"

[14] Deleted "it."

[15] Deleted "yeah"

[16] Deleted “That”

[17] Deleted “or”

[18] Deleted “The only way to—and this has something to do— and.”

[19] Deleted “but let us not be”

[20] Deleted “that is perhaps”

[21] Deleted “yeah.”

[22] Deleted “says.”

[23] Deleted “yeah.”

[24] Deleted “Yes’”

[25] Deleted “this is.”

[26] Deleted “has.”

[27] Deleted “I.”

[28] Deleted “it.”

[29] Deleted “**LS:** Pardon?
**Student:** The alcoholic who realizes that drinking is bad, but continues to drink, is that ignorance or incontinence?”

[30] Deleted “No, yes.”

[31] Deleted “seeks a very powerful, who.”

[32] Deleted “lives.”

[33] Deleted “he can’”

[34] Deleted “say, and’”

[35] Deleted “has a rather plea—.”

[36] Deleted “may’”

[37] Deleted “And’”

[38] Deleted “And’”

[39] Deleted “And in’”

[40] Moved “There are’”

[41] Deleted “is’”

[42] Deleted “is more’”

[43] Deleted “Cannot be (inaubdile word)’”

[44] Deleted “According to’”

[45] Deleted “I mean, at least, no reasonable preference for—that is what he said.”

[46] Deleted “Yeah.”

[47] Deleted “not been’”

[48] Deleted “What is—I mean’”

[49] Deleted “what would the man’”

[50] Moved “would he not’”

[51] Deleted “that he’”

[52] Deleted “it’”

[53] Moved “to that of disease’”

[54] Deleted “other things.”

[55] Deleted “this—What he calls here is—.”

[56] Deleted “And, as regards.”

[57] Deleted “have.”

[58] Deleted “even.”

[59] Moved “up.”

[60] Deleted “to have their debts—they want to pay their debtors—that is.”

[61] Deleted “what.”

[62] Changed from “be also the dwelling-places.”

[63] Deleted “The ques—.”

[64] Deleted “739.”

[65] Deleted “A, yeah.”

**Session 16: no date**

**Student:** [In progress] —The *Laws* as a practical political order, I mean, as opposed to the *Republic*, began with the creation of a new colony. And in that situation the guidelines for practical political action in an already existing state are not directly confronted, because if we . . . the colonies are. How and in what sense can one say the *Laws* deals with that problem?

**Leo Strauss:** But when a practical political question, in the sense in which you mean now is a question arising in a political society already established, this already-established political society may be bad, good, or something in between. Is not the most important thing that this established order be good, be constructed well? Wise political action presupposes a framework that does not prevent wise political action. And that is what he is concerned with: the questions which arise[1] in a way that cannot be anticipated, [say, peace and war, which is probably the most pressing issue], but also others. They have to be dealt with as they arise. The best one can do is to take care that there is a sufficient number of men available able to handle political situations well, and that is the meaning of the question of the establishment of magistracies or offices, ruling offices.

Plato was aware of this question which you raise. In the beginning of the *Timaeus*, the question is raised: We have now heard [of] a perfect city in speech at rest, now we would like to see it in motion. That is not what Socrates says, but somebody else;[i] but at any rate, that is what you mean: in motion. And that means, it appears from the context, at war. How the city will conduct itself in war as regards morale, and as regards strategy, and what else may be important, that depends on how the city is at rest prior to war. And therefore one has to study that first. In every actual society, there is so much accidental which of course[2] has to be taken for granted when you act in it but which is irrelevant to the question of excellence. And here Plato concentrates as much as possible on the question of excellence[3] and on the most likely conditions of excellence, you know, like the territory and other questions which we have discussed.

**Same Student:** The question then remains how to arrive at excellence in a city that's in motion.

**LS:** But I mean, if he understands the distinction between motion and rest in the way in which Plato understood it there—yes, but if it is excellent when at rest, it will also be excellent when in motion.

**Same Student:** Well, I mean, at some point, it's curious that—I mean, it seems to me that Plato thought such a state didn't exist.

**LS:** Yes, surely, otherwise he wouldn't have to found it, he could merely have described a state existing. But of course even that could not be done without previous proof that some existing state is excellent. Take a man[4] like Cicero who, on the basis of Plato, identified the best regime with the Roman regime[5] as it existed prior to the Roman civil wars.[ii] But of course he had to

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[i] Plato *Timaeus* 19b-20c. It is in fact Socrates who says he would like to see the city in motion.

[ii] Cf. Cicero *De re publica*, e.g, 1.34; 1.70; 2.3; 2.52.

prove that this was excellent. So one cannot start from the given as given; one must first show that the given is good. I mean, according to the ordinary view, that is of course the great advantage which writers like Thucydides and Machiavelli have, who do not deal with these kinds of imagined principalities and republics but with the real stuff. But the question is whether they are not compelled also to imagine republics and principalities, you know. I mean, for example, how Thucydides knows that Athens under Pericles was much better than after Pericles, on the whole.[iii] But that one very short-lived regime,[iv] which lasted only a few months,[6]—the Four Hundred[7]—this was the best regime that Athens had during Thucydides's lifetime.[v] So he does raise the question of the best regime, only in that limited way: the best regime in Athens. But you cannot answer this question, you cannot even raise this question clearly without raising the question: What is the best regime simply? Because there is already an additional limiting factor: the best regime, say, in Athens, presupposes clarity about the best regime simply. This is a simple thought underlying Plato's politics, and I believe it has never been refuted. It does not mean that Plato's answer is the last word, but the question.

**Same Student:** Well, whether or not, in the circumstances, I mean, it seems that—well, at least, in the *Republic* it seems it's the question whether or not the best regime can be actualized. And if we are to understand that the *Laws* is a practical dialogue—a more practical dialogue, [with regard] to the political life—the fact that it begins with a regime in theory, I mean, a new regime, introduces that question anew, whether it can be actualized.

**LS:** Yes,[8] surely even that rests on conditions, but not on such very unlikely conditions as the *Republic*. There the key condition was that philosophers become kings, and expulsion of everyone older than ten. Nothing of this kind happens here, so it is much easier here. It is difficult enough, nevertheless, as Plato knew. The only external guarantee we have is that Megillus and Clinias are likely to be much more practical than Glaucon and Adeimantus. So if the Athenian had stated to them something which is absolutely preposterous politically speaking, they would not have gone along and they would not have had such respect for the Athenian as they show very frequently. Shall we leave it at that for the time being?

Good, then let us turn to the fifth book where we left off. Now after having completed the prelude to the laws, he begins with the laws, and first with the laws regarding the regime, and here he makes a distinction. There are two classes of things involved in the regime: the first is the establishment of the ruling offices, and the second is the laws given to the ruling offices for their enforcement and for their guidance. So the ruling offices come first. That is not the same as the distinction between constitutional law and ordinary law as we know it, but rather it is a distinction between the whole governmental set-up and the laws. So if you had in the constitution a detailed statement about how many secretaries, cabinet ministers, and all this kind of thing, and a little bit more even more than that, then you would have a modern analogon of it. But then he says that something must be discussed first, prior to everything else: and this is the composition of the citizen body, and the question of the rich and poor. And the reason can be stated most

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[iii] Thucydides *History of the Peloponnesian War* 2.65.

[iv] That is, after Pericles.

[v] Thucydides *History* 7.97. In this passage, in fact, Thucydides praises the regime of the Five Thousand, which succeeded that of the Four Hundred, as the best constitution the Athenians had in his lifetime.

simply in the words of Aristotle: "The regime is a certain order of the inhabitants of the city."[vi] And the most elementary distinction within the inhabitants of the city is that between citizens and noncitizens, therefore we have to know who is to be a citizen or, more generally, the composition of the citizen body. In this respect the question of the rich and poor is of decisive importance, and therefore we must raise the question of the rich and the poor. And in this way he begins where we left off, 735b.[9]

**Reader:**
ATH. But, in truth, before we deal with all these matters we must observe the following. In dealing with a flock of any kind, the shepherd or cowherd, or the keeper of horses or any such animals, will never attempt to look after it until he has first applied to each group of animals the appropriate purge—which is to separate the sound from the unsound, and the well-bred from the ill-bred, and to send off the latter to other herds, while keeping the former under his own care; for he reckons that his labor would be fruitless and unending, if it were spent on bodies and souls which nature and ill-nurture have combined to ruin, and which themselves bring ruin on a stock that is sound and clean both in habit and in body,—whatever the class of beast,—unless a thorough purge be made in the existing herd. This is a matter of minor importance in the case of other animals, and deserves mention only by way of illustration, but in the case of man it is of the highest importance for the lawgiver to search out and to declare what is proper for each class both as regards purging out and all other modes of treatment. (735b-c)

**LS:** Yes, I don't know whether it means each class; whether it doesn't mean for each.

**Reader:**
ATH. For instance, in respect of civic purgings, this would be the way of it. Of the many possible—

**LS:** How does he translate that? Purging?

**Reader:** Civic.

**LS:** Purges?

**Reader:** Civic purges.

**LS:** Ya.

**Reader:**
ATH. Of the many possible modes of purging some are milder, some more severe; those that are severest and best a lawgiver who was also a despot might be able to effect—

**LS:** "Despot" means always "tyrant."

**Reader:**

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[vi] Aristotle *Politics* 1274b38.

ATH. but a lawgiver without despotic power might be well content if, in establishing a new polity and laws, he could effect even the mildest of purgations. The best purge is painful, like all medicines of a drastic nature,—the purge which hales to punishments by means of justice linked with vengeance, crowning the vengeance with exile or death: it, as a rule, clears out the greatest criminals when they are incurable and cause serious damage to the State. A milder form of purge— (735c-e)

**LS:** No, let us first discuss that for one moment. First, he speaks of a case of a legislator who is at the same time a tyrant: he can use the best kind of purge, which best kind is at the same time painful. Now on an earlier occasion he had spoken addressing the legislator, the absent legislator, and the absent legislator had replied: We would get the best arrangement in the easiest and best way if the legislator has the support of a tyrant. Now here the legislator was separated from the tyrant. Still, one point we must first make clear: these procedures are easy from the point of view of the legislator; they are painful from the point of view of the individuals, who suffer from his easy methods. That, I believe, is not difficult to understand. The question is: Why does he speak here of the legislator who is at the same time a tyrant, whereas before he had spoken of the legislator who has the support of a tyrant? What would you suggest?[10]

**Mr. Fairbanks:** Perhaps he is suggesting—he is speaking of a tyrant who, a democratic tyrant of sorts, the tyrant from before, from earlier.

**LS:** He didn't call him a tyrant.

**Mr. Fairbanks:** No, he isn't. Perhaps he's referring to[11] that man.

**LS:** Well, the simplest answer, which is perhaps not sufficient, is this. At that time he said, the absent legislator said: Give me a city ruled by a tyrant. Now but here we do not have a city, and therefore it cannot be a city ruled by a tyrant.[12] But there is also this implied: if the legislator and the tyrant—if supreme wisdom and supreme political power are not united in the same human being or human beings, you will not get the best regime. A statement made before in the first book. Yes. But at any rate it is clear, I believe, what he means by the best, if painful, ways in which a purge could be made. The purge has of course an ominous sound in our age, a slightly less ominous sound it had in the seventeenth century when this English colonel, who purged thousands—what was his name? Pride's purge, Colonel Pride.[vii] But that was a very mild thing: he just did not admit certain members of Parliament and nothing else was done on that occasion. Here the term has partly the cultic and partly the medical meaning. And now we come to the more gentle.

**Reader:**
ATH. A milder form of purge is one of the following kind: when, owing to scarcity of food, people are in want, and display a readiness to follow their leaders in an attack on the property of the wealthy, then the lawgiver, regarding all such as a plague inherent in the body politic ships them abroad as gently as possible, giving the euphemistic title of "emigration" to their

[vii] In December 1648, Colonel Thomas Pride expelled from Parliament all who did not support the New Model Army.

evacuation. By some means or other this must be done by every legislator at the beginning—

**LS:** Let[13] us consider this milder method. The milder method of purge is to send out—he doesn't say now those corrupt in body and soul but the "have-nots," who are under their leaders prepared to attack the "haves." So it seems that these nasty people are as undesirable as those corrupt in body and soul. Whether that was their fault, or the fault of what they call now society, that is[14] not a practical question and therefore not raised by Plato. At any rate,[15] this makes one wonder whether the present colony which is sent out by the Cretans is not such a colony; you know, not like the colonies exactly, as the penal colonies which became later on flourishing parts of the British Commonwealth, but this kind, the excess,[16] the "have-nots," and they're shipped to another place where they can do no harm. Yes?

**Reader:**
ATH. By some means or other this must be done by every legislator at the beginning, but in our case the task is now even more simple; for we have no need to contrive for the present either a form of emigration or any other purgative selection; but just as when there is a confluence of floods from many sources—some from springs, some from torrents—into a single pool, we have to take diligent precautions to ensure that the water may be of the utmost possible purity, by drawing it off in some cases, and in others by making channels to divert its course.

**LS:** Which is not very revealing because it is purely metaphoric, and we do not know what the political equivalents of these things are. But he gives now a reason, I think, also for this somewhat evasive speech.[17]

**Reader:**
ATH. Yet toil and risk, it would appear, are involved in every exercise of statecraft. Since, however, our present efforts are verbal rather than actual, let us assume that our collection of citizens is now completed, and its purity secured to our satisfaction; for we shall test thoroughly by every kind of test and by length of time the vicious among those who attempt to enter our present State as citizens, and so prevent their arrival, whereas we shall welcome the virtuous with all possible graciousness and goodwill. (735e-36c)

**LS:** Yes, that is clear, that if he can persuade the undesirable ones to stay away, he will do that; and the good ones he will heartily welcome. So the Athenian is obviously a very humane man, but he is not completely blind to the tough side of politics.[18] The general lesson is, of course, there must be a certain sifting of the citizen body at the beginning of political society. What can be done in this way later on after it is established, that is a long matter, but then you have arrangements regarding punishments and rewards which is a kind of sifting, you know. There is even the loss of citizenship possible for particularly bad crimes. So that was first, the composition of the citizen-body, and now we come to the other question with which he deals at much greater length.

**Reader:**
ATH. And let us not omit to notice this piece of good luck—that, just as we said that the colony of the Heraclidae was fortunate in avoiding fierce and dangerous strife concerning the distribution of land and money and the canceling of debts (so we are similarly lucky); for, when

a State is obliged to settle such strife by law, it can neither leave vested interests unaltered nor yet can it in any wise alter them, and no way is left save what one might term that of "pious aspiration" and cautious change, little by little, extended over a long period, and that way is this:—there must already exist a supply of men to effect the change, who themselves, on each occasion, possess abundance of land and have many persons in their debt, and who are kind enough to wish to give a share of these things to those of them who are in want, partly by remissions and partly by distributions, making a kind of rule of moderation and believing that poverty consists, not in decreasing one's substance, but in increasing one's greed. (736c-e)

**LS:** Yes. So the question[19] again[20] corresponds to the issues we know today from domestic politics under the headings the problem of welfare and everything else, unemployment and whatever goes with that. Here, the key issues are debt and landlessness. And then the "have-nots" demand distribution of land and remission of debts. There are certain places on the globe in which these things still are major political demands. No? Agrarian reform, it is called. Now Plato gives his answer to this question: this can work only if the decent men among the "haves" take the initiative. And they from a sense of decency and moderation distribute part of the land, and remit the debts. Yes?

**Dr. Kass:** Mr. Strauss, could you make some comment about the relation of this solution to the problem of the "have-nots" compared the solution depending on the milder form of purge? I mean, there—

**LS:** Yes, but here the question was regarding the "have-nots" led by demagogues. That is something very bad from Plato's point of view. For however critical he is of the wealthy, he is more opposed to demagogues. That will come out more clearly in the sequel. He has a certain bias in favor—a very mild bias in favor of the wealthy, and that is the reason why Aristotle accuses him, especially in regard to the *Laws*, of oligarchic tendencies, that is to say plutocratic tendencies. There is an element of truth in that, as we will see. And as we have in a way already seen. Yes?

**Reader:**
ATH. For this is the main foundation of the security of a State, and on this as on a firm keel it is possible to build whatever kind of civic organisation may be subsequently built suitable for the arrangement described; but if the foundation be rotten, the subsequent political operations will prove by no means easy for any State. This difficulty, as we say, we avoid; it is better, however, that we should explain the means by which, if we had not actually avoided it, we might have found a way of escape. Be it explained, then, that that means consists in renouncing avarice by the aid of justice, and that there is no way of—

**LS:** It is stronger, I believe: "not to love money even within the bounds of justice." I think that is the meaning. In other words, avarice, as he translates it—that is altogether bad,[21] I mean, even if the avarice goes together with honesty. Yes?

**Reader:**
ATH. and that there is no way of escape, broad or narrow, other than this device. So let this stand fixed for us now, as a kind of pillar of the State. The properties of the citizens must be

established somehow or other on a basis that is secure from intestine dispute.

**LS:** Yes, and it cannot be called into question because otherwise you will have troubles all the time.

**Reader:**
ATH. otherwise, for people who have ancient disputes with one another, men will not of their own free will proceed any further with political construction, if they have a grain of sense. But as for those to whom—as to us now—God has given a new State to found, and one free as yet from internal feuds,—that those founders should excite enmity against themselves because of the distribution of land and houses would be a piece of folly combined with utter depravity of which no man could be capable. (736e-37b)

**LS:** So[22] that I think is clear, that if you have an inherited trouble of this kind it is bad enough, but if you can start from scratch and *introduce* these troubles, then you are the lowest and most despicable kind of legislator. That seems obvious.[23]

**Reader:**
ATH. What then would be the plan of a right distribution? First, we must fix at the right total the number of citizens; next, we must agree about the distribution of them,—into how many sections, and each of what size, they are to be divided; and among these sections, we must distribute, as equally as we can, both the land and the houses. An adequate figure for the population could not be given without reference to the territory and to the neighbouring States. Of land we need as much as is capable of supporting so many inhabitants of temperate habits, and we need no more; and as to population, we need a number such that they will be able to defend themselves against injury from adjoining peoples, and capable also of lending some aid to their neighbours when injured. These matters we shall determine, both verbally and actually, when we have inspected the territory and its neighbours. But for the present, it is only a sketch in outline of our legislation that our argument will now proceed to complete.

**LS:** The two points of view, the two points to be considered are then the land and the neighbors, and then[24] we can determine on that basis the number of citizens the city could best have. Citizens who live temperately, moderately, that is to say neither in luxury nor in penury. But this cannot be determined without prior inspection of the territory and the neighbors, and therefore he can give only an outline which will have to be revised on the basis of that inspection after that has been made. Now he comes to the provisional proposal, the most reasonable proposal if it is feasible.[25]

**Reader:**
ATH. Let us assume that there are—as a suitable number—5,040 men, to be landholders and to defend their plots; and let the land and the houses be likewise divided into the same number of parts—the man and his allotment forming together one division. First, let the whole number be divided into two; next into three; then following in natural order four and five and so on up to ten. Regarding numbers, every man who is making laws must understand at least thus much,—what number and what kind of number will be most useful for all States. Let us choose that which contains the most numerous and most consecutive sub-divisions. Number as a whole

comprises every division for all purposes; whereas the number 5,040, for purposes of war, and in peace for all purposes connected with contributions and distributions, will admit of division into no more than 59 sections, these being consecutive from one up to ten. (737b-38b)

**LS:** Yes. So[26] 5,040 is chosen as a desirable size of the citizen body, but also it is so wonderfully divisible, as it is surely by all numbers up to ten, and altogether in fifty-nine ways. Mr. Klein was so good as to check on it and it is correct, is it not?

**Mr. Klein:** I had a list of all the numbers of these fifty-nine, including one, but forgot to bring it. And furthermore, if we multiply by one, then by two, then by three, then by four, and then by five, then by six, and then by seven, you get 5,040.

**LS:** Yes. And this is for all kinds of purposes, of peace and war, very useful. Yes. We will find later on some proof of that. Yes. So 5,040 lots or plots, and 5,040 citizens—that is, for the time being, and these are of course people who must be able to defend their land, it is implied. Owning land and being the defender of the land are here said to be inseparable. The question which arises [of] when a man is too old for military service is here not yet discussed, but it is clear his son or son-in-law, whatever the situation may be, will have to be defender.

**Reader:**
ATH. These facts about numbers must be grasped firmly and with deliberate attention by those who are appointed by law to grasp them: they are exactly as we have stated them, and the reason for stating them when founding a State is this—

**LS:** You know, that is important; the reason for stating them has not been stated yet. It will be stated now. Yes?

**Reader:**
ATH. in respect of gods, and shrines, and the temples which have to set up for the various gods in the State and the gods and daemons they are to be named after, no man of sense,—whether he be framing a new State or re-forming an old one that has been corrupted,—will attempt to alter the advice from Delphi or Dodona or Ammon, or that of the ancient sayings, whatever form they take—whether derived from visions or from some reported inspiration in heaven. By this advice, they instituted sacrifices combined with rites, either of native origin or imported from Tuscany or Cyprus or elsewhere; and by means of such sayings they sanctified the oracles and statues and altars and temples, and marked off for each of them sacred glebes. (738b-c)

**LS:** Yes. The legislator of the new city is of course under no circumstances a founder of religion, that is clear. He simply accepts the established religion whether domestic or foreign. It may have been borrowed from the Etruscans or any other place. That doesn't make any difference, provided it is accepted in the community. But what has this to do with the question of the division of the land? That question has not yet been answered. It will be answered, as we shall see.

**Reader:**
ATH. Nothing of all these should the lawgiver alter in the slightest degree; to each section he

should assign a god or daemon or at the least a hero; and in the distribution of the land, he should assign first to these divinities choice domains with all that pertains to them, so that, when assemblies of each of the sections take place at the appointed times, they may provide an ample supply of things requisite, and the people may fraternize with one another at the sacrifices and gain knowledge and intimacy, since nothing is of more benefit to the State than this mutual acquaintance;— (738c-e)

**LS:** Yes. So here he speaks of the sections of the city, not of the city as a whole; and regarding the sections, it seems the legislator has greater freedom. He can appoint either a god or a *daimōn* or even some heroes, as eponymous, as a being which gives its name to the tribe.

Now if we assume there are twelve tribes as there will later seem to be, there will be four hundred twenty landholders in each tribe. And that is quite a large number of people for being able to know one another very well. If you take the whole city, 5,040, they cannot know each other well. The maximum which is possible is that every citizen of the *polis* knows an acquaintance of everyone else. I mean, if everyone knows everyone else reasonably well, that is a village, and a village is too small. In a city, it is enough if there is some indirect knowledge;[27] then you can ask others who know[28] [someone] and others whom you know, and get some kind of knowledge of a man. And why this knowledge is so important is stated in the sequel. Yes?

**Reader:**
ATH. for where men conceal their ways one from another in darkness rather than light, there no man will ever rightly gain either his due honour or office, or the justice that is befitting. Wherefore every man in every State must above all things endeavor to show himself always true and sincere towards everyone, and no humbug, and also to allow himself to be imposed upon by no such person. (738e)

**LS:** Yes, so that this high degree of mutual knowledge, everyone an open book to everybody else, presupposes a small society, and[29] in this case it will be four hundred twenty people who will not only be on their farms, but they will need periodic festivals, and which will increase their acquaintance, and hopefully their friendship. Yes?

**Reader:**
ATH. The next move in our settling of the laws is one that might at first hearing cause surprise, because of its unusual character. Like the move of a draughts player who quits his “sacred line”—

**LS:** Yes.[30] So what comes now? First he had said we must stick very strictly to the old established sacred; and now he suddenly suggests a deviation from the sacred line. The sacred line is here, as we will see immediately, the best regime. Now why does he do that? Yes, begin that paragraph again.

**Reader:**
ATH. The next move in our settling of the laws is one that might at first hearing cause surprise, because of its unusual character. Like the move of a draughts player who quits his “sacred line”; none the less, it will be clear to him who reasons it out and uses experience that a State will

probably have a constitution no higher than second in point of excellence. Probably one might refuse to accept this, owing to unfamiliarity with lawgivers who are not also despots; but it is, in fact, the most correct plan to describe the best polity, and the second best, and the third, and after describing them to give the choice to the individual who is charged with the founding of the settlement. This plan let us now adopt: let us state the polities which rank first, second, and third in excellence; and the choice let us hand over to Clinias and to whosoever else may at any time wish, in proceeding to the selection of such things, to take over, according to his own disposition, what he values in his own country. (739a-b)

**LS:** So in other words, the intelligent legislator, even if he has no chance except to establish a rather mediocre regime, must know the best regime because otherwise he does not know what he is doing. You see, that refers to your question at the beginning. Therefore he must make his choice with his eyes open. And therefore it must be made clear what the best regime is, and then what the second best regime is; and then the third, that we can easily figure out on the basis of the difference between the first and the second. Yes?

**Reader:**
ATH. That State and polity come first, and those laws are best, where there is observed as carefully as possible throughout the whole state the old saying that "friends have all things really in common." As to this condition, whether it anywhere exists now, or ever will exist,—in which there is community of wives, children, and all chattels, and all that is called "private" is everywhere and by every means rooted out of our life, and so far as possible—

**LS:** Now wait a moment. "And by every device the so-called private is from all sides taken out of life completely." The so-called "private," that is what is by convention private, by law private, whatever that may be apart from possessions—yes. And[31] contrivances have been made. Go on.

**Reader:**
ATH. and so far as possible, it is contrived that even things naturally private have become in a way "communized,"—eyes, for instance, and ears and hands seem to see, hear and act in common,—and that all men are, so far as possible, unanimous in the praise and blame they bestow, rejoicing and grieving at the same things, and that they honour with all their heart those laws which render the State as unified as possible,—no one will ever lay down another definition that is truer or better than these conditions in point of super-excellence. (739a-d)

**LS:** So[32] now we know at least in outline what the best regime is: as complete as possible communism of possessions, women, children and even, within the limits of the possible, of what is by nature private. And by nature private, that is, as is here indicated—in the *Republic* it is said explicitly—the body. The body is the private. And that is, the body cannot, strictly speaking, communize. No one can feel one's toothache as oneself feels it, and yet the maximum in this direction should be established. Pleasures and pains should be the same for all. The distinction between natural pleasures and pleasures which derive from others' knowing of them, which we came across last time, that is of course completely out. All pleasures and pains should[33] as much as possible be common.[viii]

[viii] There is a break in the tape at this point.

The body is the private. But here it said earlier [that] the soul is the most familiar, the most man's own. How does this go together? Is the soul not more one's own than the body? For instance, at least parts of the body a man can easily lose without a change in his soul, but he cannot lose a part of his soul without ceasing to be the same man. So one's own and private, these are two different considerations. The opposite of the private is the public. The opposite of one's own is the alien, what does not belong to oneself. These are two very different distinctions. The soul is not the same as what is now called the self because the self, that is to say, the man himself, that is of course the soul and the body, the soul in the body—as Plato indicates very simply by beginning his dialogue on the immortality of the soul, by having it begin with the speaker (is it Echecrates or Phaedon? I do not know any more) saying, "[You] yourself were present at the last conversation of Socrates, or have you heard it from someone else?" "Myself,"[ix] and this means of course bodily presence.

This is a very dark thing but one thing I can, I believe, see. Thought is essentially not private but public because it is concerned with the truth, which is common. Accidentally thoughts may of course be private because they contradict the opinions praised by the law and so on. But such thoughts are common. The body is the seat of privacy. In the Middle Ages, it is said that matter is the principle of individuation. That, I think, is based on this. But it is hard for us to understand, and there is something in us which rebels against it, I believe,[34] that our most intimate things should not be by nature private but rather the body. But I believe Plato implies these most intimate things are bound up with the body, and therefore they are as private as the body for the reason that they are bound up with the body. Well, let us perhaps end this paragraph before we go on with the discussion.

**Reader:**
ATH. In such a State,—

**LS:** That[35] is to say, the absolutely communistic city. Yes?

**Reader:**
be it gods or sons of gods that dwell in it,—they dwell pleasantly, living such a life as this. Wherefore one should not look elsewhere for a model constitution, but hold fast to this one, and with all one's power seek the constitution that is as like to it as possible. (739d-e)

**LS:** You remember in 713 to 714 he said that what we must take our bearings by[36] the age of Cronos, that means a life of obedience to gods or *daimōns*. Here we must take our bearings by the divine life itself, not by obedience, but by imitation, which is a very different thing. Yes?

**Reader:**
ATH. That constitution which we are now engaged upon, if it came into being, would be very near to immortality and would come second in point of merit. The third we shall investigate

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[ix] Strauss is referring to the beginning of the *Phaedo* (27a). The first speaker is Echecrates; the second, Phaedo.

hereafter, if God so will; for the present, however, what is this second-best polity, and how would it come to be of such a character? (739e)

**LS:** Yes. Now the second best, we can say, is the regime on which the Athenian and Clinias will agree. But Clinias is only one of ten men commissioned, and Clinias has to clear his project with his fellow commissioners. And one can say that the most desirable compromise between Clinias's project, or the Athenian's project, and what the other men commissioned to found the laws will agree upon, that is the third best. That is the simple solution, I think. Mr. Berns?

**Mr. Berns:** I was wondering about what you said about the distinctions between private and public, and one's own and alien. If one thinks, for instance, in the *Phaedo*, where the discussions of why the philosopher wants to die would seem—there there is a kind of identification of one's own, of what you said is one's own with the public. That is to say, if the body is private and the philosopher wants to be rid of the body—

**LS:** Yes.

**Mr. Berns:** in order that his intellect could actualize itself most fully, there is a kind of identification of one's own in the philosopher with the public.

**LS:** Yes, sure. That is very true. So one's own *par excellence* is the public—*to oikeiotaton*, the most one's own is the good, as is said in the *Lysis*. That is of course what Plato means.[x] But there is nothing private about that, except accidentally. And then of course this accidental is always very important practically and hence also here, but in itself it is public.

**Mr. Berns:** If one moves, I mean, if one moves on a lower level—

**LS:** Yes.

**Mr. Berns:** There seems to be a tremendous confusion, say, [37]take the low problem of pornography—

**LS:** Yes.

**Mr. Berns:** What to do about it politically. I thought one of the best formulations that I read was [that] it's based on confusion of the private and public.

**LS:** Yes, sure. But that is, as you say, on a lower level of abstraction.

**Mr. Berns:** Yes.

**LS:** There are things which are by nature not fit to be displayed, yes? In this sense, they are by nature private. But there is another distinction here, although it is connected with that. Thus, in the case we discussed last time, what was called vanity is also to the point. Yes? The display of

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[x] Plato *Lysis* 221a.

certain feelings of self-complacence is also unbecoming, while the feeling itself is under certain conditions inevitable. Just as it is[38] in its way[39] indecent as to have one's excretions in public, yes? Everyone knows that everyone who takes food in must give it out again, and we can everywhere, by what is described in the life of the greatest hero, assume that this took place in that grand life. And yet it is of course utterly irrelevant. That is absolutely private. We would have to make a distinction between what ought to be private even if there is no communist society, yes? Oh no, I'm sorry, what ought to be private in a noncommunist society and that, surely, these kinds of things would play a very great role in them.

**Mr. Berns:** You mean even if there were a communist society.

**LS:** Yes, yes, even if there were. Yes, because even there it would be unbearable, I think. So we know now what we have to do: we know what the best regime is, and that is beyond human possibilities. Only gods or sons of gods could inhabit such a city, and therefore we must have a noncommunistic society. And that means of course on the most visible level, private property, and that will be demanded next.

**Reader:**
ATH. First, let them portion out the land and houses, and not—

**LS:** Only one thing, which I think I mentioned last time, but I think it bears repeating. We are too much inclined when we read that to know[40] of course that this is a reference of the old Plato to the *Republic*, which he wrote at a much earlier age. But we have read the *Republic*. But it must also make sense in the context [to] Clinias and Megillus, who have not read the *Republic*, and the Athenian regards it as necessary to tell them this extreme thing, which he insists is the best but indeed too good for human beings.

**Reader:**
ATH. First, let them portion out the land and houses, and not farm in common, since such a course is beyond the capacity of people with the birth, rearing and training we assume. And let the apportionment be made with this intention,—that the man who receives the portion should still regard it as common property of the whole State, and should tend the land, which is his fatherland, more diligently than a mother tends her children, inasmuch as it, being a goddess, is mistress over its mortal population—

**LS:** In other words, it is not his absolute property, his plot. And this means somewhat more than the right of eminent domain, which the state preserves also according to modern doctrine. Yes?

**Reader:**
and should observe the same attitude also towards the local gods and daemons. And in order that these things may remain in this state for ever, these further rules must be observed: the number of hearths, as now appointed by us, must remain unchanged, and must never become either more or less. (739e-40b)

**LS:** No.

**Reader:**
ATH. This will be securely effected, in the case of every State, in the following way: the allotment-holder shall always leave behind him one son, whichever he pleases, as the inheritor of his dwelling, to be his successor in the tendance of the deified ancestors both of family and of State, whether living or already deceased; as to the rest of the children, when a man has more than one, he should marry off the females according to the law that is to be ordained, and the males he should dispose of to such of the citizens as have no male issue, by a friendly arrangement if possible; but where such arrangements prove insufficient, or where the family is too large either in females or in males, or where, on the other hand, it is too small, through the occurrence of sterility,—in all these cases the magistrates, whom we shall appoint as the highest and most distinguished, shall consider how to deal with the excess or deficiency in families, and contrive means as best they can to secure that the 5,040 households shall remain unaltered. There are many contrivances possible; where the fertility is great, there are methods of inhibition, and contrariwise there are methods of encouraging and stimulating the birth-rate, by means of honors and dishonors, and by admonitions addressed by the old to the young, which are capable in all ways of producing the required effect. Moreover, as a final step,—in case we are in absolute desperation about the unequal condition of our 5,040 households, and are faced with a superabundance of citizens, owing to the mutual affection of those who cohabit with one another, which drives us to despair,—there still remains that ancient device which we have often mentioned, namely the sending forth, in friendly wise, from a friendly nation, of colonies consisting of such people as are deemed suitable. On the other hand, should the state ever be attacked by a deluging wave of disease or ruinous wars, and the houses fall much below the appointed number through bereavements, we ought not, of our own free will, to introduce new citizens trained with a bastard training—but "necessity" (as the proverb runs) "not even God himself can compel." (740b-41a)

**LS:** Yes. The excess population should be sent into colonies and the deficient population should be replenished, must be replenished undesireably, that is, by immigrants who have a bastard education—that is to say, who are not truly fit to become members of the city. But with necessity even a god is unable to fight. What do you want to say?

**Student:** I was wondering: he left the decision of which son should inherit the property to the parent.

**LS:** It is left to the father. Yes?

**Same Student:** I wondered if there was any tradition of primogeniture in Greek society, supposedly. It would seem that leaving it up to the father could set a basis for disruption in the family possibly—

**LS:** But on the other hand, one has to—primogeniture is not a guarantee of the best succession, is it?

**Same Student:** No, but it eliminates that kind of competition.

**LS:** Yes, but the consequence would be that you also would have, on the highest level, hereditary monarchy. And we have already learned that Plato was against that, you know;[41] Plato had no sympathy for rights going simply by inheritance. You have to inject some reason somewhere. Surely the father can act arbitrarily, but the chances are that he will pick that son who will be most able to preserve the family property, you know, and all the obligations going with that. That is here surely done.

**Same Student:** I was referring to the effect on the children, on the sons, rather than the father's good sense being questioned.

**LS:** Yes, the son who gets the estate may be improved by the father's choice.

**Same Student:** I was talking about the sons competing with each other for the father's favor.

**LS**: Well, the father can be presumed to see through that. There are various devices: he can postpone the decision; [he] can change the will. We have not yet come to that section. But at any rate the point is clear: no primogeniture. That's clear. Yes?

**Mr. Berns:** But it doesn't completely eliminate hereditary monarchy, does it? I mean, it still is primarily within a family.

**LS:** You mean the *gens*, the clan to which the monarch belongs, would remain still the monarch; either the reigning monarch or some council of elders would pick the successor, not necessarily the oldest son. In Sparta they had something of this kind.

**Mr. Berns:** But he would be picked from within the king's family.

**LS:** Yes, sure, that is the way in which Agesilaus was to become king, because the other, his competitor—Agesilaus was limping, and there is an oracle that if you have a limping kingship, that is the end of Sparta, and of course that spoke against Agesilaus. But the competitor was suspected to be the son of Alcibiades, who had an affair with the queen of Sparta, and that lady was said to have called the boy "little Alcibiades." In other words, he was a bastard; that was of course understood to mean he was a bastard. And then there was a decision by the council of elders that the claim of Agesilaus was less questionable than that of this other fellow[42]—I forgot his name—and therefore Agesilaus became king.[xi] Sure. But here is another point which I thought was quite interesting: that is what should be done in the case of over- and under-population. I have here what Hobbes has to say on that subject in the thirtieth chapter of the *Leviathan*. "The multitude of poor, and yet strong people increasing, they are to be transplanted into countries not sufficiently inhabited: where nevertheless, they are not to exterminate those they find there, but constrain them to inhabit closer together, and not to range a great deal of ground, to snatch what they find; but to court each little plot with art and labor, to give them their sustenance in due season. And when all the world is overcharged with inhabitants, then the last remedy of all is war, which provideth for every man, by victory, or death."[xii]

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[xi] Agesilaus II was king of Sparta from about 400 to 360.

[xii] Hobbes, *Leviathan*, chapter 30. The spelling has been modernized here.

Now Plato's statement is somehow different from Hobbes's, and Plato doesn't speak here of war. On the other hand, he doesn't reveal any particular concern for aborigines, as Hobbes had. The aborigines would be barbarians from Plato's point of view and, as it is said in the *Republic*, these are the natural enemies of the Greeks. So there would not be the kind of inhibitions which, strangely, for those who do not know Hobbes, Hobbes had. Ya. Good. And now—

**Mr. Klein:** But it is strange that he says here—in the English, 740d7—"where the fertility is great, there are methods of inhibition"?

**LS:** Well, preaching of continence probably being insufficient, yes?

**Mr. Klein:** Yes.

**LS:** There must be some kind of abortion. I do not remember, however, whether Plato speaks in the *Laws* explicitly of abortion. Aristotle does.[xiii] Early abortion, before the child is presumed to have any sense, any feeling is allowed according to Aristotle, and I don't see any reason or principle why Plato should decide differently. But I don't know; I haven't looked it up. I think he must mean that. And also there can also be other difficulties, for example, strict separation of dormitories, if you understand what I mean, and other obstacles which can be made to prevent too great fertility. Yes? Good. And now let us read the next reading.

**Reader:**
ATH. Let us then suppose that our present discourse gives the following advice: My most excellent—

**LS:** Yes, now that at least—notice something very strange: the now-said *logos*, I mean the *logos* immediately proceeding should now give advice, should make now admonitory speech. Yes?

**Reader:**
ATH. My most excellent friends, do not slack to pay honour, as Nature ordains, to similarity and equality and identity and congruity in respect of number and of every influence productive of things fair and good. Above all, now, in the first place, guard throughout your lives the number stated; in the next place, dishonor not the due measure of the height and magnitude of your substance, as originally apportioned, by buying and selling one to another; otherwise, neither will the apportioning Lot, which is divine, fight on your side,— (741a-b)

**LS:** Let us stop here. Up to this point he had always spoken in the second person plural, and he stops that now. So the exhortation does not necessarily go beyond this point. Now an exhortation, admonitory speech, that would seem to be a prelude, and that would be very strange if we had first the law and then the prelude. The word law[43] did not occur in the preceding section, but it occurs in the sequel; and also he hadn't spoken of punishment in the preceding section and speaks of punishment in the sequel. So the relation of the preceding speech to the present admonition is not that of a prelude to law. It must be different. Now what can be the

[xiii] Aristotle *Politics* 1335b19-27.

relation? I believe it is this: this admonition is addressed to the citizenry. And whereas the previous speech was addressed to the legislator or founder—Clinias in the first place, or any other legislator–founder—and this speech about the distribution of land and the number of plots, the preservation of plots: this was linked up with the introductory remark that this is only the second-best solution, and this is not fit for the citizenry. If they are told the order under which they live is only second-best, this is upsetting and in no way enlightening for them, and therefore it is fittingly addressed to the legislator-founder and not fittingly addressed to the citizenry at large. Yes, [continue from] where you stopped.

**Reader:**
ATH. for now, in the first place, the law lays on the disobedient this injunction:—since it has given warning that whoso wills should take or refuse an allotment on the understanding that, first, the land is sacred to all the gods, and further, that prayers shall be made at the first, second, and third sacrifices by the priests and priestesses,—therefore the man who buys or sells the house-plot or land-plot allotted to him must suffer the penalty attached to this sin. The officials shall inscribe on tablets of cypress-wood written records for future reference, and shall place them in the shrines; furthermore, they shall place the charge of the execution of these matters in the hands of that magistrate who is deemed to be most keen of vision, in order that all breaches of these rules may be brought to their notice, and they may punish the man who disobeys both the law and the god. How great a blessing the ordinance now described—when the appropriate organization accompanies it—proves to all the States that obey it—that is a thing which, as the old proverb says, none that is evil shall know, but only he that has become experienced and practiced in virtuous habits. For in the organization described there exists no excess of money-making, and it involves the condition that no facility should or can be given to anyone to make money by means of any illiberal trade,—inasmuch as what is called contemptible vulgarity perverts a liberal character,—and also that no one should ever claim to heap up riches from any such source. Furthermore— (741b-e)

**LS:** That is clear, I mean, that is a new additional law that has not been made: that no citizen may engage in vulgar trade. That was of course also in Sparta, but not in democratic Athens. It was a law in Thebes during aristocratic times. The plot cannot be sold, no plot can be sold or bought, without penalty.

**Reader:**
ATH. Furthermore, upon all this there follows also a law which forbids any private person to possess any gold or silver, only coin for purposes of such daily exchange as it is almost necessary for craftsmen to make use of, and all who need such things in paying wages to hirelings, whether slaves or immigrants. For these reasons we say that our people should possess coined money which is legal tender among themselves, but valueless elsewhere. As regards the universal Hellenic coinage,—for the sake of expeditions and foreign visits, as well as of embassies or any other missions necessary for the State—if there be need to send someone abroad,—for such objects as these it is necessary that the State should always possess Hellenic money. (742a-b)

**LS:** Let us stop there and skip that because a more urgent matter comes up a little bit later, in 743.

**Reader:**
ATH. And since this is so, I would never concede to them that the rich man is really happy if he is not also good; while, if a man is superlatively good, it is impossible that he should also be superlatively rich. "Why so?" it may be asked. Because, we would reply, the gain derived from both right and wrong is more than double that of right alone, whereas the expenditure of those who refuse to spend either nobly or ignobly is only one-half the expenditure of those who are noble and like spending on noble objects; consequently, the wealth of men who double their gains and halve their expenditure will never be exceeded by the men whose procedure in both respects is just the opposite. Now of these men, the one is good, and the other not bad, so long as he is niggardly, but utterly bad when he is not niggardly, and (as we have just said) at no time good. For while the one man, since he takes both justly and unjustly and spends neither justly nor unjustly, is rich, (and the utterly bad man, being lavish as a rule, is very poor),—the other man, who spends on noble objects, and gains by just means only, is never likely to become either superlatively rich or extremely poor. Accordingly, what we have stated is true,—that the very rich are not good, and not being good, neither are they happy. (743a-c)

**LS:** We must consider this, figuring [it] out. The bad man uses fair means or foul and hence he acquires twice as much as the good man, who uses only fair means. Secondly, the good man spends money nobly, for noble purposes. But the bad man doesn't spend money for either noble or ignoble purposes, therefore he saves twice as much. So since he acquires twice as much and saves twice as much, he will become much richer than the good or just man. There are some intermediate complications, and that is that a man who is just in acquiring but stingy in spending, this is one case which is not discussed; and also the case of the man who is just in acquiring and stingy in spending. Which of the two is likely to be—no, excuse me: the unjust and liberal man on the one hand, and the just and stingy man on the other. Which of these two is likely to be richer than the other? The question is not raised, let alone answered, and it complicates the situation. Of course there is no question of the supremely just man, who lives in thousandfold poverty, like Socrates. That is also not discussed, and[44] it is hard to fit him in here, although Socrates is, one can say, the prefiguration of the ruler in the best regime, and we must surely think of him.

At any rate, the stingy man is assigned a higher place than the wastrel. This is not surprising; that has nothing to do with what they now call Protestant ethics or so, with which Plato had nothing to do, but simple common sense. I mean, the man who can at least control his lower desires for the sake of preserving and increasing his wealth is better than the completely dissolute man. And in the *Republic*, in the eighth book, where he discusses the oligarchic and democratic man, that is explicitly stated. And so that[45] shows an interesting moral implication of the admission of[46] private wealth, which[47] has been effected here. Yes.

I think we won't be able to get beyond that today.[48] But I hope we will finish our reading of the fifth book next time, and perhaps we can begin with the sixth book.

[1] Moved “say, peace and war, that is probably the most pressing issue”; deleted “which arises.”

[2] Deleted “is.”

[3] Deleted “or.

[4] Deleted “who.”

[5] Deleted “as, well.”

[6] Moved “after Pericles.”

[7] Deleted “that.”

[8] Deleted “sure, even.”

[9] Deleted “Mr. Gary, do you have it? Can you read it?”

[10] Deleted “**Mr. Fairbanks:** Perhaps he is suggesting—

**LS:** I beg your pardon?”

[11] Deleted “that, to.”

[12] Deleted “yeah?”

[13] Deleted “Yeah, no, let, one minute.”

[14] Deleted “a question which is.”

[15] Deleted “yes, this is, of course.”

[16] Deleted “the not—.”

[17] Deleted “Yes.”

[18] Deleted “And—but.”

[19] Deleted “is.”

[20] Deleted “that.”

[21] Deleted “Yes.”

[22] Deleted “Yeah. Sure.”

[23] Deleted “Yes.”

[24] Deleted “we can say.”

[25] Deleted “Yeah.”

[26] Deleted “at is the number of—.”

[27] Deleted “let me.”

[28] Deleted “him.”

[29] Deleted “that is.”

[30] Deleted “that is very.”

[31] Deleted “it is.”

[32] Deleted “we know.”

[33] Deleted “be.”

[34] Deleted “yeah.”

[35] Deleted “such a.”

[36] Deleted “is.”

[37] Deleted “now, say”

[38] Deleted “it is in its way as.”

[39] Deleted “as.”

[40] Deleted “that.”

[41] Deleted “there was no.”

[42] Deleted “I believe, I guess.”

[43] Deleted “occurred.”

[44] Deleted “that has nothing to do.”

[45] Deleted “is.”

[46] Deleted “wealth.”

[47] Deleted “has been done here.”

[48] Deleted “so.”

**Session 17: no date**

**Leo Strauss:** There is something which is of interest only to Mr. Klein: I found the passage in Lysias, I can give it to you after class, regarding *charis*.[i] Someone asked me near the end of last class. Well, he isn't here. I'll remember his question. Well, you have seen that we have private property, but with very severe limitations: private property without love of money. This is a farming society, not a commercial society. Now this young man (I don't know whether he was a student or a tutor) asked: What would von Mises say about that? I don't know whether you know who von Mises is. He is a most distinguished representative of the old Manchester school of economics,[1] laissez-faire; still living, he's probably ninety or so.[ii] To the following point: I'm sorry, I missed the point. Plato—or the Athenian, rather—gives the reasoning in connection with these limitations on love of money, namely, that a just man cannot become very rich, for the reasons given last time, you know: because he will use only just means and he will spend liberally; and therefore the unjust man, who is at the same time stingy, will be, other things being equal, four times as wealthy as the just and liberal man. Now the question of the gentleman was: What would von Mises say to that, since the just man cannot be very rich? That's a reasonable question. It has to do[2] with the different understandings of justice. What Adam Smith or von Mises would call just is not justice in the sense of the Athenian Stranger. But we can do better than that if we turn to the sequel, where this will become in a way explicit. But before we turn to that: we stopped last time at 743c, but there is one passage which[3] we have not yet considered, somewhat earlier, 742d.[4]

**Reader:**
ATH. That these are the best rules for a State to observe in practice, one would perceive rightly if one viewed them in relation to the primary intention. The intention of the judicious statesman is, we say, not at all the intention which the majority would ascribe to him; they would say that the good lawgiver should desire that the State, for which he is benevolently legislating, should be as large and as rich as possible. (742c-d)

**LS:** That is all we need. One can perhaps—the translation does not bring out quite what the original says: "These many people speak of a good legislator who is benevolent to the city for which he legislates." In other words, these many regard it as possible that the good legislator would not be benevolent to the city for which he legislates. That throws light of course on the many, but it is an interesting point: the possibility of a legislator who is malevolent to the city for which he legislates. But to come back to the question from which I started, regarding Adam Smith versus Plato, that will be further answered right away when we begin here next at 743c.

**Reader:**
ATH. Now the fundamental purpose of our laws was this,—that the citizens should be as happy as possible, and in the highest degree united in mutual friendship. Friendly the citizens will never be where they have frequent legal actions with one another, and frequent illegal acts, but rather where these are the fewest and least possible. (743c-d)

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[i] Lysias was an Attic orator. It is possible that Strauss gave the student Lysias 14.22.

[ii] Ludwig von Mises (1881-1973), a prominent member of the Austrian School of Economics.

**LS:** So friendship is the guiding consideration for this legislation. We have seen in an earlier passage, in 693b to e, three goals of legislation there mentioned: friendship, being sensible, and freedom. It was said that these three things mean ultimately the same, but it was clear that in the popular understanding these three are three very different things. So I think this difference we have to consider here. The concern is with friendship. The overriding concern is friendship; that is to say, it is not with freedom. In Adam Smith and this whole school, just the opposite is true. Freedom comes first and friendship is relegated to the background, because what is the life of these modern commercial societies, and perhaps of all commercial societies, is what is called competition. And that is something very different from friendship. This I think we must keep in mind. The society sketched here is not a competitive or acquisitive society. Now let's go on here, please.

**Reader:**
ATH. We say that in the State there must be neither gold nor silver, nor must there be much money-making by means of vulgar trading or usury or the fattening of gelded beasts, but only—

**LS:** Now that is "of ignoble beasts." And what this is one does not know. I mean, there is no Platonic evidence that these are gelded beasts, that he[5] had somehow artificially fattened beasts. One simply doesn't know[6] whether he meant certain species of animals which are undesirable.[7] But that is a guess, "gelded." Yes?

**Reader:**
but only such profit as farming offers and yields, and of this—

**LS:** Second, what the difference means, I do not understand. Literally, what "farming gives and bears." Whether this refers to the difference between arboriculture and the growing of grain, I do not know. Yes?

**Reader:**
and of this only so much as will not drive a man by his money-making to neglect the objects for which money exists: these objects are the soul and the body, which without gymnastic and the other branches of education would never become things of value. Wherefore we have asserted (and that not once only) that the pursuit of money is to be honored last of all: of all the three objects which concern every man, the concern for money, rightly directed, comes third and last; that for the body comes second; and that for the soul, first. Accordingly, if it prescribes its honours in this order, the polity which we are describing has its laws correctly laid down; but if any of the laws therein enacted shall evidently make health of more honour in the State than temperance, or wealth than health and temperance, it will quite clearly be a wrong enactment. (743d-44a)
.
**LS:** Now that he speaks of temperance, *sōphrosunē*—which[8] I, at least, ordinarily translate by "moderation"; it is justified because the virtue controlling and preventing one from loving money, the virtue controlling the desire for money is called moderation. For example, in the

*Republic*, in the eighth book, it is simply said [that] moderation and wealth are incompatible.[iii] Yes, he has said that we have said these things not once only; that is a repetition of something said more than once, and in all such cases one must consider whether the statement is identical with earlier statements or whether a distinction is made. And that would be interesting to find out, whether there is any difference here from earlier statements about the good things which the city ought to honor. Yes?

**Reader:**
ATH. Thus the lawgiver must ofttimes put this question to himself—"What is it that I intend?" and, "Am I succeeding in this, or am I wide of the mark?" In this way he might, perhaps, get through the task of legislation himself, and save others the trouble of it; but in no other way could he ever possibly do so. (744a)

**LS:** "Save others the trouble of it." That seems to imply that a successful legislation may be final: the legislation, so to speak, to end all future legislation. We will see that later on provision will be made for later changes in the laws. But that there is a tendency in the *Laws* to have unchangeable laws, a code laid down in the beginning and never changed, we have found quite a few traces of it: think only of what he said in praise of the Egyptians regarding the music laws which for centuries or millennia were never changed. Yes?

**Mr. Klein:** Excuse me, may I ask—maybe I'm wrong, but I thought last time we read up to 742d.

**LS:** No, I believe— [Pause]

**Mr. Klein:** You wanted us to read something ahead, but we left out a section . . .

**LS:** Did we really? I see, well, then all right, then we have to go back.

**Mr. Gary:** I think we read up to 743c.

**LS:** Yes, I made a note—

**Mr. Klein:** You wanted us to read something ahead, and then go back—

**LS:** I did this once, but not last time. The time before I omitted something, because I thought it was not so urgent, not because it contained anything unfit for useful minds. [Laughter][iv] All right, let us not waste time with this. There is at least one thing which is obviously of some importance. Yes, read it.

**Reader:** 742?

**LS:** Yes. "There follows a law."

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[iii] Plato *Republic* 555c-d.

[iv] Inaudible exchanges between Mr. Klein and students follow here.

**Reader:**
ATH. there follows also a law which forbids any private person to possess any gold or silver, only coin for purposes of such daily exchange as it is almost necessary for craftsmen to make use of, and all who need such things in paying wages to hirelings, whether slaves or immigrants. For these reasons we say that our people should possess coined money which is legal tender among themselves, but valueless elsewhere. As regards the universal Hellenic coinage,—for the sake of expeditions and foreign visits, as well as of embassies or any other missions necessary for the State, if there be need to send someone abroad,—for such objects as these it is necessary that the State should always possess Hellenic money. If a private citizen ever finds himself obliged to go abroad, he may do so, after first getting leave from the magistrates; and should he come home with any surplus of foreign money, he shall deposit it with the State, and take for it an equivalent in home coinage; but should anyone be found out keeping it for himself, the money shall be confiscated, and the man who is privy to it and fails to inform, together with the man who has imported it, shall be liable to cursing and reproach and in addition, to a fine not less than the amount of foreign money brought in. In marrying or giving in marriage, no one shall give or receive any dowry at all. No one shall deposit money with anyone he does not trust, nor lend at interest, since it is permissible for the borrower to refuse entirely to pay back either interest or principal.

That these are the best rules for a State to observe in practice, one would perceive rightly if one viewed them in relation to the primary intention. The intention of the judicious statesman is, we say, not at all the intention which the majority would ascribe to him; they would say that the good lawgiver should desire that the State, for which he is benevolently legislating, should be as large and as rich as possible, possessed of silver and gold, and bearing rule over as many people as possible both by land and sea; and they would add that he should desire the State to be as good and as happy as possible, if he is a true legislator. Of these objects some are possible of attainment, some impossible; such as are possible the organizer of the State will desire; the impossible he will neither vainly desire nor attempt. That happiness and goodness should go together is well-nigh inevitable, so he will desire the people to be both good and happy; but it is impossible for them to be at once both good and excessively rich—rich at least as most men count riches; for they reckon as rich those who possess, in a rare degree, goods worth a vast deal of money, and these even a wicked man might possess. And since this is so, I would never concede to them that the rich man is really happy if he is not also good; while, if a man is superlatively good, it is impossible that he should be also superlatively rich. ‘Why so?’ it may be asked. Because, we would reply, the gain derived from both right and wrong is more than double that from right alone, whereas the expenditure of those who refuse to spend either nobly or ignobly is only one-half the expenditure of those who are noble and like spending on noble objects; consequently, the wealth of men who double their gains and halve their expenditures will never be exceeded by the men whose procedure in both respects is just the opposite. Now of these men, the one is good, and the other not bad, so long as he is niggardly; but utterly bad when he is not niggardly, and (as we have just said) at no time good. For while the one man, since he takes both justly and unjustly and spends neither justly nor unjustly, is rich (and the utterly bad man, being

lavish as a rule, is very poor),—the other man, who spends on noble objects, and gains by just means only, is never likely to become either superlatively rich or extremely poor. Accordingly, what we have stated is true,—that the very rich are not good, and not being good, neither are they happy. (742a-43a)

**LS:** Yes. This passage we discussed last time, and it's possible that this misled me. I repeat one point: the stingy people[9] are assigned a higher place than the wastrels.[10] The stingy people are preferred to the wastrels, and this is obviously not due to Puritan ethics here, but simply because the stingy man has at least self-control regarding all desires other than the love of money. And that's something. He is not a good man, but he is better than the man who has no self-control of the other desires. Now the next passage we have read before. Shall we then turn to the sequel,[11] shortly before 744B?

**Reader:**
ATH. The man who has received an allotment shall hold it, as we say, on the terms stated. It would indeed have been a splendid thing if each person, on entering the colony, had had all else equal as well. Since this, however, is impossible, and one man will arrive with more money and another with less, it is necessary for many reasons, and for the sake of equalising chances in public life, that there should be unequal valuations, in order that offices and contributions may be assigned in accordance with the assessed valuation in each case,—being framed not in proportion only to the moral excellence of a man's ancestors or himself, nor to his bodily strength and comeliness, but in proportion also to his wealth or poverty,—so that by a rule of symmetrical inequality they may receive offices and honours as equally as possible, and may have no quarrelling. For these reasons we must make four classes, graded by size of property, and called first, second, third, and fourth (or by some other names), alike when the individuals remain in the same class and when, through a change from poverty to wealth or from wealth to poverty, they pass over each to that class to which he belongs. (744a-c)

**LS:** So he had here introduced private property, deviating from the sacred line; and that means as a consequence that[12] the higher claim of wealth must somehow be recognized in that society. And you see especially regarding election to ruling offices, we have to consider not only virtue and comeliness, because obviously for very many functions, say, for ambassadors, you would not wish to have people who[13] do not have presence, as they call it now. But we have also to consider wealth. Furthermore, regarding wealth, since there are differences of wealth, we will make a distinction of the whole body into four propertied classes: *census* classes, *timēmata*.[14] This was an Athenian institution, of old Athens prior to the Athenian democracy, as we have read in the *Laws*, 698b. By the way, there are very many institutions in the *Laws* which are probably or possibly borrowed from Athens. But if Plato does not mention them as Athenian, I hesitate to pay any attention to these things, but here we are on solid ground. This institution was singled out as a characteristic institution of the old regime, the *palaia politeia*. So the Athenian Stranger introduces Athenian institutions, just as he had introduced the banquets, you remember, in books one and two. He cannot introduce philosophy, but he introduces institutions characteristic of the city which was or became the home of philosophy. That is, in a way, the maximum he can risk here. Now?

**Reader:**

ATH. The kind of law that I would enact as proper to follow next after the foregoing would be this:—

**LS:** This is emphasized: "*I* would put it." "I" underlined, whereas in former cases he said: "We say" or something. So[15] that is a proposal peculiar to the Athenian Stranger.

**Reader:**
ATH. it is, as we assert, necessary in a State which is to avoid that greatest of plagues, which is better termed disruption than dissension,—

**LS:** That is a pun in Greek.

**Reader:**
that none of its citizens should be in a condition of either painful poverty or wealth, since both of these conditions produce both these results; consequently—

**LS:** "None of the citizens": the non-citizens[16] [are] a matter of no great concern to the legislator. So there is no[17] general war against poverty. It refers only to [the fact that] there should be no poverty among the citizens. Yes?

**Reader:**
ATH. consequently, the lawgiver must now declare a limit for both these conditions. The limit of poverty shall be the value of the allotment: this must remain fixed, and its diminution in any particular instance no magistrate should overlook, nor any other citizen who aspires to goodness. And having set this as the (inferior) limit, the lawgiver shall allow a man to possess twice this amount, or three times, or four times. Should anyone acquire more than this—whether by discovery or gift or money-making—or through gaining a sum exceeding the due measure by some other such piece of luck,—if he makes the surplus over to the State and the gods who keep the State, he shall be well-esteemed and free from penalty. But if anyone disobeys this law, whoso wishes shall get half by laying information, and the man that is convicted shall pay out an equal share of his own property, and the half shall go to the gods. All the property of any man over and above his allotment shall be publicly written out and be in the keeping of the magistrates appointed by law, so that legal rights pertaining to all matters of property may be easy to decide and perfectly clear. (744d-45b)

**LS:** So there is a flooring and a ceiling for property. The ceiling is five times the value of the flooring. The flooring is the allotment: a man may acquire five times its worth, and the way in which he can acquire is[18] by fine, or by gifts, or by business, by some form of trade—which means trade is not simply forbidden. For example, if he has an excess of things, say, of lambs in a given spring, he may sell them, of course. There is nothing wrong with that, but provided he remains within these limits: maximum five times his income. Then we find here another sort of income which doesn't sound quite savory, namely, informing. The informer gets quite a bit. One can easily see an informer rising to the highest property class—you know, a fellow who sticks his nose into other people's affairs, finds out about them and denounces them, then he gets half of the excess. I think Plato apologizes later on: it is a suggestion which was somewhat humorous,

I think. Yes?

**Reader:**
ATH. In the next place, the lawgiver must first plant his city as nearly as possible in the centre of the country, choosing a spot which has all the other conveniences also which a city requires, and which it is easy enough to perceive and specify. After this, he must divide off twelve portions of land,—when he has first set apart a sacred glebe for Hestia, Zeus and Athene, to which he shall give the name "acropolis" and circle it round with a ring-wall; starting from this he must divide up both the city itself and all the country into the twelve portions. The twelve portions must be equalized by making those consisting of good land small, and those of inferior land larger. He must mark off 5,040 allotments, and each of these he must cut in two and join two pieces to form each several allotment, so that each contains a near piece and a distant piece, joining the piece next the city with the piece farthest off, the second nearest with the second farthest, and so on with all the rest. And in dealing with these separate portions, they must employ the device we mentioned a moment ago, about poor land and good, and secure equality by making the assigned portions of larger or smaller size. And he must divide the citizens also into twelve parts, making all the twelve parts as equal as possible in respect of the value of the rest of their property, after a census has been made of all. After this they must also appoint twelve allotments for the twelve gods, and name and consecrate the portion allotted to each god, giving it the name of "phyle." And they must also divide the twelve sections of the city in the same manner as they divided the rest of the country; and each citizen must take as his share two dwellings, one near the centre of the country the other near the outskirts. Thus the settlement shall be completed. (745b-e)

**LS:** Now let us see. There are a few points we must consider. In the first place, there is a division of the land as well as of the landholders into twelve parts, and they will be called tribes, *phylai*. These tribes are to be of equal wealth so that there will be no tribes which are rich or richer than others, so there is a high degree of equality in this respect, and no concentration of wealth in one or two tribes. The division into tribes was also an Athenian institution, but of democratic Athens; and in Athens there were ten tribes. Plato makes it twelve. One obvious reason why there are twelve is because there are the twelve gods and each tribe should be assigned to one of the twelve gods. Formerly he had spoken of the assignment of the various parts of the city to a god or a *daimōn* or some hero; that is here also corrected,[19] that is not due to the fact that Plato has not completed this book (he may not have completed it) but because there is progress in the argument. We have now come to the point where numbers have become important, as we have seen, and therefore[20] the precise number of tribes is now of some importance. But the first reason which is explicitly given is the twelve gods. But of course, we cannot forget—we must consider: Why does he establish twelve tribes instead of the ten there were in Athens? I think that is simple arithmetic: 5,040[21] has more divisions by twelve than by ten. If you divide 5,040 by twelve, you get four hundred twenty. So they have four hundred twenty landholders in each tribe. And four hundred twenty is divisible by all numbers up to seven; if you divide by ten, you would have five hundred four landholders in each tribe, and five hundred four is divisible by all numbers up to seven except by five. So the division by twelve is preferable. So the consideration of gods and that of numbers lead to the same result, and that shows that numbers have something divine. But whether that is the last word on the subject is another matter. Yes?

**Reader:**

ATH. But we must by all means notice this,—that all the arrangements now described will never be likely to meet with such favorable conditions that the whole programme can be carried out according to plan. This requires that the citizens will raise no objection to such a mode of living together, and will tolerate being restricted for life to fixed and limited amounts of property and to families such as we have stated, and being deprived of gold and of the other things which the lawgiver is clearly obliged by our regulations to forbid, and will submit also to the arrangements he has defined for country and city, with the dwellings set in the centre and round the circumference,—almost as if he were telling nothing but dreams, or moulding, so to say, a city and citizens out of wax. These criticisms are not altogether unfair, and the lawgiver should reconsider the points that follow. So he that is legislating speaks to us again in this wise:—(745e-46b)

**LS:** The legislator is again a remote individual, different from the Athenian Stranger, let alone Clinias and Megillus. And what does he tell them?

**Reader:**
ATH. "Do not suppose, my friends, that I in these my discourses fail to observe the truth of what is now set out in this criticism. But in dealing with all schemes for the future, the fairest plan I think is this—that the person who exhibits the pattern on which the undertaking is to be modelled should omit no detail of perfect beauty and truth; but where any of them is impossible of realisation, that particular detail he should omit and leave unexecuted, but contrive to execute instead whatever of the remaining details comes nearest to this and is by nature most closely akin to the right procedure; and he should allow the lawgiver to express his ideal completely; and when this is done, then and then only should they both consult together—"

**LS:** Yes, "Should he together with him," meaning the lawgiver. Yes?

**Reader:**
"as to how far their proposals are expedient and how much of the legislation is impracticable. For the constructor of even the most trivial object, if he to be of any merit, must make it in all points consistent with itself." (746b-c)

**LS:** There was a statement which seemed to be to the same effect earlier, in 739 when he spoke of the best regime, and then that we have to know that, to have it in mind. And then we must deviate from it in the direction of the feasible, and therefore a second-best. We[22] must be satisfied with a second-best and maybe a third-best; but here a second-best itself is described as such a pattern, which must be elaborated without diminution, in perfect beauty and truth. And[23] this is a work of the legislator. And then the man who is his inferior, who puts it into practice, he must enjoin deliberation with the legislator, [and] make the necessary additions or subtractions according to what is feasible in the circumstances. So the practical man is obviously subordinated to the legislator proper. Yes?

**Reader:**
ATH. So now we must endeavor to discern—after we have decided on our division into twelve parts—in what fashion the divisions that come next to these and are the offspring of these, up to the ultimate figure, 5,040, (determining as they do, the phratries and demes and villages, as well as the military companies and platoons, and also the coinage system, dry and liquid measures,

and weights),—how, I say, all these numerations are to be fixed by the law so as to be of the right size and consistent one with another. (746d-e)

**LS:** The transition from what precedes [to] what he says now[24] in the immediate sequel is this: the legislator[25] must be a very superior man. He must be what is elsewhere called the kingly man, the man who possesses the highest practical art at least. Now there is something in all arts to which above all they owe their solidity or their precision, and that is the knowledge of numbers, of numbering and measuring. But in the first place, numbering; and therefore this is the subject now.

**Reader:**
ATH. Moreover, he should not hesitate, through fear of what might appear to be peddling detail, to prescribe that, of all the utensils which the citizens may possess, none shall be allowed to be of undue size. He must recognize it as a universal rule that the divisions and variations of numbers are applicable to all purposes—both to their own arithmetical variations and to the geometrical variations of surfaces and solids, and also to those of sounds, and of motions, whether in a straight line up and down or circular. The lawgiver must keep all these in view and charge all the citizens to hold fast, so far as they can, to this organized numerical system. For in relation to economics, to politics and to all the arts, no single branch of educational science possesses so great an influence as the study of numbers: its chief advantage is that it wakes up the man who is by nature drowsy and slow of wit, and makes him quick to learn, mindful and sharp-witted, progressing beyond his natural capacity by art divine. All these subjects of education will prove fair and fitting, provided that you can remove illiberality and avarice— (746d-47b)

**LS:** So our knowledge of numbers is of the highest importance. At the same time, we have here a farming society, but knowledge of numbers seems to be more akin to or needed in commerce rather than farming. And the following point is added,[26] that we must devote ourselves to the knowledge of numbers even more than the commercial peoples and in an entirely different spirit. Yes?

**Reader:**
provided that you can remove illiberality and avarice, by means of other laws and institutions, from the souls of those who are to acquire them adequately and to profit by them; otherwise you will find that you have unwittingly turned out a “sharper” as we call him, instead of a sage: examples of this we can see today in the effect produced on the Egyptians and Phoenicians and many other nations by the illiberal character of their property, and their other institutions,—whether these results are due to their having had a bad lawgiver, or to some adverse fortune that befell them, or else, possibly, to some natural disadvantage. For that, too, is a point, O Megillus and Clinias, which we must not fail to notice,—that some districts are naturally superior to others for the breeding of men of a good or bad type; and we must not conflict with this natural difference in our legislation. Some districts are ill-conditioned or well-conditioned owing to a variety of winds or to sunshine, others owing to their waters, others owing simply to the produce of their soil, which offers produce either good or bad for their bodies, and equally able to effect similar results in their souls as well.

**LS:** [27]He has addressed Megillus and Clinias together, putting Megillus in the first place. That

has happened very rarely; and Megillus was a few times addressed together with Clinias, and he in the first place—but then the subject was Sparta, and here of course there is no Spartan subject. One could perhaps explain it by the fact it was Megillus who referred so strongly to the natural advantage of the Athenians. You remember when the Athenian apologized for his Athenian manner—long talks—to these, to the other people, Megillus expressed his admiration for what nature achieves in some Athenians.

**Reader:**
ATH. Of all these, those districts would be by far the best which have a kind of heavenly breeze, and where the portions of land are under the care of daemons, so that they receive those that come from time to time to settle there either graciously or ungraciously. These districts the judicious lawgiver will examine, so far as examination of such matters is possible for mere man;—

**LS:** In other words, these daimonic inferences may be beyond the power of man; but there is no references made here that one should consult oracles, hm? Yes?

**Reader:**
ATH. and he will try to frame his laws accordingly. And you too, Clinias, must adopt the same course; when you are proposing to colonize the country, you must attend to these matters first.
CLIN. Your discourse, Stranger, is most excellent, and I must do as you advise. (747b-e)

**LS:** Yes, and now let us stop there for a moment. So here the Athenian does[28] something he has never done before. He talks of what the legislator must do and then he says: Clinias, you too must do that. And Clinias responds to that by the sentence, the last of book 5.

You may have observed that there was no dialogue throughout book 5. That is the only visibly dialogic part, at the very end of this book. That fact needs explanation. Why is there no dialogue just in this book? I further note that book 5 ends just as book 4 began, with consideration of the nature of the land, of the territory. The *politeia*, the regime, will be discussed only in book 6, to which we will return to later. Yes. Before we go to book 6, let us see whether there are any points you would like to bring up.

**Mr. Klein:** These different districts of which he talks here—

**LS:** I beg your pardon?

**Mr. Klein:** These different *topoi*, at the end, are they understood to be different . . . within the city?

**LS:** Which?[29] No,[30] in the context, I'm sure within the territory.

**Mr. Klein:** That doesn't refer to the city; that is a general observation.

**LS:** Yes, you are right, there is a difficulty here. Yes, because in a way it is superfluous because

we have already heard it. Therefore it can also be properly addressed to Megillus, a man not practically engaged here. So the difference of places is of importance, of great importance, of waters—of airs, waters, and places. There is a treatise by Hippocrates with this title, and this may be a reference to it.[v] Then this would only be a repetition. But what comes next is about the daimonic influences; that was not discussed before. They must be considered, but they must be considered by the legislator, I suppose, with a view to where temples or altars are to be established. But I think it is also more striking that he is not advised to consult oracles; he must do it within the limits of human power. Or what do you think? He had not mentioned this before,[31] in these details—the winds, the waters, he had not mentioned that before. He had discussed the nature of the territory only with a view to whether it is close to the sea or not. But it would be too late, at any rate, for the new colony whose location is settled to consider whether the colony as a whole is located in a healthy place or not, so it can be only a distinction made within, but then it would lead to what practical consequences? For example, if there is a salubrious district and another which is not salubrious: now then the latter would be of less value, and therefore a man who would get his plot in a salubrious district is *n* times more valuable than a much larger plot in the not-salubrious district. But some people may prefer that.[32]

**Mrs. Kaplan:** How will people be divided into twelve parts? By what means?

**LS:** That is not said.

**Mrs. Kaplan:** By lot? . . .

**LS:** That is not said. The name of what we[33] call plot, *klēros*, is lot, is really lot. So it is possible that it is by lot but I suppose there will also be considerations of kinship and of place of origin. I suppose, but that is not said.

**Mrs. Kaplan:** . . .

**LS:** But the key point for him is the division of the citizen body into twelve parts.

**Mrs. Kaplan:** But that depends very much on friendship.

**LS:** Yes. Then that would mean that people who have already some bonds prior to coming to the colony should stay together. But this has one disadvantage, because they stick to their customs they bring from the old country, and they should get into that melting pot of the new city.

**Mrs. Kaplan:** Or they like this country very much, but their own customs . . . Or not force their customs on anyone else . . .

**LS:** No, I believe Plato would not wish to preserve these divisions. He might use them to a certain extent; perhaps that's the reason why he doesn't discuss it, because it is very hard to lay down the reasonable middle line.[34]

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[v] Hippocrates, "On Airs, Waters, and Places," available through multiple internet sources.

**Mrs. Kaplan:** I don't understand why—what is meant by "a rule of symmetrical inequality" [744c]? One medium . . . each, what is this "symmetrical inequality"?

**LS:** Well,[35][how] is it used? "In the most equal way by unequal symmetry"; that is to say the richer ones get more than the poorer ones. That is unequal. But this very inequality is equality, namely, proportionate equality. . . . That will be discussed later on in the sixth book. You wanted to say something.

**Mr. Gary:** Yeah, I had a question about the different lands and places where these people come from in the city. Apparently the ones who have sunshine and wind and good water come from a nice part, have a good body and maybe a good soul because of that. The ones who don't have these conditions are poorer both in body and soul.

**LS:** Ya.

**Mr. Gary:** That sounds like a kind of almost sociological—

**LS:** No, but climate is important. In former times—today this is no longer much considered, because people think that progress has pushed back the natural limits, the limits set by nature so much that it doesn't play any role. You have the air conditioning, and[36] the difference of climate ceases to be important. But formerly it was regarded as very important and there was no doubt that people living on mountains—and their life was very strenuous and harsh—would be hardier than people living in a very rich, fertile plain.

**Mr. Gary:** But what about the soul?

**LS:** [37]Is the soul inseparable from the body?

**Mr. Gary:** Well, it occurs—I mean, I've heard it said that even the people who [are] brought up in a ghetto are not necessarily bad, but that they have freedom to choose to be as they will and that it's the downfall of modern thinking to believe that people are conditioned by their locality and their physical background.

**LS:** No, that may be true as far as the individual is concerned, but can one not make certain broad generalizations which are true of groups?[38] Whatever our peculiarities or idiosyncrasies may be, are we not all members of groups with definite group characteristics?

**Mr. Gary:** Well, I guess so, but it's just that the relation that's proposed—it's not proposed definitely, but it says [it] effects similar results in their souls as well.

**LS:** Yes.

**Mr. Gary:** That's very hard; when it's put that way, it's almost unbelievable.

**LS:** No. Well, but when Aristotle says that virtue requires equipment[vi] (do you know that statement?) he means not merely that a man must not live in abject poverty, and so on, ya, but there are of course other conditions too. If he lives in a country ravaged by epidemics and other consequences of the climate, it is very hard to be virtuous there, to become virtuous there. When a man has *become* virtuous, then he may be able to cope with everything. First he has to become virtuous, and there adverse or favorable conditions are of very great importance. Yes?

**Mr. Fairbanks:** [Does] his restriction on coinage which we spoke of earlier mean that this society will not be a mercantile society?

**LS:** Yes. Yes, sure, there is no question. But[39] [surely] some kind of trade[40] within the city is possible; and[41] how far there will be some exchange with other cities[42]—because of that passage in[43] the fourth book where they spoke about the location, it was said there is not much import and much export possible, but that means of course some import and some export, and that's commerce.

**Dr. Kass:** Before the concluding discussion of the nature of the land (747e), there is a brief discussion of the use of numbers . . . is mentioned of the citizens. He mentions that by the proper use of the study of numbers, one can improve men beyond their nature.

**LS:** Yes, well that [means] men[44] improve their memory, their ability to learn and so on, through the study of numbers.

**Dr. Kass:** I mean—

**LS:** One would not[45] believe, so to say, how much a man can improve if he is taught these things. Well, you must have seen that very often, that sometimes people of very limited intelligence, having been trained in something—I mean not now in carpentry or something like this, but something[46] of another kind—that their power of understanding, of grasping, increases beyond what it would have been without that.

**Dr. Kass:** I guess in a way the question is whether that is what is beyond their nature.

**LS:** Yes, but I don't believe what is meant is a kind of conquest of their nature, if that is what you mean.

**Dr. Kass:** . . .

**LS:** In 747b5, *Para tēn hautou physin*—beyond his own nature—it is the same conjunction which is used in the expression against nature, *para physin*.

**Mr. Kaplan:** That means, and this is the real point—

**LS:** I beg your pardon?

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[vi] Aristotle *Nicomachean Ethics* 1099a32-b2.

**Mr. Kaplan:** That means that man by training comes into his important nature.

**LS:** Yes,[47] but still there is an element of surprise here, is it not? That you would never have expected it, having known him before his study of numbers, that he could have such a relatively good mind as he later on proved to have. That means this relatively good mind he did not have[48] by nature, but acquired it by effort, [by] training.

**Mr. Gary:** I think this city has the same deficiency that the *Republic* had in one critical respect. And that is if next door there is a big capitalist Adam Smith-type society in which there is tremendous inequality but everyone is expanding very rapidly, these people are going to get wiped out.

**LS:** Sure, they were wiped out and they are still being wiped out. [Laughter] That is what is happening in the modern centuries. Sure. I mean, the best phalanx and the best Roman legion would be nothing confronted with a modern regiment, hm? Or even battalion?

**Mr. Gary:** What use can a person make of this today? This kind of—the study of this, is it to be studied as an antiquity, as a beautiful antique, or does it—

**LS:** No,[49] could not the principles be reasonable?

**Mr. Gary:** Yeah, but, that only goes to show the problems with reason. I mean, that seems to indicate an underlying problem with reason as it applies to political things. Because the principles are reasonable—everything here is reasonable, it just wouldn't work.

**LS:** No, but look at one thing. You may see an observation about what would happen to such people in our age, but this is due to the enormous progress made in modern times. Is this progress unequivocally a progress?

**Mr. Gary:** You mean, could it be reversed?

**LS:** No, no: Is it unequivocally a progress?

**Mr. Gary:** Oh no, it is a regress, as far as I can see.

**LS:** Well, whatever it may be, at any rate, does not a book like the *Laws* compel one to raise a question regarding the status of the modern enterprise?

**Mr. Gary:** Oh yes, it does.

**LS:** And perhaps more forcibly and without the terrible jargon[50] which is used by modern social science, shall we say?

**Mr. Gary:** Yes. That's true. But it seems that unless there is some resolution, unless there is some kind of final note, the study or the music has very little that is satisfactory.

**LS**: In one way, yes, I mean, that is true. You have only to think of any practical question of any importance, say, Vietnam,[vii] in order to see how very difficult it is to think of solutions. But that means that principles are[51] insufficient. That was made clear, very clear by the Athenian Stranger when he says that the legislator must completely present the pattern without any subtractions, and only then can one reasonably make compromises with so-called reality.

**Mr. Klein:** I think Mr. Gary has one point. The point is that nothing seemed somehow . . . It is really a question of numbers.

**LS:** Of the numbers?

**Mr. Klein:** Yes. We here in Annapolis[viii] are in a small city. A small, tiny little city, about thirty thousand people. Now take any other region: there are millions of people. In this sense, in facing numbers of such magnitude, then one wonders, what would the Athenian Stranger say if he were asked now: What would you do?

**LS:** Well, we have an inkling from Aristotle at least, when he spoke with horror of Babylon. Because in the case of Babylon, when the enemy entered at one side of the city, the people in other districts did not know that the enemy was in the city.[ix] What a terrible and disgraceful condition! But these are super-duper Babylons. [Laughter]

**LS:** Now I would like to say a few words about book 6. We cannot begin[52] properly to read a serious part of it. Read only the first sentence.

**Reader:**
ATH. Well, after all that has now been said, you will next come, I suppose, to the task of appointing magistrates for your State. (751a)

**LS:** "You." You: that is as emphasized as it was in the Athenian's last speech. So the subject is the magistrates, and that is at least the subject of the first half of book 6. The subject is the same as[53] what is called in our time government. And [54]in order to understand that language of Plato, and for that matter of Aristotle, we have to consider the difference between their and our notions. Now in this country, things are relatively simple because there is an old written constitution, [and] in addition, a constitution interpreted authoritatively by the *Federalist Papers*. Now here,[55] from the *Federalist Papers*, we hear that this is a mixed government. That is not the most important term used there, but it plays a certain role. Now this is of course something with which Plato is familiar, as we have seen. He spoke of various kinds of mixture in various ways when he spoke of Sparta, and he will bring up the subject of mixture very soon. And the most famous document[56] regarding mixed regimes is Polybius's *History*, book 6, a presentation of the Roman constitution. This was the model for a great work of the eighteenth century, Montesquieu's *Spirit of Laws*, in the eleventh book of which the English constitution is presented. Now the difference

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[vii] That is, the Vietnam War (1954-1975).

[viii] Annapolis, Maryland, the location one of the campuses of St. John's College.

[ix] Aristotle *Politics* 1276a26-30.

between Montesquieu and Polybius is quite revealing. Both are in favor of a division of power. There must not be all power concentrated in the hands of one man or one body of men. But for Polybius it is sufficient that the total power, as it were, be divided into, say, three parts, and [57]there is no principle guiding the splitting up of the power. In Montesquieu there is such a principle, and that principle he calls the separation of powers. And that is, as you know, crucial for the United States Constitution.

Now[58] according to Montesquieu, who originated this second thought, what is the difference between the separation of powers and the simple division? Montesquieu answers that question. What is his concern? The security of the individual. And that security cannot be guaranteed except if we have a separation of the legislative, the executive, and the judiciary power. Polybius and his great predecessors were surely not blind to the needs of the security of the individual, but it was not their theme for the same reason for which rights, as distinguished from duties, were not their theme. Now of course there is even a prehistory to that prior to Montesquieu: Locke, as you know, has a distinction between the executive and the[59] [legislative] power, although the judicial power is not separated in Locke. So these things are truly alien to Plato and Aristotle, but we find something which is deceptively similar, not indeed in Plato but in Aristotle. I read to you *Politics* 1297b35 following:[60] "There are three things in every city: one is that which deliberates about the common things; the second is which has to do with the magistracies; the third is the judiciary."[x] So this reads like the separation of powers, but of course it is not separation, it is the distinction of three powers, if we use that term. Of the deliberative—the executive is not called executive, because when you say executive you mean executing the laws and therefore being strictly subordinate to the laws. Whereas the executive government is not merely executing the laws,[61] [but], in the words of Locke, the executive power must also have what he calls the federative power, which is the power of war and peace and of making alliances and such things.[xi]

So the point is this: the magistracies are something different from the deliberative bodies and from the judicial bodies. That is no longer explained by Aristotle, nor by Plato. They found this as a commonsense distinction made in the cities, and did not go into the question why this distinction is necessary. We find only this fact. But it leads to one difficulty which Aristotle discusses in 1275b18 to 20. Aristotle discusses there the question: What is a citizen? And the answer is a man who has the permission to participate in the deliberative and judging magistracies: the same word, *archē*, deliberative and judging government. Now there is another point which makes this somewhat clearer, b14. One second—no, he says first a citizen simply is circumscribed by nothing else more than by the fact that he participates in judging and in ruling. I find that, and the following objection: a citizen in a democracy is simply a man who has the right to vote in the assembly and to become a member of a jury. That's a citizen. And then someone would say that such people are in no sense rulers. I mean, do you call men rulers who vote in the assembly and can be members of the jury?[62] And Aristotle replies: Would it not be ridiculous to deprive the most authoritative people of the title rulers? Are they,[63] the electorate, let us say, are they not the rulers in a democracy? And therefore one can define a citizen as participating in this kind of rule.[64]

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[x] Presumably Strauss's translation.

[xi] John Locke, *Second Treatise on Civil Government*, 12.§145-148.

But you see here the difficulty. There is a distinction between magistracy, the deliberative and the judiciary. And yet the deliberative and judiciary, these are also in a way magistracies—[the] ruling offices, in Greek, *archai*. Now in the *Laws*, in this section dealing with magistracies, the Athenian deals with the deliberative assembly—more precisely, with the council—and he deals with the judiciary under the general heading [of] magistracies, ruling offices. And we must keep this in mind, that this distinction so well known to us, and also taken for granted in ancient times, yet is not further articulated by either Plato or Aristotle. I believe our time is up.

[1] Deleted “school.”

[2] Moved “something.”

[3] Deleted “we have, right? Which.”

[4] Deleted “when, the sentence beginning there, do you have that?”

[5] Deleted “had.”

[6] Deleted “Or.”

[7] Deleted “we don't know.”

[8] Deleted “one, which.”

[9] Deleted “(a loud wail begins in the corridor, interrupts his words, and rises in pitch and volume; it seems to be an operatic tenor. The class is silent.)”

[10] Deleted “-- (the tenor hits a final note).”

[11] Deleted “744b.”

[12] Deleted “the claim.”

[13] Deleted “are not, who.”

[14] Deleted “We have.”

[15] Deleted “that is a peculiarly.”

[16] Deleted “that is.”

[17] Deleted “war against a.”

[18] Deleted “measured in.”

[19] Deleted “here only… and the argument…”

[20] Deleted “this is also.”

[21] Deleted “is better divisible, is more…”

[22] Deleted “may be.”

[23] Deleted “then.”

[24] Deleted “and.”

[25] Deleted “is.”

[26] Deleted “that one.”

[27] Deleted “In one second.”

[28] Deleted “something very.”

[29] Deleted “That.”

[30] Deleted “I think.”

[31] Deleted “in this precise.”

[32] Deleted “**Mrs. Kaplan:** How will people be divided into twelve parts?

**LS:** I beg your pardon?”

[33] Deleted “say.”

[34] Deleted “**Mrs. Kaplan:** [Inaudible words] symmetrical—On page 379— **LS:** I beg your pardon? **Mrs. Kaplan:** On page 379, in the middle, it is said that— **LS:** Which, which page— **Student:** 744c. **Mrs. Kaplan:** This is in the middle of the page. **LS:** 744c. **Student:** Symmetrical inequality. **LS:** Yes.”

[35] Deleted “what.”

[36] Deleted “you don’t know what, you.”

[37] Deleted “That is something.”

[38] Deleted “Are we not all.”

[39] Deleted “there is.”

[40] Moved “surely.”

[41] Deleted “that.”

[43] Deleted “the third book.”

[44] Deleted “become more, that they.”

[45] Deleted “be, one would not.”

[46] Deleted “more.”

[47] Deleted “that is—.”

[48] Deleted “this mind.”

[49] Deleted “that would be, that would be.”

[50] Deleted “which is raised.”

[51] Deleted “irrelevant.”

[52] Deleted “to.”

[53] Deleted “what we.”

[54] Deleted “let us”

[55] Deleted “we.”

[56] Deleted “of.”

[57] Deleted “he does not make so much”

[58] Deleted “what is the difference between.”

[59] Deleted “executive.”

[60] Deleted “No, 97, I’m sorry. 1297B35ff.”

[61] Deleted “it als.o”

[62] Deleted “This would be.”

[63] Deleted “the men who.”

[64] Deleted “So.”

**Session 18: no date**

**Leo Strauss:** We completed last time our reading of book 5. We should turn now to book 6. In a way, I found this section particularly difficult. This has something to do with the *Laws* in general. This is by far the most extensive Platonic writing. [First], he has to go into innumerable details which cannot possibly be all connected with interesting questions, but he has to do this along with the practical needs of the city. The second reason is that Plato apparently wrote the *Laws* toward the end of his life, and there is a tradition that it was edited, not completely finished, by a kind of executor, Philippos of Opus.[i] But of course this doesn't necessarily mean that Plato had not thought of the *Laws* much earlier, when he was younger, perhaps already while writing the *Republic*, for all we know[1]—if we do not believe that he began to think of the *Laws* after he experienced certain disappointments in Syracuse[ii] and other places. If one sees that the questionable character of the *Republic* appears from the *Republic* itself, then the question of a feasible political order, a second-best political order, was of course present to his mind from the very beginning.

Now[2] the subject matter of book 6, at least of the first part of book 6, are the magistracies, the officials of the city, and this subject is exhausted there according to the claim of the author. There is only one point of which I have to remind you. In book 5 there is no dialogue. Only at the very end of book 5, the Athenian had turned to Clinias in particular by addressing him, and then Clinias had given a reply. This reply is the only utterance of anyone other than the Athenian Stranger in book 5. Now to explain[3] why there is no dialogue whatever within the book, we would have to consider again book 5 as a whole. I remind you only of the general content. The first part of book 5 contains what I called the second table of the prelude to the whole code. And in the rest of book 5, the larger part of book 5, there is a reference to the simply best regime, which is absolute communism in all respects. In the light of this best regime, of course, the regime established in this city is second-best and therefore questionable.[4] Surely this best regime transcends altogether the dimensions of the two interlocutors here, Clinias and Megillus. I leave it at that. But we immediately will come into a dialogue, and perhaps this dialogue is indirectly prepared by the absence of dialogue in the preceding part. And I suggest we turn right away to the beginning of book 6.

**Reader:**
ATH. Well then, after all that has now been said, you will next come, I suppose, to the task of appointing magistrates for your State.

**LS:** "After *all* that has been said." That is an emphasis on the variety of the subjects, and also indirectly to the length of the preceding nondialogic discussion, the establishment of magistracies.

**Reader:**
CLIN. That is so.

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[i] Diogenes Laërtius *Vitae* 3.37.

[ii] Discussed in Plato's *Letters*.

ATH. In this there are two branches of civic organization involved,—first, the appointment—(751a)

**LS:** What he calls civic organization is *politeia*, the regime. So there are two aspects, one can say, regarding the ordering, the good order, of the regime.

**Reader:**
ATH. first, the appointment of magistracies and magistrates, with the fixing of the right number required and the proper method of appointment; and next the assignment to each magistracy of such and so many laws as are in each case appropriate. But before we make our selection, let us pause for a moment, and make a statement concerning it of a pertinent kind.

**LS:** So this distinction we have already seen in an earlier passage, 734e, the distinction between the magistracies and the laws, and this is well known from Aristotle and is clear enough. It is only interesting from this point of view: the whole work is called *Laws*, and it deals with laws, but we see from this distinction that laws are only half of what is important and, it seems, only the second half. That will become clear from the next speech.

**Reader:**
CLIN. What statement is that?
ATH. It is this:—It is a fact clear to everyone that, the work of legislation being a great one, the placing of unfit officers in charge of well-framed laws in a well-equipped State not only robs those laws of all their value and gives rise to widespread ridicule, but is likely also to prove the most fertile source of damage and danger in such States.

**LS:** So in other words, without the right kind of magistrates, the best laws are of no use. On the other extreme, if we had the best kinds of rulers, they could very well produce the best laws; so the rulers are[5] the most important consideration. Yes?

**Reader:**
CLIN. Undoubtedly.
ATH. Let us then, my friend, mark this result in dealing now with your polity and State. You see that it is necessary, in the first place, that those who rightly undertake official functions should in every case have been fully tested—both themselves and their families—from their earliest years up to the time of their selection; and, secondly, that those who are to be the selectors should have been reared in law-abiding habits, and be well-trained for the task of rightly rejecting or accepting those candidates who deserve their approval or disapproval. Yet as regards this point, can we suppose that men who have but recently come together, with no knowledge of one another, and with no training, could ever possibly select their officials in a faultless manner?
CLIN. It is practically impossible. (751a-d)

**LS:** Yes, well, "without training": it is, more literally, "the uneducated." Now they were of course educated in the Cretan laws, but this would not be sufficient, as we know, from the Athenian's point of view in that [they are not trained, and not educated to know] the good laws of the new colony,[6] and therefore they are simply uneducated. And how can one entrust to them

the selection or election of the magistrates? Yes?

**Reader:**
ATH. Yet "with the hand on the plough," as they say, "there is no looking back." And so it must be now with you and me; for you, as you tell me, have given your pledge to the Cretan nation that you, with your nine colleagues, will devote yourself to the founding of that State; and I, for my part, have promised to lend you aid in the course of our present imaginative sketch.

**LS:** More literally, the present *mythologia*, the present telling of myth. Now a myth, in the widest sense, is a story of something that is not, or at least that is not as it is told. Surely the city of which they speak is not—not yet, perhaps. And therefore one can call this a *mythologia*. Yes?

**Reader:**
ATH. And indeed I should be loth to leave our sketch headless;—

**LS:** Our myth, again. Yes?

**Reader:**
ATH. for it would look entirely shapeless if it wandered about in that guise.
CLIN. I heartily approve of what you say, Stranger.

**LS:** So the myth is headless. What that means is that the head—the beginning, the *archē*—is missing. The question concerns exactly the beginning of the new city: the life of the new city. The previous answer to that question was, as we know, [that] the good tyrant would be needed. But this answer is now tacitly rejected, and therefore we must find a better solution, a more acceptable solution, for the beginning of the life of the new city.

**Reader:**
ATH. And what is more, I shall act as I say to the best of my power.
CLIN. By all means let us do as we say.
ATH. It shall be done, if God will and if we can thus far master our old age.
CLIN. Probably God will be willing.
ATH. Probably he will— (751d-52b)

**LS:** Yes. There is a slight discrepancy here. The Athenian makes two conditions: if the god wills; and if we overcome our old age, or master our old age sufficiently. And Clinias says that is of course if God wills, and he seems to imply that the will of the god will enable us to overcome the infirmities of our old age, or at least to extend our life until we have finished the job. Whether the Athenian thinks the two things go together—whether the will of the god guarantees the overcoming of the infirmities of old age—is perhaps questionable. Yes?

**Reader:**
ATH. Probably he will; and with him as leader let us observe this also—
CLIN. What?
ATH. How bold and adventurous is the fashion in which we shall now have founded this State of ours.

CLIN. What is now specially in your mind, and what makes you say so?
ATH. The fact that we are legislating for inexperienced men, without qualms or fears as to how they will accept the laws we have now enacted. Thus much at least is plain, Clinias, to almost everyone—even to the meanest intelligence—that they will not readily accept any of those laws at the start; but if those laws could remain unchanged until those who have imbibed them in infancy, and have been reared up in them and grown fully used to them, have taken part in elections to office in every department of State,—then, when this has been effected (if any means or method can be found to effect it rightly) we have, as I think, a strong security that, after this transitional period of disciplined adolescence, the State will remain firm.
CLIN. It is certainly reasonable to suppose so. (752b-c)

**LS:** So that is similar to the question discussed in the *Republic*, where the question is answered: Everyone older than ten must be expelled from the city.[iii] But there we have already rulers, the philosophers, who will bring up those who are younger than ten, and everything will be fine. But here we cannot wait for the next generation: we must establish rulers now, and these men, the new colonists, are wholly unfit for electing rulers. How can this difficulty be overcome?

**Mr. Kaplan:** Mr. Strauss, this story, this explanation will have to expel the previous myth, besides the oldest people.

**LS:** Whom? Whom does one have to expel in addition to the oldest people?

**Mr. Kaplan:** The myth. The mythology which is a liar.

**LS:** Well, they will get other myths.

**Mr. Kaplan:** But in order to establish the other myths, one has to break up the old ones.

**LS:** The philosophers will teach them the good myths after they have expelled those who propagate the bad myth, and then everything will be fine. [Laughter] The only difficulty is: Will the parents ever agree to that? And here the question of the bodily weakness of the philosophers compared with the bodily strength of the fathers combined will be decisive. That is one of the many difficulties in the *Republic*. Yes?

**Reader:**
ATH. Let us then consider whether we might succeed in providing an adequate means to this end on the following lines. For I declare, Clinias, that you Cnosians, above all other Cretans, not only ought to deal in no perfunctory manner with the soil which you are now settling—

**LS:** More literally—and I think that is an important matter: "with the purification of the soil from pollution." You remember the reference to the daimonic influences at the end of the fifth book: I believe that has something to do with that. This comes of course first; but then after that has been taken care of by the Cretans.

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[iii] Plato *Republic* 540e-41a.

**Reader:**
ATH. which you are now settling, but ought also to take the utmost care that the first officials are appointed in the best and most secure way possible. The selection of the rest of them will be a less serious task; but it is imperatively necessary for you to choose your Law-wardens first with the utmost care.

**LS:** These wardens are of crucial importance for the whole rest of the *Laws*: "the guardians of the laws" would be the more literal translation. The name reminds you of the guardians in the *Republic*, but here they are guardians of the laws. Yes?

**Reader:**
CLIN. What means can we find for this, or what rule?
ATH. This: I assert, O ye sons of Crete, that, since the Cnosians take precedence over most of the Cretan cities, they should combine with those who have come into this community to select thirty-seven persons in all from their own number and the community—nineteen from the latter body, and the rest from Cnosus itself; and those men the Cnosians should make over to your State, and they should make you—

**LS:** Literally, "give," "the Cnosians should give," to the new colony.

**Reader:**
ATH. in person a citizen of this colony and one of the eighteen—using persuasion, or possibly, a reasonable degree of compulsion. (752d-53a)

**LS:** So in other words, the transitional problem will be solved if the Cretans and the Cnosians, an old established city, take a hand in it and supply half of the highest magistrates and hand them over to the new city. Of course Clinias [is] in the first place, because he seems to be the chief commissioner of the ten. Yes. The question [is the] thirty-seven law wardens: Why thirty-seven? I do not know. It is a prime number. It has the advantage of course that there cannot be a "hung" meeting of the law wardens, otherwise I do not know. Does the number have any special importance? Well, I know only that the council of which he will speak later has three hundred sixty members. So tenth of them would be thirty-six, but I do not know.[7] No explanation is given of the number here. So how does Clinias react to this proposal, that he should become a member of the new colony?

**Reader:**
CLIN. Why, pray, have not you also, Stranger, and Megillus, lent us a hand in our constitution?

**LS:** No[8], "become members of that political order."[9] So in other words: You want me to become a member of the colony, why don't you too also come in? What does the Athenian say?

**Reader:**
ATH. Athens is haughty, Clinias, and Sparta also is haughty, and both are far distant: but for you this course is in all respects proper, as it is likewise for the rest of the founders of the colony—

**LS:** So what does the Athenian answer? We think, Athenians and Spartans think highly of themselves, and[10] they naturally prefer Athenian or Spartan citizenship to citizenship in a not-yet existing city. And secondly, they are far away, Athens and Sparta, from this colony. Now whether the Athenian has identically the same motivation as Megillus, that is of course[11] [any one's] guess. I mean, whether he is eager to return to Athens and cease to be a Stranger, that[12] cannot be settled on the basis of this passage. But Clinias has succeeded in getting rid of this imposition, that he should be a member of the new colony. Yes?

**Reader:**
ATH. it is likewise for the rest of the founders of the colony, to whom also our recent remarks about you apply. Let us, then, assume that this would be the most equitable arrangement under the conditions at present existing. Later on, if the constitution still remains, the selection of officials shall take place as follows:—

**LS:** Now he turns to a very different subject: the selection of the law-wardens, not at the beginning, at the difficult period, but later on, under normal conditions. And what does he say about this?

**Reader:**
In the selection of officials all men shall take part who carry arms, as horse-soldiers or foot-soldiers, or who have served in war so far as their age and ability allowed. They shall make the selection in that shrine which the State shall deem the most sacred; and each man shall bring to the altar of the god, written on a tablet, the name of his nominee, with his father's name and that of his tribe and of the deme he belongs to, and then beside these he shall write also his own name in like manner. (753a-c)

**LS:** In other words, there is no secret voting.

**Reader:**
ATH. Any man who chooses shall be permitted to remove any tablet which seems to him to be improperly written, and to place it in the market-place for not less than thirty days. The officials shall publicly exhibit, for all the State to see, those of the tablets that are adjudged to come first, to the number of 300; and all the citizens shall vote again in like manner, each for whomsoever of these he wishes. Of these, the officials shall again exhibit publicly the names of those who are adjudged first, up to the number of 100. The third time, he that wishes shall vote for whomsoever he wishes out of the hundred, passing between slain victims as he does so: then they shall test the thirty-seven men who have secured most votes, and declare them to be magistrates. (753c-d)

**LS:** Yes. This is of great importance for the understanding of the whole regime. Now what kind of regime is that in which all and only these people mentioned here have the right to vote? Of course the horsemen and the heavy-armed men are in; if they alone were full citizens, it would be what Aristotle calls the polity, which means a very restricted democracy—I mean, only people of reasonable property are full citizens. But it is clear, or it will become clear at least [13]later on, that everyone who has participated in war or in the army, even if only in[14] the light-armed troops—and that can be done by the poor people as well—have the right to vote. So[15] it will be rather democratic. The vote is not secret, as we have seen, and of course the voting takes place with the

utmost solemnity in the temple and by walking between sacrifices. Yes. And it is a repeated vote, so that increases the difficulty and the responsibility.[16] He says at the end of the passage, after they have been voted in, there will be[17] a kind of judgment, namely—it is not defined here, but[18] the technical term was *dokimasia*—namely, [a judgment as to] whether the[19] successful candidate lived up to certain minimal standards of citizenship, for example, having paid his taxes, having taken care of the graves of his parents, or having taken care of the living parents, and similar duties. So that was also used in the Athenian democracy. Yes?

**Mrs. Kaplan:** What are they doing with the waiting period of thirty days, placing tablets in the marketplace? What for?

**LS:** So that everyone can read them, and they can discuss it.

**Mrs. Kaplan:** And they can be improved? Or they can be—it looks like this is not properly . . . judging the proof, openly exhibited . . . . What for? This is, maybe I'm mistaken, this is the first sentence "any man who truly shall be," which seems to me to be improperly written, and for what man. Well, and then?

**LS:** That may mean—improperly written; I have not yet found the passage. In a moment.

**Reader:** c5

**LS:** No, what[20] doesn't seem to him to be "written according to his mind," *kata noun*, according to his mind, meaning he thinks that this man is wrongly suggested as a candidate. And therefore he talks to others and thinks of an alternative candidate.

**Mrs. Kaplan:** . . . that is not. . . .

**LS:** No, then it would be void anyway. No, no.[21] I mean the technicalities are all right, but then someone thinks this man should never be a candidate; and then he must have the opportunity to voice this judgment, and to gain others to his opinion so that he will be excluded in the next election.

**Mrs. Kaplan:** The philosophers would be vital . . .

**LS:** No, no. I mean, if a man is not elected president in this country, he is not disfranchised, he is only an unsuccessful candidate. Pardon?

**Mrs. Kaplan**: . . .

**LS:** No, no: the word—"It is not written in his opinion reasonably," let us say, he should not be on the list in the first place. But not because of a technicality, but because he doesn't belong there.

**Mrs. Kaplan:** Then the second question is, the three hundred who are submitted, but not in fact . . . if somebody is the three-hundred-first, tying with three hundred already elected, what

will they do?

**LS:** No, they must be selected from the three hundred and then they will get less. They will go down to the first one hundred, and then to thirty-seven. It will be a graded selection process, to leave ample time.

**Mr. Gary:** Mrs. Kaplan, in your question it seems there's a confusion over the word "first." It's not who brings the first three hundred tablets, but after all the tablets are in, which three hundred men are first with respect to the number of votes. First means winner in terms of number of votes. There is a possibility that one man will get two votes, one from one person and one from another, or three or four; and out of all the people that are voting, they take the three hundred who have the most votes.

**Mrs. Kaplan:** Well, suppose somebody got three hundred votes, or somebody got two hundred votes but then still he goes farther—

**Mr. Gary:** No, they only decide who gets to be in the three hundred, and then in the one hundred, and then who gets to be in the thirty-seven. Each election is separate.

**Mrs. Kaplan:** It is a great difficulty . . .

**LS:** It is not the *only* difficulty in this section.

**Reader:**
ATH. Who, then, are the men, O Clinias and Megillus, who shall establish in our State all these regulations concerning magisterial offices and tests? We perceive (do we not?) that for States that are thus getting into harness for the first time some such persons there must necessarily be; but who they can be, before any officials exist, it is impossible to see. Yet somehow or other they must be there—and men, too, of no mean quality, but of the highest quality possible. For, as the saying goes, "well begun is half done," and every man always commends a good beginning; but it is truly, as I think, something more than the half—

**LS:** "The beginning is, as it seems to me, more than the half." Yes?

**Reader:**
ATH. and no man has ever yet commended as it deserves a beginning that is well made.
CLIN. Very true.
ATH. Let us not then wittingly leave this first step unmentioned, nor fail to make it quite clear to ourselves how it is to be brought about. I, however, am by no means fertile in resource, save for one statement which, in view of the present situation, it is both necessary and useful to make.
CLIN. What statement is that?
ATH. I assert that the State for whose settlement we are planning has nobody in the way of parents except that State which is founding it—

**LS:** So now you see here he returns now to the question which he had dropped: What to do at the

beginning of the colony, where we do not yet have a citizen body sufficiently trained or engrained with the new laws? Yes?

**Reader:**
ATH. though I am quite aware that many of the colony-States have been, and will be—some of them often—at feud with those which founded them. But now, on the present occasion, just as a child in the present helplessness of childhood—in spite of the likelihood of his being at enmity with his parents at some future date—loves his parents and is loved by them, and always flies for help to his kindred and finds in them, and them alone, his allies,—so now, as I assert, this relationship exists ready-made for the Cnosians toward the young State, owing to their care for it, and for the young State towards the Cnosians.

**LS:** Up to now he returns to what he had said earlier. The Cnosians have to take care of the first establishment of the magistrates. And he enforces it, even, by what he says immediately afterward. Yes?

**Reader:**
ATH. I state once more, as I stated just now,—for there is no harm in duplicating a good statement—that the Cnosians must take a share in caring for all these matters, choosing out not less than 100 men of those who have come into the colony, the oldest and the best of them they are able to select; and of the Cnosians themselves let there be another hundred. This joint body must, I say, go to the new State and arrange in common that the magistrates be appointed according to the laws and be tested after appointment. When this has been done, then the Cnosians must dwell in Cnosus, and the young State must endeavor by its own efforts to secure for itself safety and success. (753e-54d)

**LS:** You see that he[22] withdraws his unwelcome proposal that Clinias should become a member of the new colony: he will help elect the new officials, but he will remain a citizen of his city Cnosus. Yes?

**Reader:**
ATH. As to the men who belong to the thirty and seven, both now and for all future time, let us select them for the following purposes: First, they shall act as Wardens of the laws, and secondly as Keepers of the registers in which every man writes out for the officials the amount of his property, omitting four minae if he be of the highest property class, three if he be of the second class, two if he be of the third, and one if he be of the fourth class. And— (754d-e)

**LS:** So in other words, proportionately they may forget a larger or smaller sum of their property, and will not be banishable for that. Yes?

**Mr. Klein:** Of these thirty-seven, eighteen are Cnosians.

**LS:** Let me see. There are the Cnosians, each selects hundreds. Yes, one hundred colonists, one hundred Cnosians.

**Mr. Klein:** Now what I do not understand . . . Now and for all future time?

**LS:** Which is the exact point [or] passage you have in mind?

**Mr. Klein:** 745e.

**LS:** Yes, they have to go to the new city and have to take care, together with the others,[23] [of] the legal establishment of the magistracies and[24] the testing of the elected men. And after this has been done, the Cnosians shall inhabit Cnosus, and the new city itself shall by itself try to be preserved and to be happy. I do not think he means that[25] part of the law-wardens should be Cnosians. They elect—

**Mr. Klein:** I understand, but why does he repeat again the number thirty-seven? In the beginning, there were thirty-seven—

**LS:** That is always—yes.

**Mr. Klein:** But now he mentions again there are thirty-seven.

**LS:** There will always be thirty-seven at the beginning or in normal times, thirty-seven law wardens.[26] The difference concerns only the mode of election. The normal mode of election, of which we have heard, is that the citizen body elects them. But in the beginning, when the citizen body is not yet mature enough, then the Cnosians will select the fittest of the new colonists, one hundred, and one hundred from themselves. These two hundred will elect the thirty-seven colonists who will be the first law-wardens.

**Rev. Smith:** But in the previous passage, it was said that of the thirty-seven, nineteen—

**LS:** Yes, but that was a proposal that these nineteen Cnosians should become citizens of the new colony. Then Clinias replied: Why do you, Megillus, and the Athenian Stranger, not also become citizens? Remember? And the Athenian declined that, and therefore—

**Rev. Smith:** Then it is taken back—

**LS:** This was not acceptable to Clinias, and therefore he makes a different proposal.

**Mr. Klein:** I have now some idea why it's thirty-seven. You see, originally there are eighteen Cnosians.

**LS:** Yes.

**Mr. Klein:** Now eighteen is more important than thirty-seven. Eighteen is three times six.

**LS:** Yes.

**Mr. Klein:** Six is the first perfect number. If something is important, you take it three times, and then there should be one more, that's nineteen. But now, as you said, now these eighteen persons

*cease* to be Cnosians.

**LS:** No, no, no. That is retracted. There are no eighteen Cnosians and nineteen new colonists. There are one hundred Cnosians and one hundred hand-picked new colonists, and these two hundred men pick thirty-seven new colonists.

**Mr. Klein:** I understand that. But originally there are eighteen Cnosians. What happens to these eighteen Cnosians?

**LS:** According to the original proposal, which was inacceptable to Clinias, they would stay on in the commonwealth and would become members of the new colony for the rest of their days. And that is dropped now.

**Mr. Klein:** Is it really dropped?

**LS:** I think so.

**Mrs. Kaplan:** There are two hundred colonists who select magistrates.

**LS:** Yes, that is of course also not without its amusing implications because the Cnosians cannot be supposed to be so well-educated as the spirit of this new city demands. But they are perhaps better than the multitude of men coming from different cities, and perhaps not the best men—you know, sometimes all kinds of people go to new settlements. Think how Australia came into being.

**Mrs. Kaplan:** Then when the thirty-seven magistrates are elected, by chance they can be all thirty-seven Cnosians, right?

**LS:** No. No, no, that is excluded. The Cnosians will inhabit Cnosus. That is to say, they will return to Cnosus. That is the only meaning I can bring together. The commentator whom I have looked up tries to solve this difficulty in this time-tested way: Well, there are two drafts (two, as the Germans say, *Ausarbeitungen*), and Plato did not live long enough to smooth it out, and the editor was too dumb to see the inconsistency. But then a very great man, much greater than Philippos of Opus, namely, Ulrich von Wilamowitz himself [laughter] discovered it, and solved the difficulty by this favorite nineteenth-century device.[iv] And I believe it makes absolute sense in itself because you must only see the reaction of Clinias to the Athenian's proposal, you know, and the Athenian's reaction to Clinias's reaction to see that this is not a way out. Clinias would of course be delighted to continue[27] this pleasant intercourse with these two old nice men in the new colony. That would have made it more bearable than to be there, God knows, with what kind of barbarians.

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[iv] Ulrich von Wilamowitz-Moellendorf (1848-1931), a rival and critic of Friedrich Nietzsche, was among the greatest German classical philologists of the nineteenth and early twentieth centuries. LS is perhaps referring to his *Platon* (2 vols.) (Berlin: Weidmannsche Buchhandlung, 1920). Chapter 20 of volume 1, 654-704, includes his interpretation of the *Laws*; his textual notes on the *Laws* may be found at 396-407. Neither discusses this passage explicitly, however.

**Mrs. Kaplan:** . . .

**LS:** But I believe that is important enough for Plato to have no dialogue for such a long time to prepare such an incident which illuminates the situation. Neither Clinias nor the Athenian are very eager to join the new city, but they are perfectly willing to frame laws for it. That is not inhuman, nor is it indecent. Now what are the duties of the law wardens?

**Reader:**
ATH. And should anyone be proved to possess any— (754e)

**LS:** Oh, I see. The first is law-warding; and the second is they take care of the property registers. Yes?

**Reader:**
ATH. And should anyone be proved to possess anything else beyond what is registered, all such surplus shall be confiscated; and in addition he shall be liable to be brought to trial by anyone who wishes to prosecute—a trial neither noble nor fair of name, if he be convicted of despising law because of lucre. So he that wishes shall charge him with profiteering, and prosecute him by law before the Law-wardens themselves; and if the defendant be convicted, he shall take no share of the public goods, and whenever the State makes a distribution, he shall go portionless, save for his allotment, and he shall be registered as a convicted criminal, where anyone who chooses may read his sentence, as long as he lives. A Law-warden shall hold office for no more than twenty years, and he shall be voted into office when he is not under fifty years of age. If he is elected at the age of sixty, he shall hold office for ten years only; and by the same rule, the more he exceeds the minimum age, the shorter shall be his term of office;—

**LS:** So they are very high officials, which is shown by the fact that they have such a long term of office; possibly twenty years, from fifty to seventy, but they may be elected when they are older than fifty of course, but seventy is the retirement date, and no change is possible there. Yes?

**Reader:**
ATH. so that if he lives beyond the age of seventy, he must no longer fancy that he can remain among those officials holding an office of such high importance. So, for the Law-wardens, let us state that these three duties are imposed on them, and as—

**LS:** You must have noticed, perhaps, that regarding transgression of the upper limits of property, which he discussed before, and there he has given a premium to the *informer*, you know—to the informer, so that he would get a substantial part of the property not stated to the authorities—this is here silently dropped. I don't believe that is one of the negligences. I believe it is an indication of the fact that we should think a little bit about it. I mean, that this previous provision would make informing about the greed of others an object of greed—which cannot be a reasonable legislator's intention.

**Reader:**
ATH. So, for the Law-wardens, let us state that these three duties are imposed on them, and as we proceed with the laws, each fresh law will impose upon these men whatever additional duties

they ought to be charged with beyond those now stated. (754e-55b)

**LS:** So that will come up time and again in the later books: this is to be supervised by the law-wardens themselves. They are the highest magistracy in the city. Yes?

**Reader:**
ATH. And now we may go on to describe the selection of the other officials. Commanders must be selected next, and as subordinates to them, for purposes of war, hipparchs, phylarchs, and officers to marshal the ranks of the foot-phylae—to whom the name of 'taxiarchs' which is in fact the very name which most men give to them, would be specially appropriate. Of these, commanders shall be nominated by the Law-wardens—

**LS:** The term is, I was going to say, the generals, the *stratēgoi*.

**Reader:**
ATH. from among the members of our State only;—

**LS:** No *condottieri* as they had especially in the Italian cities, but they must be citizens.

**Reader:**
ATH. and from those nominated the selection shall be made by all who either are serving or have served in war, according to their several ages. And if anyone deems that someone of the men not nominated is better than one of those nominated, he shall state the name of his nominee and of the man whom he is to replace, and, taking the oath about the matter, he shall propose his substitute; and whichever of the two is decided on by vote shall be included in the list for selection. And the three men, who have been appointed by the majority of votes to serve as commanders and controllers of military affairs, shall be tested as were the Law-wardens. The selected commanders—

**Mr. Klein:** These generals, they are—from those nominated, the selection shall be made by all who are serving—

**LS:** Or have served.

**Mr. Klein:** Or have served where?

**LS:** In war. I mean either the present army or the veterans. I mean the very oldest veterans. Perfectly right. Because they have at least a recollection, [and] may have a better judgment than other people, since there were no such great technological changes which make the last world war an antediluvian event of no importance for the next one.

**Reader:**
ATH. And the three men, who have been appointed by the majority of votes to serve as commanders and controllers of military affairs shall be tested as were the Law-wardens. (755b-d)

**LS:** This testing, the *dokimasia*, means something very innocent because it doesn't mean they

will be tested regarding military activity but regarding ordinary citizen's decency, because there is a guarantee they will not pick as a general a notorious coward, because they would ruin themselves naturally, or a man who cannot manage his practical affairs. So the testing refers only to certain minimal character traits. Yes?

**Reader:**
ATH. The selected commanders shall nominate for themselves taxiarchs, twelve for each tribe; and here, in the case of the taxiarchs, just as in the case of the commanders, there shall be a right of counter-nomination, and a similar procedure of voting and testing. For the present—before that prytaneis and a Boulé have been elected—

**LS:** That it to say, in the initial stage in which we are—you know, before the city is truly established.

**Reader:**
ATH. this assembly shall be convened by the Law-wardens, and they shall seat it in the holiest and roomiest place available, the hoplites on one side, and the horse-soldiers on another, and in the third place, next to these, all who belong to the military forces. (755d-e)

**LS:** Ya, this means that the light-armed people, the targeteers and what have you, also have the right to vote.

**Reader:**
ATH. All shall vote for the commanders, all who carry shields for the taxiarchs; all the cavalry shall elect—

**LS:** [Those who carry] the shield are the hoplites. The infantry-commanders will be elected by infantry, the cavalry-commanders by cavalry—in each case those presumed to be most competent to judge.

**Reader:**
ATH. all the cavalry shall elect for themselves phylarchs; the commanders shall appoint for themselves captains of skirmishers, archers, or any other branch of service. The appointment of hipparchs we have still remaining. They shall be nominated by the same persons who nominated the commanders, and the mode of selection and counter-nomination shall be the same in their case as in that of the commanders: the cavalry shall vote for them in full sight of the infantry, and the two who secure most votes shall be captains of all the cavalrymen. No more than two challenges of votes shall be allowed; if anyone makes a third challenge, it shall be decided by those who had charge of the count on the occasion in question. (755e-56b)

**LS:** So this is the second count: first the law wardens, then the military commanders. And now the third, as you will see, is the council: in Greek, *boulē*. Whether this is a magistracy is a little question. When Aristotle discusses the magistracies in the *Politics*, he distinguishes the magistracies from the deliberative and the judicial parts of the regime.[v] The council is of course a

[v] Aristotle *Politics* 1322a.

deliberative body. Nevertheless it is possible to regard the council, even the judges, as magistrates, because the line separating the three kinds of officials is vague. The judges too give commands—this man should be hanged, drawn and quartered—by passing their judgment, or whatever the other usual and normal punishment may be. Yes?

**Reader:**
ATH. The Boulé (or "Council") shall consist of thirty dozen—as the number 360 is well-adapted for the subdivisions: they shall be divided into four groups; and 90 councillors shall be voted for from each of the property-classes. First, for councillors from the highest property-class all the citizens shall be compelled to vote, and whoever disobeys shall be fined with the fine decreed. When these have been voted for, their names shall be recorded. On the next day those from the second class shall be voted for, the procedure being similar to that on the first day. On the third day, for councillors from the third class anyone who chooses shall vote—

**LS:** That is, the poor people don't have to vote any more in the third and fourth places, as you shall see.

**Reader:**
ATH. and the voting shall be compulsory for members of the first three classes, but those of the fourth and lowest class shall be let off the fine, in case any of them do not wish to vote. On the fourth day, for those of the fourth and lowest class all shall vote; and if any member of the third or fourth classes does not wish to vote, he shall be let off the fine; but any member of the first or second class who fails to vote shall be fined—three times the amount of the first fine in the case of a member of the second class, and four times in the case of one of the first class. On the fifth day the officials shall publish the names recorded for all the citizens to see; and for these every man shall vote, or else be fined with the first fine; and when they have selected 180 from each of the classes, they shall choose out by lot one-half of this number, and test them; and these shall be the Councillors for the year. (756b-e)

**LS:** Yes. Ninety from each property class, and in the way elected which he described. The Athenian catches two birds with one stone. The poor people, who have to look after their farms, will not be too much troubled: they can stay home the last two days. And of course, also, [he ensures] the greater influence of wealth. You can't have it both ways. I mean, the people who are in need, and whose needs are to be considered: those people cannot be expected to have great influence in the community. [It is] a difficulty that exists, as you know, up to the present day. Of course that is not said here, and Plato may not mean it, but I believe that this consequence is inevitable: that the prospects for reelection are much greater in the highest property-class, which is naturally the smallest in number, than for the lower classes. If this is so, there is a kind of quasi-permanent membership possible. If they are reelected only every third year, that is still more than—how many people will be in the highest property class? That is never said. We have 5,040, and we cannot possibly use proportions taken from a modern society, especially the American society, since it is perfectly clear that there would not be more than about two hundred in the first property class, say, eight hundred in the second, two thousand in the third, and[28] so forth. I remember from Prussia, where I spent my childhood, when they had the three classes, there were very few people in the highest class, and a substantial number of people in the second class, and the rest were in the third class. And each class, as a class—each class had the same

right as any other. Each class elected one elector, and the three electors then elected the representative. And that was, as Bismarck called it, the most stupid system—but it was greatly favored by the establishment in Prussia, as you can imagine. Yes?

**Mr. Gary:** I noticed that there is a provision here for a kind of reverse graduated income tax; that is, the rich people seem to get a bigger tax deduction than the poor people. So there seems to be not only a provision for the rich people to have political power, but for them to maintain their wealth, which is built into the state. The rich people can deduct four minae, whereas the poor can deduct only one and have to pay taxes on the rest.

**LS:** Has it not been said, "Much shall be given to those who have?"[vi]

**Mr. Gary:** I have never understood it. I still don't.

**LS:** Well, perhaps you can begin to understand it now.

**Reader:**
ATH. The selection of officials that is thus made will form a mean between a monarchic constitution and a democratic; and midway between these our constitution should always stand.

**LS:** Now he comes back to a theme discussed quite a few times before: the regime is a mixed regime and therefore it is good, and it is the right mixture between the two extremes, the two extremes being monarchy and democracy. Yes? First he states why the extremes are bad.

**Reader:**
ATH. For slaves will never be friends with masters, nor bad men with good, even when they occupy equal positions—for when equality is given to unequal things, the resultant will be unequal, unless due measure is applied; and it is because of these two conditions that political organizations are filled with feuds. There is an old and true saying, that "equality produces amity," which is right, well and fitly spoken; but what is the equality is which is capable of doing this is a very troublesome question, since it is very far from being clear. For there are two kinds of equality, which, though identical in name, are often almost opposite in their practical results. The one of these any State or lawgiver is competent to apply in the assignment of honours—namely, the equality determined by measure, weight, and number,—by simply employing the lot to give even results in the distributions; but the truest and best form of equality is not an easy thing for everyone to discern. It is the judgement of Zeus—

**LS:** So that it the right kind of equality, which is the judgment of Zeus: not the lot. Let us keep that in mind. Yes?

**Reader:**
ATH. and men it never assists save in small measure, but insofar as it does assist either States or individuals, it produces all things good; for it dispenses more to the greater and less to the

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[vi] Strauss paraphrases a number of verses from the Gospels (e.g., Matthew 13:12, Matthew 25:29, Mark 4:25, Luke 8:18, Luke 19:26).

smaller, giving due measure to each according to nature; and with regard to honours also, by granting the greater to those that are greater in goodness, and the less to those of the opposite character in respect of goodness and education. (756e-57c)

**LS:** So the first point which he makes is [that] this right kind of equality gives what is proper to each according to their nature, what is good for them by nature. The best example is the simple story of Xenophon, of the big boy and the small coat and the small boy and the big coat.[vii] And of course the reasonable thing is to take—as young Cyrus did,[29] to take away the big coat from the small boy and exchange them, and then everyone will have what is fitting, *harmotton*. But then Cyrus was punished for that because, the teacher said: You were not supposed to find out what was fitting but what is lawful. And what is lawful depends on who has bought it and paid for it properly, you know, and that is an entirely different consideration. So here it is not only nature that has to be considered [but] also what he has made of his nature, namely, his virtue and his education. Yes?

**Reader:**
ATH. it assigns in proportion what is fitting to each. Indeed, it is precisely this which constitutes for us "political justice," which is the object we must strive for, Clinias; this equality is what we must aim at, now that we are settling the State that is being planted. And whoever founds a State elsewhere at any time must make this same object the aim of his legislation,—not the advantage of a few tyrants, or of one, or of some form of democracy, but justice always; and this consists in what we have just stated, namely, the natural equality given on each occasion to things unequal. None the less,— (757c-d)

**LS:** Naturally equal, namely, proportionately:[30] to each nature what is fitting for it, and that is the naturally equal.

**Mr. Gary:** Does that mean that you give the rich more money and the poor less money?

**LS:** That is a rather nasty inference, but it is not altogether wrong. As you have seen,[31] wealth and poverty will be considered in the distributions as well.

**Mr. Gary:** The word "goodness" was mentioned here.

**LS:** Also, sure. Yet he also mentioned education, and education is easier for the wealthy to get, is it not true? At least in benighted times like those of Plato. And therefore the chances are quite—surely not every rich man is educated, but the educated men as a rule were men of independent means. And while it is extremely hard to find a simple test of virtue, it is extremely simple to find out how much a man is worth, to use this very English expression. And therefore it is politically or legally more practical. Well,[32] I will come to that. Let us first finish this section.

**Reader:**
ATH. None the less, it is necessary for every State at times to employ even this equality in a modified degree, if it is to avoid involving itself in intestine discord, in one section or another,—

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[vii] Xenophon *Cyropaedia* 1.3.16-18.

for the reasonable and considerate, wherever employed, is an infringement of the perfect and exact, as being contrary to strict justice; for the same reason it is necessary to make use also of the equality of the lot, on account of the discontent of the masses—

**LS:** "Of the many." "The masses" is only a modern notion.

**Reader:**
ATH. of the many, and in doing so to pray, calling upon God and Good Luck to guide for them the lot aright towards the highest justice. Thus it is that necessity compels us to employ both forms of equality; but that form, which needs good luck, we should employ as seldom as possible. (757d-58a)

**LS:** All right. Now let us see. That is one of the most important passages on the political problem proper in the *Laws*. What he says here is *not* that there are two conflicting roots of justice—one called, let us say, good government, and the other called freedom—but there is a single principle of justice, and this is, if we use this distinction I just used, good government. But this must be diluted on account of necessity. The just and necessary are two very different things. This is a concession to irrationality, a humane and expedient concession. A rational society is not possible except in the extreme case of absolute rule of the philosophers, which is not here to be considered. Both pure monarchy and pure democracy are bad, as we have seen at the beginning. But at the end of this section it is said the nondemocratic principle, distinguished from the lot—the nondemocratic principle is good. Does this mean that the monarchic principle is good? In one sense, I believe, insofar as the rule of the intellect is monarchic rule. Only in this sense.

Now to link this up with the difficulties to which you referred already: the true equality, proportionate equality, is achieved by what he calls the judgment of Zeus, while this spurious equality is achieved by the lot. It is spurious because it doesn't consider the qualities of the candidates; everyone has the same chance as everyone else. Therefore it was regarded as *the* democratic form [or] way of voting. But, as we shall see very soon, [the] political[33] alternative[34] to the lot is election by raising the hands, as the Greeks called it—which is the only kind of election we know, namely, where you vote for some individual named, so that you discriminate. The lot is really indiscriminating and for that reason thought to be particularly fair, but voting by raising the hands is discriminating. You want to elect the best man, whatever your notion of bestness may be. Yes.

Now this election by raising the hand is of course not identical with the judgment of Zeus. It is surely very fallible. So what happens here is that what is diluted by the lot is not the judgment of Zeus but an already imperfect justice. This shows again incidentally the questionable character of the identification of law and intellect, of *nomos* and *nous*. Now what Plato does throughout this section of the *Laws* is to avert the dangers to the city by the division of the citizen body into four property classes, and the consequent preponderance of the non-*dēmos*, that is to say, of the better educated and therefore, other things being equal, more virtuous citizens. That, I think, is the core of these arrangements of which he speaks here. By the way, the four property classes are an Athenian institution[35] apart from the *symposia*, which also were Athenian as we have been told. This is another crucial Athenian institution whose introduction into a Dorian city he proposes. There are many more Athenian things in here, and scholars find that out partly on the basis of

inscriptions and other things. They may be right, but I believe if Plato doesn't point to the Athenian origin, we should not take any cognizance of it. In the case of these two crucial things, *symposia* and the four property classes, he did. Now shall we read a bit more?

**Reader:**
ATH. The State which means to survive must necessarily act thus, my friends, for the reasons we have stated. For just as a ship when sailing on the sea requires continual watchfulness both by night and day, so likewise a State, when it lives amid the surge of surrounding States and is in danger of being entrapped by all sorts of plots, requires to have officers linked up with officers from day to night and from night to day, and guardians succeeding guardians, and being succeeded in turn, without a break. But since a crowd of men is incapable of ever performing any of these duties smartly, the bulk of the Councillors must necessarily be left to stay most of their time at their private business, to attend to their domestic affairs; and we must assign a twelfth part of them to each of the twelve months, to furnish guards in rotation, so as promptly to meet any person coming from either somewhere abroad or from their own State, in case he desires to give information or to make enquiries about some matter of international importance; and so as to make replies, and when the State has asked questions, to receive the replies; and above all, in view of the manifold innovations that are wont to occur constantly in States, to prevent if possible their occurrence, and in case they do occur, to ensure that the State may perceive and remedy the occurence as quickly as possible. For these reasons, this presidential section of the State must always have the control of the summoning and dissolving of assemblies, both the regular legal assemblies and those of an emergency character. Thus a twelfth part of the Council will be the body that manages all these affairs, and each such part shall rest in turn for eleven-twelfths of the year: in common with the rest of the officials, this twelfth section of the Council must keep its watch in the State over these matters continually. This disposition— (758a-e)

**LS:** Let us stop here. This here about the Council: now these elected people, the twelfth part, these thirty men who manage the affairs of the city for a month are called *prytaneis*. That is the Athenian term. But there is no reference on the part of the Athenian Stranger to Athens again. So the difficulty its this: How is the division into twelve parts to be effected?[36] Of course, three hundred sixty is divisible by twelve, but the Council represents the four property classes. How can there be equal representation of the four property classes in all twelve *prytaneis*, since thirty is not divisible by four? How this is to be solved is anybody's guess, and perhaps we should only leave it as a question. Will men of the lowest class be excused, and members of the highest class allowed to serve two or more months? In this way you could get indeed quite a few members of the Council who would never serve in *prytaneis*; but on the other hand, think of harvest-time and especially of spring, where the farmers would not wish to be available in that building in Athens day and night. That is all he says about the Council. You see, I think that the difficulties which we find here and which we will find in other places are not due to Plato's old age and so on, but Plato leaves us as a number of questions which are interesting conundrums and test whether we understood his political intention.

There is one point I should mention: when he spoke of the two kinds of equality, he said the right kind of equality gives what is by nature equal to unequal people. From this one might infer that the equality given by the lot is a conventional equality, because he disregards the crucially important differences among people. Now this is not the only place where one has to think of

Rousseau in reading Plato; this is a point in Rousseau, I think at the end of the first book of the *Social Contract*. He says that the social contract replaces natural inequality by conventional equality.[viii] The conventional equality means that every citizen counts just as much as every other citizen. The problem in these very general terms is the same in Plato and Rousseau; the solutions differ very greatly.

Yes. Now we must stop here, but I will only say a few words about the immediate sequel.[37] There is a strange transition to the next subject, where one can also indulge all sorts of thoughts of confusion on the part of Plato. But the next subjects to which he comes then are the priests, and then the police in the widest sense of the term, and then the education of officials, and finally the judges. This is the general plan of this part. We must watch one thing particularly throughout here: which officials are elected by lot only, and in the election of which officials the lot does not play any role. These are the two criteria for judging their importance in terms of what we have seen.

[1] Deleted "There is no."

[2] Deleted "there is only one point."

[3] Deleted "that."

[4] Deleted "It is."

[5] Deleted "a more important."

[6] Moved "they are not trained, and not educated to know."

[7] Deleted "But."

[8] Deleted "Yeah."

[9] Deleted "Yeah."

[10] Deleted "they would not."

[11] Deleted "Everyone's."

[12] Deleted "is."

[13] Deleted "immediately"

[14] Deleted "the light-army."

[15] Deleted " it will be—from the point of view."

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[viii] "c'est qu'au lieu de détruire l'égalité naturelle, le pacte fondamental substitue, au contraire, une égalité morale et légitime à ce que la nature avait pu mettre d'inégalité physique entre les hommes, et que, pouvant être inégaux en force ou en genie, ils deviennent tous égaux par convention et de droit" (*Du contrat social*, 1.9.8); "it is that rather than destroying natural equality, the fundamental compact on the contrary substitutes a moral and legitimate equality for whatever physical inequality nature may have placed between men, and that although they may be unequal in force or in genius, they all become equal through convention and by right." *On the Social Contract*, ed. Roger D. Masters, trans. Judith R. Masters (NY: St. Martin's Press, 1978), 58.

[16] Deleted “Yes, and at the end-point.”

[17] Deleted “a judgment.”

[18] Deleted “it is.”

[19] Deleted “candidate, the.”

[20] Deleted “it.”

[21] Deleted “I mean, he is properly.”

[22] Deleted “is, he.”

[23] Deleted “that the magistrates, the estiablishment of the magistracies.”

[24] Deleted “in.”

[25] Deleted “there should be.”

[26] Deleted “The question is only concerning.”

[27] Deleted “these pleasant.”

[28] Deleted “the rest.”

[29] Deleted “is.”

[30] Deleted “To.”

[31] Deleted “it will be considered.”

[32] Deleted “we.”

[33] Deleted “-ly.”

[34] Deleted “as we shall see very soon.”

[35] Deleted “and this.”

[36] Deleted “You have.”

[37] Deleted “He will now.”

**Session 19: no date**

**Leo Strauss:** We must consider a very simple and general question, a question which would occur to anyone who reads Plato or, for that matter, Aristotle for the first time. That is their blindness to what was coming. What was coming was, as you know, the end of the city altogether with the victory of Alexander the Great. But[1] what about that blindness? It is surely true in particulars: for example, that Macedonia should conquer Greece. But what about the general sense? First, they knew that there was an alternative to the *polis*, especially from the Persian Empire; and from their point of view, the difference between Alexander's rule or the rule of Alexander's successors and the Persian rule was not terribly important. Both were *despotikōs*. Second, they of course never believed that there will always be cities. We have read what Plato—the Athenian Stranger—says at the beginning of book 3 about the cataclysms, [about] ends of[2] civilizations or, in the language of a later poet, the collapse of the walls of the world.[i] So these crucial generalities were known to them. And as for the blindness they had, as they did not know or could not know of Alexander, we are of course not better off. Many people in modern times believe that we can now know or figure out the future of mankind, a future which may be either glorious or degrading; in other words, that there will be no surprises. But there are always surprises, as we have seen often enough in our lifetimes, and I think even the younger ones have observed such surprises. Now if one cannot know what will be, can one at least know what one ought to wish to be, in other words: What one ought to do, how one ought to live? Now as Plato refers frequently to the *logos* and to the intellect, *nous—logos* [is] in Latin *ratio*, so we can say what he is aiming at is the society ruled by reason, the rational society. And that I believe we must never for one moment forget.

In our time someone I knew quite well and some others here present know, Alexandre Kojève, has restated the notion of the rational society quite impressively.[ii] And he spoke of the universal and homogeneous society, meaning by that the rational society which, because it is rational—this was his privilege to believe, is bound to come. That is, the universal and homogeneous state is a kind of combination of Hegel and Marx. The state is obviously not Marxist, and the universal and homogeneous, that indeed comes from Marx. A society that is homogeneous means classless and beyond racialism, as we can say: every human being is a full member. No war in that state, foreign or civil, nor poverty, but full development of everyone's capacities. And that means, in a language which neither Marx nor Hegel nor Kojève uses but which is perfectly proper: the coincidence of virtue and happiness, the full development of man's capacity, which is not impeded. And this is the perfect satisfaction for man, and in this sense happiness. The difficulty which he encountered is this: according to this view, this is of course a final stage of human development, the end of history. Hence there will no longer be any great tasks for men, no historic tasks. There will be only some mopping-up operations, but the main points have been settled. Now the potentialities are exhausted, and therefore we are in this interesting situation: that the highest peak of humanity is at the same time the beginning of complete emptiness. I

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[i] A reference to Lucretius *De rerum natura*, perhaps 6.121-3 (Hoc etiam pacto tonitru concussa videntur / omnia saepe gravi tremere et divolsa repente / maxima dissiluisse capacis moenia mundi).

[ii] (1902-1968) Russian-born French Marxist philosopher and statesman. See Alexandre Kojève, *Introduction to the Reading of Hegel*, ed. Allan Bloom, trans. James H. Nichols (NY: Basic Books, 1969).

believe he never solved this difficulty.

Now to come back to the classics, they did not expect in any way a universal and homogeneous state. A universal state, that would mean there is no self-government; and hence the government must be despotic. As for the homogeneity—the absence of classes, or difference of races, maybe—this is not possible because of[3] scarcity. There must be men who cannot devote themselves to the practice of virtue proper but have to devote themselves to procuring the condition of a virtuous life for those who are fortunate enough to practice virtue.[4] Plato was surely aware of this. So we have a variety of independent cities, sovereign cities, as they would be called them in our time. What is the principle, the *rational* principle underlying their division, their separation from one another?

Plato has such a principle: that is, as we have seen, the number 5040. There is a perfect number for the citizens, and therefore everything which goes beyond the 5040 will be excluded. That seems to be his solution. But that is perhaps not sufficient because if we are to exclude, whom to exclude?[5] I mean, the excess over the 5040? Now Plato discusses that subject in the *Republic* in the passage on the so-called noble lie. All citizens are to be brothers, children of the same mother. But then, while Socrates develops this theme, he replaces earth by land, that is to say, the territory, *gē* by *chōra*. If the earth were the mother, if all men were brothers, no difficulty would arise from this one. But it is not the earth, but the fatherland or the motherland, and the frontiers or boundaries of the fatherland are not established by any rational principle. We see today [that] we have a large number of states, big and small, and then we see whether it is in Pakistan or Yugoslavia or Canada, and I suppose in other places too where there are irredentists, and the principles justifying these states as unities are obscure and ultimately will be decided by military force. I believe that if one were to analyze Plato's thought on these matters more fully, one would arrive at this solution: that there will be always a variety of societies, and this variety has its foundation in the fact that every society rests on a specific opinion—on what is now called an ideology, a very misleading term.[6] These are opinions; they are not genuine insights, and therefore there can be no question of their ever becoming universal. There is a hierarchy of such opinions, namely, with a view to the one end of man as man. But even in the case of the best society, we will eventually arrive at an opinion as distinguished from knowledge.

Now we have seen this last time in the passage on the two kinds of equality: the proportionate and the numerical equality. The first was called the judgment of Zeus, and that means the equality which gives to unequal people what is suitable for them, i.e., unequal things. The lot, on the other hand, gives the same to all. The lot is only a humane concession, however, to irrationality; if possible, there should not be such a kind of equality. But the political alternative to the lot is not simply the judgment of Zeus or the judgment of the intellect, but election by raising the hands: voting. Can voting be the judgment of Zeus? [This is a] problem, so that we will never get pure justice but only an imperfect justice, which imperfect justice in its turn must still be diluted by the lot.

Now there is at least one earlier passage which we might reread now and we will understand this perhaps somewhat better, because these irrational people to whom humane concessions must be made for the sake of political stability: Who are they? Now if you would turn to 734e, that is in the fifth book, and 735a.

**Reader:**[7]
ATH. a sketch of the State-organisation. Now just as in the case of a piece of webbing, or any other woven article, it is not possible to make both warp and woof of the same materials—but the stuff of the warp must be of better quality—for it is strong and is made firm by its twistings, whereas the woof is softer and shows a due degree of flexibility—from this we may see that in some such way we must mark out those who are to hold high offices in the State and those who are to hold low offices, after applying in each case an adequate educational test. (734e-735a )

**LS:** No.[8] "Those who will be ruled in the cities and those who have been tested by a small education," in other words, who have not been highly educated. There are two classes, those who are educated for office and those who are not educated for office or insufficiently educated for office. Now what this distinction means is made clear very soon in what we shall read today, but let us take this—but I refer you now to what I have in mind: 759b, in the middle of page 419.

**Reader:**
ATH. In establishing all these offices, we must make the appointments partly by election and partly by lot, mingling democratic with non-democratic methods— (759b)

**LS:** No, "mingling through friendship with each other, the *dēmos* and the non-*dēmos*, in every territory and city." *Dēmos* and non-*dēmos*, that corresponds to the distinction previously made between those fit for the highest offices and those insufficiently educated. So these to whom the concession is made are the *dēmos*. The *dēmos* means[9] the poor. Now poor does not mean, of course, indigent. Poor means people who don't have leisure, who must attend to their farms or whatever it may be. Now while the difference between rich and poor is severely restricted here in this city, as we have seen, there is still a difference between the richer and poorer, and therefore the difference between the *dēmos* and the non-*dēmos*. And there is a presumption that the non-*dēmos*, those who are better off,[10] will be to a higher degree educated than the others and, being better educated, more fit to occupy ruling offices. This shows again the opinion on which the city is based: the presumption, we can say, the presumption of the law that education—i.e., education to virtue, and hence virtue—and substantial property go together. We all know, and Plato and Aristotle knew, how questionable that presumption is. But it has a certain crude political plausibility, and that's enough. The question is: Can we ever get in political society more than crude possibilities, plausibilities, as the basic assumptions? That is of course a very great question. But you wanted to say something a long time ago. Yes?

**Student:** [11]I had a question in reference to what you had said earlier about the universal homogeneous state. You said that at the point of its completion there are no longer any further great historical tasks. Wouldn't that also be the case in either the *Republic*, or the founding of the colony in the *Laws*? You suggested a certain kind of emptiness as a result of this kind of combination—

**LS:** Yes, but in Plato there is no notion of historic tasks. I mean, you see, for Hegel, [and] therefore also for Kojève, there is a history in which the great individuals formed, as it were, the different epochs of history. Great historic tasks that are performed by them. No such task is anymore possible. Or differently stated, especially with a view to Kojève: the end of history

means that philosophy has become wisdom. It is no longer a quest for wisdom but wisdom, so all that men can do is study Hegel's *Logic* and *Phenomenology*, and study it and study it, and no new thought of any consequence is possible. Whereas in Plato's *Republic* of course there is no end to philosophy, [not] even in the *Republic*, let alone in the *Laws*.

**Same Student:** I was responding more to your comment about the emptiness as a dehumanization, or what I gather—

**LS:**[12] Yes, an emptiness—no future.

**Same Student:** Well, what I'm saying is, in the situation of Plato, where there is no historic consciousness, wouldn't the ideal of either the *Republic* or the new colony in the *Laws* be the same thing in the sense that there is no future, there is no significance? Once you have a good city, you don't try to change it.

**LS:** You must keep it. This of course would—but it is endangered. To keep it means it is endangered. And endangered means it can really be—there can be relapses into barbarism, for example. From this modern point of view, that is not possible.

**Mr. Kaplan:** In the same connection, isn't the main difference then that in Hegel all the human possibilities are already exhausted—

**LS:** Yes. Yes.

**Mr. Kaplan:** Whereas in Plato they are not?

**LS:** I do not know whether they are exhausted in Aristotle, but surely not in Plato. Now is there any other point you would like to raise? Otherwise we will continue. Now we read last time[13]—he began to speak about the council—no, he had finished what he had to say about the council and then turned to a new subject, in 758d10.

**Reader:**
ATH. This disposition of affairs in the city will prove a reasonable arrangement. But what control are we to have, and what system, for all the rest of the country?

**LS:** So in other words, the city seems to be,[14]or what has to be done in the city, or as we might say, the town, that has been concluded. We turn now to the rest of the city, that's to say to the country. Yes?

**Reader:**
ATH. Now that all the city and the whole country have each been divided up into twelve parts, must not supervisors be appointed for the roads of the city itself, the dwellings, buildings, harbours, market, springs, and for the sacred glebes and also the temples, and all such things?
CLIN. Certainly. (758d-e)

**LS:** Yes. Now let us see. Did he or did he not complete the account of what has to be done in regard to the city or town? First he said—

**Student:** Don't they have to be municipal laws of some times—

**LS:** Laws come later; here he speaks of the magistrates—

**Same Student:** But I'm not talking about laws in the highest sense;[15] I'm talking about the most simple kind of rules—

**LS:** No, there wouldn't be, but these would be all laws for the whole city. In other words, there is not a mayor of the city, and a city council subject somehow to the government of the whole country. Yes.

**Student:** Yes, of course.

**LS:** We are speaking about the magistrates of this city. And it is not clear, however, whether he has completed—whether he wants to go to what has to be done about the countryside, or whether he still wants to speak about the city. The difficulty is not diminished by what he says in the sequel. Yes?

**Reader:**
ATH. Let us state then, that for the temples there must be temple-keepers and priests and priestesses; and for roads and buildings and the due ordering thereof, and for men, and beasts too, to prevent their wrongdoing, and to secure that the order proper to States is observed both within the city bounds and in the suburbs, we must select three kinds of officers: those who deal with the matters just mentioned we shall call "city-stewards" and those—

**LS:** I would rather say "town-stewards," to make it quite clear. It is a different word in Greek. *Asty*, not *polis*. All right, "town-stewards."

**Reader:**
ATH. and those dealing with matters just mentioned "town-stewards," and those dealing with the ordering of the market, "market-stewards." (759a)

**LS:** Yes, that is . . . So he says here, we must have first the priests and those connected with the sacred things, and then we must elect three kinds of rulers. But he[16] identified only two kinds. He omits a third, although he had explicitly spoken of three. This is the other difficulty in this transitional passage. Whether this is due to the fact that Plato left the manuscript incomplete, or whether it can be understood remains to be seen.

**Mr. Kaplan:** Isn't it strange that he regulates the priests, and immediately after the priests comes the roads?

**LS:** Yes, the roads—not the roads in particular; the roads and the buildings, the good order and beauty of the city. But if we must have temples, we must have roads to the temples, and there

must be buildings, especially those in the neighborhood of the temples, [which] must be appropriate to the temples.

**Mr. Gary:** There seems to be a lack of separation between church and state. Is that—?

**LS:** That doesn't exist.

**Mr. Gary:** The separation?

**LS:** No. There are perhaps distinctions, but not separations.

**Mr. O'Neill:** It seems that religion is being instituted for state purposes. Is it not that religion is being instituted for state purposes?

**LS:** That is a long question. How can the higher be put into the service of the lower? And are not gods higher than human beings? Did you not hear me? To put religion into the service of the state: religion means the service of the gods, superhuman beings, and the state is a collection of human beings. Now how can the higher, the gods, be put into the service of the lower? That is at least a question.

**Mr. O'Neill:** Well, the statesman who is founding the city is providing a founding for its religion also, isn't he?

**LS:** That would be—we have not yet read that passage. We will come to that. At any rate—Yes?

**Mr. Gary:** Well, I can think of examples where the temple, and the road to the temple, and the structure of the temple, and what's inside the temple, is determined by a jealous god who would not take to having this business—

**LS:** Let us hear the Athenian Stranger on the subject. At any rate, what I wanted to point out [was] only the strange transition from the council to what comes now. Yes?

**Reader:**
ATH. Priests of temples, or priestesses, who hold hereditary priesthoods should not be disturbed; but if,—

**LS:** In other words, should not be changed. Yes?

**Reader:**
ATH. but if,—as is likely to be the case in such matters with a people who are being organised for the first time,—few or none have them already established, then we must establish priests and priestesses to be temple-keepers for the gods. In establishing—

**LS:** This seems to mean that it is a merely political arrangement. But let us wait.

**Reader:**

ATH. In establishing all these offices—

**LS:** "All these things." That refers not only to the priests but refers to all magistracies.

**Reader:**
we must make the appointments partly by election and partly by lot, mingling democratic with non-democratic methods, to secure mutual friendliness in every rural and urban district, so that all may be as unanimous as possible. As to the priests, we shall entrust it to the god himself, to ensure his own good pleasure, by committing their appointment to the divine chance of the lot;—

**LS:** So you see, that is not done by human agencies; it is done by lot, and the lot which hitherto seemed to be something lower as distinguished from the judgment of Zeus takes on now a greater dignity, not to say sanctity. Yes? But it seems that the priests are the only officials who are elected by lot in the city. Yes?

**Reader:**
ATH. but each person who gains the lot we shall test, first, as to whether he is sound and true-born, and secondly, as to whether he comes from houses that are as pure as possible being himself clean from murder and all such offenses against religion, and of parents that have lived by the same rule.

**LS:** So in other words, the god who picks by lot[17] may pick the wrong one, and therefore there must be a scrutiny by human beings. That is so.

**Mr. Kaplan:** This is because the god doesn't know the particulars.

**LS:** Perhaps. But in the tenth book it will be taught that the gods do know everything in particular; therefore that is a difficulty. But that's a difficulty from every point of view, I believe. Yes?

**Reader:**
ATH. They ought to bring from Delphi laws about all matters of religion, and appoint interpreters thereof, and make use of those laws. (759a-c)

**LS:** Yes. Now these laws regarding the divine things[18] will be brought from Delphi, so that is nothing which the city magistrate, as we would say, determines. But the city indeed establishes[19] the interpreters of these laws, because the utterances of Delphi were famous for their enigmatic character and there is need of people who interpret these utterances. These are the interpreters.

**Reader:**
ATH. Each priestly office should last for one year and no longer; and the person who is to officiate in sacred matters efficiently according to the laws of religion should not be less than sixty years old: and the same rules shall hold good also for priestesses. For the interpreters the tribes shall vote four at a time, by three votings, for four men, one from each tribe; and when the three men for whom most votes are cast have been tested, they shall send the other nine to

Delphi for the oracle to select one from each triad; and the rules as to their age and testing shall be the same as for the priests. These men shall hold office for life as interpreters; and when one falls out, the four tribes shall elect a substitute from the tribe he belonged to.

**LS:** Apparently, in this case the election will take place by human agencies; no one says again they have to send to Delphi for the choice of a successor. One doesn't know. Yes?

**Reader:**
ATH. As treasurers to control the sacred funds in each of the temples, and the sacred glebes, with their produce and their rents, we must choose from the highest property-classes three men for the largest temples, two for the smaller, and one for the least extensive; and the method of selecting and testing these shall be the same as that adopted in the case of the commanders.

**LS:** The military commanders. Yes?

**Reader:**
Such shall be the regulations concerning matters of religion. (759c-60a)

**LS:** Yes. "Regarding the holy things, the sacred things." Why should the treasurers of temples be elected from the highest property-class?

**Mr. Gary:** Because they would be less tempted to steal.

**LS:** Yes, I believe that was a very simple assumption, and perhaps also the assumption that people who have property are more experienced at handling property. Therefore they are more fit for that purpose. When he speaks of the interpreters, who are apparently the most important officials of this kind, they are elected for life and no age limit there. So as in the case of other officials, for example, the law-guardians, seventy years is the age limit, but not there. Men may become eighty and still be an interpreter. That is the case in Aristotle's *Politics*. Pardon?

**Mr. Gary:** That's almost the same in the Supreme Court, that the interpreters are elected for life, the idea being that there's no possibility of putting any pressure on them if you know they are not going to be up for the vote in a couple of years.

**LS:** Yes.

**Mr. Gary:** That's a very good idea, then.

**LS:** Yes, but in the *Laws* this does not apply to the law-guardians, who would rather correspond to the Supreme Court, but only to the interpreters of the sacred laws brought from Delphi.

**Mr. Gary:** That's pretty important.

**LS:** No, Aristotle in his *Politics* says that in the right kind of city, all the functions are determined according to nature. That is to say, the younger people of the citizenry, the younger citizens will be the soldiers, and the middle-aged ones will be the deliberative part of the city,

and the older ones will be the priests.[iii]

**Mr. Gary:** Is that the interpretive part?

**LS:** No, he doesn't speak of that. He speaks of priests, not of interpreters in particular; but [it is] the same idea or, I think, something similar. This office does not require an age limit. It can be done by old people, and perhaps by old people better than by young ones.

**Reader:**
ATH. Nothing, so far as possible, shall be left unguarded. As regards the city, the task of guarding shall be in charge of the commanders, taxiarchs, hipparchs, phylarchs and prytaneis, and also of the city-stewards and market-stewards, wherever we have such officials properly selected and appointed. (760a-b)

**LS:** Now here he mentions all the officials previously mentioned: the military officials and the *prytaneis*—that is,[20] the committee of the council which rules for the month—with the exception of the law guardians and the priests. Whether they are omitted for the same or for different reasons is a matter of speculation. But he doesn't speak now of the town wardens and the market wardens, but he goes on as follows. Now?

**Reader:**
ATH. All the rest of the country must be guarded in the following manner:—

**LS:** [21]Only now does he turn to what is to be done with the countryside. Yes?

**Reader:**
ATH. we have marked out the whole country as nearly as possible into twelve equal portions: to each portion one tribe shall be assigned by lot, and it shall provide five men to act as land-stewards and phrourarchs ("watch-captains"); it shall be the duty of each of the five to select twelve young men from his own tribe of an age neither under 25 nor over 30. To these groups of twelve the twelve portions of the country shall be assigned, one to each in rotation for a month at a time, so that all of them may gain experience and knowledge of all parts of the country. The period of office and of service for guards and officers shall be two years. From the portion in which they are stationed first by the lot they shall pass on month by month to the next district, under the leadership of the phrourarchs, in a direction from left to right,—and that will be from west to east. When the first year is completed, in order that as many as possible of the guards may not only become familiar with the country in one season of the year, but may also learn about what occurs in each several district at different seasons, their leaders shall lead them back again in the reverse direction, constantly changing their district, until they have completed their second year of service. For the third year they must elect other land-stewards and phrourarchs. (760b-e)

**LS:** Yes, so they elect five phrourarchs, and each—no, I think five times twelve phrourarchs, for

[iii] E.g., Aristotle *Politics* 1329a27-33.

every tribe. That's to say [there are] twelve [tribes] of the citizen body. They [each] elect five phrourarchs. And this group of five selects twelve younger men—they are the country-wardens proper. So each tribe will supply seventeen men, and so the whole body will be[22] two hundred four men. These are the country wardens. He will go on to speak about the country wardens (we shall read that) for quite some time. As a matter of fact, the section on the country wardens is the largest of the sections on the particular magistracies, just at the section on the priests is the shortest. And furthermore, the section on the priests is in the centre of the magistracies discussed. I believe that is a solution to the difficulty we found at the beginning of our reading today, that we did not know what will be the subject next. And especially, he says, we will select three kinds of rulers, but he mentioned only two and did not mention the most important, namely, the country wardens.[23] They are, you can say, the rural police.[24] Now let us see what the matter is about them.

**Reader:**
ATH. During their period of residence in each district their duties shall be as follows: first, in order to ensure that the country shall be fenced as well as possible against enemies, they shall make channels wherever needed, and dig moats and build crosswalls, so as to keep out to the best of their power those who attempt in any way to damage the country and its wealth; and for these purposes they shall make use of the beasts of burden and the servants in each district, employing the former and supervising the latter, and choosing always, as far as possible, the time when these people are free from their own business. (760e-61a)

**LS:** In other words, they can arrange police for public service. That is part of security. Yes?

**Reader:**
ATH. In all respects they must make movement as difficult as possible for enemies, but for friends,—whether men, mules or cattle—as easy as possible, by attending to the roads, that they all may become as level as possible, and to the rain-waters, that they may benefit instead of injuring the country, as they flow down from the heights into all the hollow valleys in the mountains: they shall dam the outflows of their flooded dales by means of walls and channels, so that by storing up or absorbing the rains from heaven, and by forming pools or springs in all the low-lying fields and districts, they may cause even the driest spots to be abundantly supplied with good water. As to spring-waters, be they streams or fountains, they shall beautify and embellish them by means of plantations and buildings, and by connecting the pools by hewn tunnels they shall make them all abundant, and by using water-pipes they shall beautify at all seasons of the year any sacred glebe or grove that may be close at hand, by directing the streams right into the temples of the gods. And everywhere in such spots the young men should erect gymnasia both for themselves and for the old men—providing warm baths for the old: they should keep there a plentiful supply of dry wood, and give a kindly welcome and a helping hand to sick folk and to those whose bodies are worn with the toils of husbandry—a welcome far better than a doctor who is none too skillful.

**LS:** Yes. So, you see—well, one expects the Athenian to speak more in detail about what the town police would have to do about the beauty of towns, but he is almost silent about it. But the rural police plays a very great role. Let us see.

**Reader:**
ATH. They shall carry on these, and all similar operations, in the country districts, by way of ornament as well as use, and to furnish recreation also of no ungraceful kind. The serious duties in this department shall be as follows: the Sixty must guard each their own district, not only because of enemies, but in view also of those who profess to be friends.

**LS:** This seems to indicate that each phrourarch picks twelve men. It is very dark, and one gets into difficulties either way if one assumes that the phrourarch picks twelve, or if one assumes that the five pick twelve. This is a difficulty which I cannot solve. Yes?

**Reader:**
ATH. And if one either of the foreign neighbours or of the citizens injures another citizen, be the culprit a slave or a freeman, the judges for the complainant shall be the Five officers themselves in petty cases, and the Five each with their twelve subordinates in more serious cases, where the damages claimed are up to three minae. No judge or official should hold office without being subject to an audit, excepting only those who, like kings, form a court of final appeal. So too with regard to these land-stewards: if they do any violence to those whom they supervise, by imposing unfair charges, or by trying to plunder some of their farm-stores without their consent, or if they take a gift intended as a bribe, or distribute goods unjustly—for yielding to seduction they shall be branded with disgrace throughout the whole State; and in respect of all other wrongs they have committed against people in the district, up to the value of one mina, they shall voluntarily submit to trial before the villagers and neighbours; and should they on any occasion, in respect of either a greater or lesser wrong, refuse thus to submit,—trusting that by their moving on every month to a new district they will escape trial,—in such cases the injured party must institute proceedings at the public courts, and if he win his suit, he shall exact the double penalty from the defendant who has absconded and refused to submit voluntarily to trial. (761a-62b)

**LS:** So in other words, this severe supervision is necessary because they have rather high functions as magistrates in the country, and they move every month to a new district. The temptation to commit such crimes is particularly great.

**Reader:**
ATH. The mode of life of the officers and land-stewards during their two years of service shall be of the following kind. First, in each of the districts there shall be common meals, at which all shall mess together. If a man absents himself by day, or by sleeping away at night, without orders from the officers or some urgent cause, and if the Five inform against him and post his name up in the market-place as guilty of deserting his watch, then he shall suffer degradation for being a traitor to his public duty, and whoever meets him and desires to punish him may give him a beating with impunity. (762b-d)

**LS:** So there will be common meals of these people. Now, the common meals were discussed before, as you may remember: they were a Spartan or Cretan institution, and the Athenian had blamed them to some extent because of the inducement which they give to homosexuality. And here you see especially they must also sleep there: they cannot go home at night to their wives.

He can hardly have forgotten that. But apparently he is willing to accept this inconvenience because they must be together and supervise one another as far as their public duties are concerned. In addition, there will always be an older man or a few older men around. Yes?

**Mr. Gary:** I have a question. This seems like a totally unreliable way of getting people to do things, because the Five inform against the person and they put his name up in the marketplace, and the punishment is that anybody who finds him can beat him up and not get arrested for that. Is that right?

**LS:** Yes, well, as an additional disgrace.

**Mr. Gary:** Okay, but the disgrace of having his name put up in the marketplace could be laughed at. He could be very popular, so that no one would want to beat him up, and he could be enormously big and strong, so by virtue of his popularity and strength he could ignore this and he could sleep all day and never go on watch.

**LS:** Yes. Well,[25] somewhere the law guardians, the highest magistrates, will see to that, that this doesn't happen. Yes?

**Reader:**
ATH. And if any one of the officers themselves commits any such act, it will be proper for all the Sixty to keep an eye on him; and if any of them notices or hears of such an act, but fails to prosecute, he shall be held guilty under the same laws, and shall be punished more severely than the young men; he shall be entirely disqualified from holding posts of command over the young men. Over these matters the Law-wardens shall exercise most careful supervision, to prevent if possible their occurrence, and, where they do occur, to ensure that they meet with the punishment they deserve.

Now it is needful that every man should hold the view, regarding men in general, that the man who has not been a servant will never become a praiseworthy master,—

**LS:** Yes. I would translate it more literally: "Who has not served as a slave will never become a praiseworthy master." Yes—

**Reader:**
ATH. and that the right way to gain honor is by serving honourably rather than by ruling honourably—

**LS:** "By serving as a slave nobly rather than by ruling nobly." Ya.

**Reader:**
ATH. doing service first to the laws, since this is service to the gods, and secondly, the young always serving the elder folk and those who have lived honourable lives. In the next—

**LS:** This is[26] a general rule, which applies not only to the country wardens.[27] It was a general

view that one must first be a good subordinate, good at obedience before one can become good at commanding. But here the Athenian goes beyond that: one must be much more proud at being good at obeying than at being good at commanding. Yes?

**Reader:**
ATH. In the next place, he who is made a land-steward must have partaken of the daily rations, which are coarse and uncooked— (762d-e)

**LS:** The term he translates coarse is *tapeinon*; that word is "humble." Yes. So an austere life of obedience, we can say, of obedience and of chastity. Poverty is not presupposed because they are likely to be the sons of the more wealthy people. How can the sons of the poorer people be spared for two whole years, especially in the critical periods of agriculture?

**Mr. Gary:** That's an objection which is made today about the army. People say the two years spent living in the army which is—I don't know if it's eating turnips, but living in a condition of some kind of chastity and not making money—people object that this is more a burden on the poor people than the wealthy people because the poor people can't afford to take the time and use it in that way.

**LS:** I see. Well, I do not know what the pay is and I do not know what they would earn in civilian life if, possibly, unemployed. Yes, I do not know. Yes?

**Student:** I take it in the section where he talks about its being better to serve as a servant than as a master, he's not recommending any kind of apprenticeship where people serve as slaves, but rather a theoretical consideration of—

**LS:** Oh, no, they will be sent—they will be taught by the phrourarchs, their superior officers, to do this and that, and he will develop that in the sequel.

**Same Student:** All men?

**LS:** They will have no servants or slaves of any kind. They must do all the work for themselves, just as soldiers.

**Same Student:** But in earlier passages, he talks about servants and people having slaves—

**LS:** For public service. When[28] the matter is one of building or repairing a road, for example—then they can command that the villagers around there put their slaves at their disposal, for public service, not for their service.

**Dr. Kass:** In the same passage, it seems to me that the first statement suggests that a man who has not served as a slave will not become a worthy master, suggesting that the former is for the sake of, a kind of training for the latter. The latter is somehow higher. And then the second statement is suggesting the opposite, that the right way to be honored is by serving rather than by ruling.

**LS:** Yes, only by serving can one learn to rule. That is the point.

**Dr. Kass:** But the second—the first statement seems to be a statement of prerequisites: in order to rule well, one needs first to obey well.

**LS:** Yes.

**Dr. Kass:** But the second part of that statement, in English, the right way to gain honor is by serving honorably rather than by ruling honorably, suggests that the highest honor belongs to him who is obedient rather than the man who rules well. The man who serves well rather than the man who rules well.

**LS:** Yes, from this broader consideration, because service is to be the spirit of the whole community: service to the laws, service to the gods. In this sense, service is a more comprehensive duty and ruling is, as it were, only one form of serving. Some citizens are delegated for a definite period to ruling. Men ordinarily regard ruling as more noble than serving. One only has to look at TP in order to see that if one has no experience of one's own—

**Dr. Kass:** I still have this difficulty with the passage, that the first statement seems to appeal to the desire of men to rule: you'll never rule well if you don't obey. It seems at the very least a concession to that desire; or to mean there is training of something in you which is in fact prior, namely, the desire to rule.

**LS:** Are the two incompatible?

**Dr. Kass:** No, I don't believe—

**LS:** Serving as a step toward ruling, and even that ruling is a form of serving. I believe there is no difficulty.

**Mr. Klein:** Serving the laws.

**LS:** Yes. I mean, so that the ruler himself is a servant. And service is the highest thing, not ruling, in this city.

**Dr. Kass:** If everyone, if the rulers are themselves servants of the laws, then the distinction between rulers and servants disappears.

**LS:** No,[29] whether you are commanded by the law to obey or to rule this distinction remains. I mean, someone is commanded by the law to be a general, i.e., to command, but even his commanding is the fulfillment of a duty, a service. So service is the more comprehensive thing. I don't believe that there is a difficulty here. Yes?

**Reader:**
ATH. For whenever the Twelve have been chosen, being assembled together with the Five, they shall resolve that, acting like servants, they will keep no servants or slaves to wait on themselves,

nor will they employ any attendants belonging to the other farmers or villagers for their own private needs, but only for public requirements; and in all other respects they shall determine to live a self-supporting life, acting as their own ministers and masters, and thoroughly exploring, moreover, the whole country both by summer and winter, under arms, for the purpose both of fencing and of learning each several district.

**LS:** Yes. "Under arms" might very well mean "under heavy arms": as hoplites.

**Reader:**
ATH. For that all should have an accurate knowledge of their own country is a branch of learning that is probably second to none: so the young men ought to practice running with hounds and all other forms of hunting, as much for this reason as for the general enjoyment and benefit derived from such sports. With regard, then, to this branch of service—both the men themselves and their duties, whether we choose to call them secret-service men or land-stewards or by any other name—every single man who means to guard his own State efficiently shall do his duty zealously to the best of his power. (763a-c)

**LS:** Yes. What he translates here by secret service men[30]—*kryptoi*, people who are hidden—reminds of a kind of Spartan institution called the *krypteia*. That was a kind of secret police, and they had to watch the Helots, the subject population—by night especially, when they might do all kinds of mischief—and part of their duty was to assassinate them if they were obnoxious. And they did this. There is a story in Thucydides about quite a massacre which they occasionally made, at the command of the authorities, of course.[iv] Now I'm sure [that] in this city such things don't happen, because there are no Helots. He will take up the question of slaves in[31] book 6. There are of course slaves, and the question of runaway slaves must be faced. It is not discussed there, but I take it for granted that these secret service men would, among many other things, also take care of runaway slaves—I mean not killing them, but bringing them back to their masters. This is not mentioned, but[32] I would say once you have slavery, you have also laws against fugitive slaves, yes? I mean, that is inevitable, and then the rural police are in a much better position to apprehend them because the runaway slaves are not likely to stay in the city where they will easily be found, but in out-of-the-way places in the countryside.

**Mrs. Kaplan:** If a slave ran away, was he free? Suppose he was running from Sparta to Athens, would he always remain a slave?

**LS:** As a rule, yes. But sometimes, especially in war, they might promise freedom to slaves who ran away from the enemy city. I mean, that is one warlike measure like any other, like burning down villages or fields, harvest-fields and so on.

**Mrs. Kaplan:** So it was a rather political act but not a legal institution, that someone who changed his location could become free.

**LS:** No, it was not like the South and the North prior to the Civil War. There was everywhere

[iv] Thucydides *History of the Peloponnesian War* 4.80.

slavery. There is one discussion as far as I know in Plato's work of such a case, at the beginning of the *Protagoras*. An apparently nice young man, Hippocrates, comes to Socrates in the morning, after having heard that Protagoras is in town. He couldn't come in the evening because he had to run after a runaway slave. He had apparently finally brought him back late in the night; but in the morning, of course, the first thing was to meet Protagoras.[v] And that is told, I suppose, to throw some light on Hippocrates: that he was a man, as one can say, who stands up for his rights, which Socrates would not do. He didn't have any slaves. Now this is the end of the section on the country-wardens, which as we have seen, or we will see, is by far the longest section in the part on the magistracies. Now we should go on.

**Reader:**
ATH. The next step in our choice of officials is to appoint market-stewards and city-stewards. After the land-stewards (sixty in number) will come the three town-stewards, who shall divide the twelve sections of the city—town—into three parts, and shall copy the land stewards in having charge of the streets of the town and of the various roads that run into the town from the country, and of the buildings, to see that that all these conform to the requirements of the law— (763c-d)[vi]

**LS:** Yes, he translates *asty* and *polis* as—

**Reader:** I was changing *asty* to "town"—or then we have town-stewards dealing with the city. I don't understand.

**LS:** Yes, well,[33] sometimes the terms are used synonymously; but they are not used here—the name, well, becomes important. A distinction is made, and therefore they are not called city wardens, but town wardens, in contradistinction to the country wardens.

**Reader:** Is it important here that it's "city-wardens" or "town-wardens," or is it—

**LS:** Yes. Yes, sure, it's important.

**Reader:** Then it should be "town-wardens."

**LS:** Yes, town wardens, by all means.

**Reader:** Then they should work in "towns."

**LS:** [34]Yes, that is a normal looseness, that he speaks here of the city, yes.

**Reader:**
ATH. The town-wardens[vii], who shall divide the twelve sections of the city into three parts, and shall copy the land-stewards in having charge of the streets of the city— (763c)

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[v] Plato *Protagoras* 310b-d.

[vi] The reader substitutes "town" for the Loeb's "city" throughout this passage.

[vii] The Loeb reads "the three city-stewards."

**LS:** Oh, no, it must be city, because the city, the whole city, is divided into twelve parts. A twelfth of the city and a twelfth of the country go together, form one part—

**Reader:** Oh, I see.

**LS:** And the streets go, say, from the center of town through a certain district of the city, through the countryside, following it up to the borders. Did I make myself clear? So that—[35][LS writes on the blackboard] I'm not good at drawing, but let us assume this is the whole city, and so we divide it, the whole thing, into twelve parts. And then the streets go through, up to the point[36]—and so on. Twelve parts . . .

**Student:** What about the roads between the cities?

**LS:** There is only one city, yes, sure, just as there is only one government. I mean, there[37] will be a number of villages, but those belong to [a] particular twelfth, you know, of the[38] countryside. It's not difficult. Think of Athens, of Attica: *the* city is Athens, and there are quite a few villages or almost villages in Attica, and the same in Thebes and Sparta: there is only one city, and the countryside. Here[39] in this particular arrangement there must be a division of the whole into twelve, yes, both of the city and the countryside—of the *town* and the countryside—for the division of the city as a whole. Yes?

**Reader:**
ATH. who shall divide the twelve sections of the city into three parts, and shall copy the land-stewards, in having charge of the streets of the city and of the various roads that run into the city from the country, and of the buildings, to see that all these conform to the requirements of the law; and they shall also have charge of all the water-supplies conveyed and passed on to them by the guards in good condition, to ensure that they shall be both pure and plentiful as they pour into the cisterns, and may thus both beautify and benefit the city. Thus it is needful that these men also should have both the ability and the leisure to attend to public affairs. Therefore for the office of city-steward—

**LS:** Of town-steward.

**Reader:**
ATH. every citizen shall nominate whatever person he chooses from the highest property-class; and when these have been voted on, and they have arrived at the six men for whom most votes have been cast, then those whose duty it is shall select the three by lot; and after passing the scrutiny, these men shall execute the office according to the laws ordained for them. (763c-e)

**LS:** You see, we learn here quite in passing that the town wardens too will be elected from the highest property class. The town-wardens, too. Who else? I would say the country wardens. They alone have the leisure to fulfill these duties.

**Student:** . . .

**LS:** No, the same man could not at the same time belong to the two different magistracies.

**Student:** Suppose the same family had two sons: one could be a town warden, and one could be a country warden, since they have two homes, right? One in the city, one in the country; or one in the town, one in the country.

**LS:** I mean, yes, that is not explained here. You mean it might so happen that[40] for the same family, two sons are elected in the same year to one of these magistracies. Do you mean that?

**Student:** Yeah.

**LS:** Yes, that could happen; that[41] is not excluded. I mean, nothing is said about the numerical relations of the four classes. I would assume that the highest property class is much smaller in numbers than the other classes. Say that if the whole is 5,040, I don't believe there would be more than five hundred in the highest property class,[42] so that most of them would fill some magistracy in any year, any given year. One difficulty which we have not taken up and which we may take up next time is: How is this possible? These young men who will be country wardens,[43] they are[44][more than] twenty-five [years old], and by that time they may be married. This creates some difficulties for the poor wives, if they are in a common mess hall and must not even sleep at home. We will take it up when we come to that.

**Student:** Perhaps they may leave with permission.

**LS:** Yes, but still; that is true, but I don't believe he thought of this side. I suppose he thought of something like a death of the father, or something rare which occurs more or less infrequently. Yes?

**Reader:**
ATH. Next to these they must elect five market-stewards from the second and first property-classes: in all other respects the mode of their election shall be similar to that of the city-stewards; from the ten candidates chosen by voting they shall select the five by lot, and after scrutiny declare them appointed. All shall vote for every official: any man who refuses to do so, if reported to the officials, shall be fined fifty drachmae, besides being declared to be a bad citizen. Whoso wishes shall attend the Ecclesia and the public assembly; and for members of the second and first property-classes attendance shall be compulsory, anyone who is found to be absent from the assemblies being fined ten drachmae; but for a member of the third or fourth class it shall not be compulsory, and he shall escape without a fine, unless the officials for some urgent reason charge everyone to attend. (763e-64a)

**LS:** Well, we had similar regulations a little before, when he spoke of the election[45] of the law-guardians, so the lower classes don't have to vote and the[46] candidates are to be elected from the two highest classes. So that means the two highest classes are among themselves. This gives the whole city that character which Aristotle calls oligarchic, a preponderance of wealth as wealth.

**Mr. Klein:** What is the difference between *ekklēsia* and the public assembly?

**LS:** I do not know. It may be just a hendiadys.

**Student:** It may be what?

**LS:** Well, one of these expressions where the two terms mean the same thing. They are grammatically two, in meaning one.

**Mr. Gary:** What is *syllogon*?

**LS:** *Syllogos.* [viii]

**Mr. Gary:** What is that? Is that the—

**LS:** Yes, that is some people having been called together: convocation. Yes—

**Reader:**
ATH. The market-stewards must see to it that the market is conducted as appointed by law: they must supervise the temples and fountains in the market, to see that no one does any damage; in case anyone does damage, if he be a slave or a stranger, they shall punish him with stripes and bonds, while if a native is guilty of such misconduct, they shall have power to inflict a fine up to a hundred drachmae of their own motion, and to fine a wrongdoer up to twice that amount, when acting in conjunction with the city-stewards. Similarly, the city-stewards shall have the power of fining and punishing in their own sphere, fining up to a mina of their own motion, and up to twice that sum in conjunction with the market-stewards. (764b-c)

**LS:** Yes. This is not very interesting, but the point is quite striking: these two magistrates, the town wardens and the market wardens, were mentioned at the beginning when he spoke of the three classes of magistrates, whereas a more interesting kind, the country wardens, were not mentioned at the beginning.

**Mr. Gary:** Doesn't this contradict the notion given in *Exodus*, is it chapter 12 or 13, that the laws are set in such a way that the homeborn and the sojourner would be treated under the same law?[ix] Where here, if a stranger comes along and does some misconduct in the marketplace, he gets the same treatment as a slave: he gets stripes. That is, it seems there is a very different understanding of the nature of a stranger, or of what to do with a stranger between—

**LS:** Yes, sure. There is no—

**Mr. Kaplan:** . . .

**LS:** But there is no premise that the members of that city were themselves strangers somewhere

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[viii] Translated above as "public assembly" (764a4).

[ix] *Exodus* 12:49 ("One law shall be to him that is homeborn, and unto the stranger that sojourneth among you.")

else, and therefore they should have compassion for strangers.

**Mr. Gary:** I see, then if its not reciprocal, you are free to do what—

**LS:** Yes.

**Mr. Gary:** I think that reflects a very calculated understanding of the guest-friend relationship, the relationship of a stranger—

**LS:** Well, the guest-friend will be ordinarily a nice man from another city, who will not commit any theft or mayhem in the market, yes?

**Mr. Gary:** I still think—

**LS:** I mean, these are degrading punishments, and they should not be inflicted in the same way on the citizens, on parts of the sovereign, and then on people who are not parts of the sovereign.

**Mr. Gary:** I think the stranger should be given the benefit—

**LS:** Well, I will give you an example from this country. You may have heard that divorce is now no longer so frowned upon as it was in the past. But at least twenty years ago, if an immigrant was divorced, or was divorced while he was waiting for citizenship, that was held against him.

**Mr. Gary:** But haven't you said that you shouldn't treat people according to how they act but according to how they should be treated?

**LS:** What does that mean?

**Mr. Gary:** You don't regulate your justice towards people simply according to whether people are strangers or someone you know, but it's the same for both.

**LS:** Yes. Well, that is not so according to the view of the *polis*. The *polis* is a community of "free and equals," and those who do not belong are of course of lesser right. If they have a city of their own, then they are free and equal there; but if they are slaves, or stateless, then they have no rights except what a city might grant, because they can use their services or, yes, because they can be useful. I don't believe compassion would play any role. But because they are useful, that would be another matter.

**Mr. Gary:** I wasn't thinking simply of compassion, but I was thinking of the divine aspect of the guest-friend relationship, as protection—

**LS:** Yes, but the guest-friend is a citizen elsewhere.

**Mr. Gary:** But he is protected—

**LS:** Say, Megillus's family: they are citizens in Sparta, and they have guest-friends in Athens.

**Mr. Gary:** But if he comes to this city—

**LS:** But to be *apolis*, cityless, that is terrible.

**Mr. Gary:** But nobody is cityless–

**LS**: Yes, there are people, for example, if someone is exiled, or someone has committed a murder, and has to run from home, then he is cityless.

**Mr. Gary:** I see, I see.

**LS:** And if someone slays him then, that may be a punishable offense but needn't be.[47] You cannot assume here biblical notions, of course.

Now he comes to the officers in charge of education, and finally to the judiciary. And finally that is the end of the section on magistracies, and we will, if everything goes well, read that next time.

[1] Deleted "was this."

[2] Deleted "the."

[3] Deleted "the."

[4] Deleted "They were of course contro–and in Plato."

[5] Changed from "whom to exclude would be a question."

[6] Changed from "with a very misleading verb."

[7] Deleted "It's on page.347, at the top."

[8] Deleted "no, no."

[9] Deleted "people who."

[10] Deleted "will be more."

[11] Deleted "I was."

[12] Deleted "Not a."

[13] Deleted "the last which we read was."

[14] Deleted "or is"

[15] Deleted "but."

[16] Deleted "mentions."

[17] Deleted "does."

[18] Deleted "they."

[19] Moved “indeed.”

[20] Deleted “the council.”

[21] Deleted “Now he turns."

[22] Deleted “204.”

[23] Deleted “Now let us see what the.”

[24] Deleted “The rural police.”

[25] Deleted “as opposed to.”

[26] Deleted “I mean, this is.”

[27] Deleted “That.”

[28] Deleted “they are—when.”

[29] Deleted “it does.”

[30] Deleted “that reminds.”

[31] Deleted “book seven—I mean.”

[32] Deleted “that is.”

[33] Deleted “he divides.”

[34] Deleted “But then he speaks.”

[35] Deleted “is there, there is a blackboard.”

[36] Deleted “so that.”

[37] Deleted “may be a number, there.”

[38] Deleted “country, of the.”

[39] Deleted “it is only.”

[40] Deleted “the same.”

[41] Deleted “is, that.”

[42] Deleted “and.”

[43] Deleted “and.”

[44] Changed from “after twenty-five.”

[45] Deleted “guardians, of th.e”

[46] Deleted “men are, the.”

[47] Deleted “There is no.”

**Session 20: no date**

**Leo Strauss:** The city of Plato's *Laws* will have no communism of property, women, and children. But it is a city directed, of course, toward the whole of virtue and not only towards the virtue of war, courage,[1] like Sparta or Crete. And in accordance with this, there is to be a preponderance of virtuous men as distinguished from the rich or the men of noble descent. So virtue is the guiding consideration, and that means—although it is naturally not the theme, but it is indicated—the guiding consideration is not freedom. Freedom is something which presupposes virtue rather than something which is a guiding consideration. Now precisely since the city of the *Laws* is an ordinary city, it has religious foundations. Of course, unlike in Sparta and Crete, there is no claim that the laws were[2] revealed by Zeus or some other god to the legislator.

Now as for the preponderance of the virtuous in opposition to the preponderance of the rich, this is rendered somewhat complicated by the fact that the city is divided into four property classes, and the highest class has greater privileges—or burdens. It cuts both ways. In accordance with this, there is no discussion in this section of the *Laws* which we are now reading of the popular assembly. It is presupposed there is such a thing but it is not thematically discussed.

Now one more point regarding the divine things. We have heard earlier in the *Laws* that the regime proposed here is the rule of God, and that means the rule of the *nous*, the intellect. This is clearly distinguished from the rule of the Olympian gods. The Olympian gods are to be distinguished, although the distinction is not made explicitly here, from the cosmic gods: sun, moon, and so on. The relation of the Olympian gods to the cosmic gods can perhaps be understood along the lines of a statement of Heraclitus: "The one which is alone wise . . . wishes and does not wish . . . to be called by the name of Zeus."[i] "Does not wish": rejection of the Olympian gods as such, but "wishes." In a way it calls for something like the Olympian gods. The one wise, the father of the universe, is not an Olympian god, but it calls for something like the gods of the city in a derivative way. We will find some evidence for that in what we will read today.

Now is there any point in what we had discussed last time or before which you would like to take up? Well, may I remind you that we have read now of the provisions regarding the law wardens or law guardians, the military commanders, the council, the priests, and the police officials, police officers—I mean, not a cop in the corner but rather men in the commanding positions in the police. These are five. Two more have to be considered: the officials in charge of education, and[3] the judges. These two sections we will read now.[4]

**Reader:**
ATH. It will be proper next to appoint officials for music and gymnastics,—two grades for each department, the one for education, the other for managing competitions. By education-officers the law means supervisors of gymnasia and schools, both in respect of their discipline and teaching, and of the control of the attendances and accommodation both for girls and boys. By competition-officers it means umpires for the competitors both in gymnastic and in music, these

[i] Diels-Kranz B 32.

also being of two grades. For competitions there should be the same umpires both for men and for horses; but in the case of music it will be proper to have separate umpires for solos and for mimetic performances,—I mean, for instance, one set chosen for rhapsodists, harpers, flute-players, and all such musicians, and another set for choral performers. We ought to choose first the officials for the playful exercise of choirs of children and lads and girls in dances and all other regular methods of music; and for these one officer suffices, and he must be not under forty years of age. And for solo performances one umpire, of not less than thirty years, is sufficient, to act as introducer and to pass an adequate judgment upon the competitors. The officer and manager of the choirs they must appoint in some such was as the following. All those who are devoted to these subjects shall attend the assembly, and if they refuse to attend they shall be liable to a fine—a matter which the Law-wardens shall decide: any others who are unwilling to attend shall be subject to no compulsion. Every elector must make his nomination from the list of those who are experts: in the scrutiny, affirmation and negation shall be confined to one point only—on the one side, that the candidate is expert, on the other side, that he is not expert; and whichever of the ten who come first on votes is elected after the scrutiny shall be the officer for the year in charge of the choirs according to law. In the same way as these they shall appoint the officer elected to preside for the year over those who enter for competitions in solos and joint performances on the flute. Next it is proper to choose umpires for the athletic contents of horses and men from among the third and the second property-classes: this election it shall be compulsory for the first three classes to attend, but the lowest class shall be exempt from fines for non-attendance. (764c-65c)

**LS:** Shall we stop here at the moment? Here is clearly stated that in the case of the officials in charge of gymnastic competitions, only men from the second and third highest property class are eligible, and those from the fourth property class are under no obligation to participate in the election. He hadn't said anything about who is eligible and who is to be an elector in the case of[5] the official in charge of musical competition, but are we not permitted to make an inference by analogy? If the fourth class is excluded even in the case of gymnastics, will it not be all the more excluded in the case of music? There is a reference when he speaks of music to people who are concerned or devoted to this kind of thing and experienced—in other words, in the old sense, educated people. Now generally speaking, education goes together with some wealth, something which is more likely to be found in the highest classes than in the lower classes. So I presume that the men in charge of musical competitions will be elected in fact from the first two classes. That is not explicitly stated, but it is[6] [alluded to in the formulation] "people who take an interest in that," and those who do not take an interest do not have to go. People who have[7] to attend to their farms will have no inducement to participate in the elections. Similar considerations apply to the eligibility. This would imply one thing regarding the Athenian's procedure: that he does not underline too strongly the disqualifications of the lowest class. It is implied in certain provisions—this is not only the only one we have seen—it is implied, but it is not underlined, for, as he said earlier in a more fundamental consideration, one must not cause bad blood and one must not cause dissatisfaction. And explicit discrimination is of course annoying, but if it goes under a more general name, under a code name as I believe they call it now, under the name of education or experience or those who take an interest in it, that is another matter. I think one has to understand it this way.

**Reader:**

ATH. Three shall be appointed: twenty having been first selected by show of hand, three out of the twenty shall be chosen by lot; and they shall be subject also to the approval of the scrutineers. Should any candidate be disqualified in any voting or testing for office, they shall elect a substitute, and carry out the scrutiny by the same method as in the case of the original candidate.

**LS:** So these are the provisions regarding the men in charge of competitions, both gymnastic and musical. Now he comes to the more important part, education itself.

**Reader:**
ATH. In the department we have been dealing with, we have still to appoint an officer who shall preside over the whole range of education of both boys and girls.

**LS:** He puts females first: the females as well as the males, to emphasize that this is a kind of equality of the two sexes, of which we shall hear more later.

**Reader:**
ATH. For this purpose there shall be one officer legally appointed: he shall not be under fifty years of age, and shall be the father of legitimate children of either sex, or preferably of both sexes.

**LS:** So Plato excludes himself. Yes? He would not become the official in charge of all education, because he is not a father of legitimate children.

**Reader:**
ATH. Both the candidate that is put first, and the elector who puts him first, must be convinced that of the highest offices of State this is by far the most important. For in the case of every creature—plant or animal, tame and wild alike—it is the first shoot, if it sprouts out well, that is most effective in bringing to its proper development the essential excellence of the creature in question. Man—

**LS:** "Which completes it with a view to the virtue of its own nature." That is to say, its specific nature. That is to say, the nature of a horse, of a dog, and of a human being.

**Reader:**
ATH. Man, as we affirm, is a tame creature: none the less, while he is wont to become an animal most godlike and tame when he happens to possess a happy nature combined with right education, if his training be deficient or bad, he turns out the wildest of all earth's creatures. (765c-66a).

**LS:** Now this reminds of a very well-known passage at the beginning of Aristotle's *Politics*, where the fundamental thing is said in exactly the same way—we have some subtleties here in Plato which are not in Aristotle[ii]: the man who is properly educated is the most divine and most gentle living being, simply. But if he does not have the right kind of education, then he is the most savage living being on earth. The question is: Could there be savage beings not on earth?

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[ii] Aristotle *Politics* 1253a29-38.

Perhaps. Artemis was called *Agriōtera*: one form of Artemis, a more savage Artemis, a huntress. Whether that is intended or not is uncertain.

**Reader:**
ATH. Wherefore the lawgiver must not permit them to treat the education of children as a matter of secondary or casual importance; but, inasmuch as the presiding officer must be well selected, he must begin first by charging them to appoint as president, to the best of their power, that one of the citizens who is in every way the most excellent. Therefore all the officials—excepting the Council and the prytaneis—shall go to the temple of Apollo, and shall each cast his vote for whichever one of the Law-wardens he deems likely best to control educational affairs. He who gains most votes, after passing a scrutiny held by the selecting officials, other than the Law-wardens, shall hold office for five years: in the sixth year they shall elect another man for this office in a similar manner.

**LS:** So[8] as he said, that is the highest and most important office in the city: the man in charge of the whole of education. He will not be elected by lot, as you have seen; nothing is said as to the class from which he is likely to come. This will depend, I suppose, on what the chances are of getting a man who is best in every respect in the lowest class. As for what he said about the purpose of education in this section, one would have to compare this with the earlier definitions of education, and here of course there is no reference to the law as the end of education, because education of men is here understood just as the education or rearing of other living beings not subject to any laws. There is a natural end, and with a view to that end the education must take place. That is not altogether surprising.[9]

**Reader:**
ATH. If anyone holding a public office dies more than thirty days before his office terminates, those whose proper duty it is must appoint a substitute in the same manner. If a guardian of orphans dies, the relations, who are residents, on both the father's and mother's side, as far as cousin's children, shall appoint a substitute within ten days, failing which they shall each be fined one drachma *per diem* until they have appointed the guardian for the children. (766a-c)

**LS:** Now this remark, at least the first part, would be the proper end of the whole section on magistracy; what should be done if an officeholder dies during his tenure. But then he goes over to the seemingly irrelevant issue: What about guardians of orphans, or is there perhaps a connection between magistrates in the city and guardians of orphans? Perhaps some mild joke here enters.[10] Magistrates are, in a manner, such guardians of orphans: they are not the parents of the citizens but their guardians. And they are in need of guardians; otherwise there wouldn't be magistrates. I don't believe it is necessary to assume this was one of the notes which Plato left behind and which the editor put in into the most improbable place. It makes sense to say that we have here reached the end of the section on magistracies, as we will see in the sequel from what he will say about the last magistracy discussed, namely, the judges.

**Reader:**
ATH. A State, indeed, would be no State if it had no law-courts properly established; but a judge who was dumb and who said as little as litigants at a preliminary inquiry, as do arbitrators, would never prove efficient in deciding questions of justice; consequently it is not easy for a large or for

a small body of men to judge well, if they are of poor ability. The matter in dispute on either side must always be made clear, and for elucidating the point at issue, lapse of time, deliberation and frequent questionings are of advantage. Therefore those who challenge each other must go first to the neighbours and friends who know most about the actions in dispute; if a man fails to get an adequate decision from them, he shall repair to another court; and if these two courts are unable to settle the matter, the third court shall put an end to the case.

**LS:** This is the introductory remark to the next section on the judges, and now he comes to the more specific and more important statement.

**Reader:**
ATH. In a sense we may say that the establishment of law-courts coincides with the election of officials; for every official must also be a judge of certain matters, while a judge, even if not an official, may be said to be an official of no little importance on the day when he concludes a suit by pronouncing his judgment. Assuming then that the judges are officials—

**LS:** "That the judges, too, are magistrates." Yes?

**Reader:**
ATH. let us declare who will make suitable judges, and of what matters, and how many shall deal with each case. (766d-67a)

**LS:** So there is a question: the judges are and are not magistrates. What is the principle underlying the distinction between magistrates and judges—I mean, *archai* in Greek, the ruling offices, and justices? What is the characteristic of judges, that they are taken to be a special—are they not?—kind of magistrates or nonmagistrates? The whole doctrine of separation of powers is of course based on the fact that there is an essential difference between the judges and the other officials. The distinction between the judiciary, the deliberative, and the magistrates that is explained at great length by Aristotle in the *Politics*, that these are three *parts* of the regime;[iii] but he doesn't indicate any principle underlying that distinction. Wherever we find cities, we find these three functions fulfilled; and what interests him is rather, say, how does a democracy arrange these matters, how an oligarchy, than what is common to all cities. But the modern doctrines are doctrines of these three parts irrespective of the regime. Now I have here a few passages which may be helpful. The first is the *The Federalist Papers*, number 78, Hamilton:

"The executive not only dispenses the honors, but holds the sword of the community. The legislature not only commands the purse, but prescribes the rules by which the duties and rights of every citizen are to be regulated. The judiciary on the contrary has no influence over either the sword or the purse, no direction either of the strength or of the wealth of the society, and can take no active resolution whatever. It may truly be said to have neither Force nor Will, but merely judgment [and judging is indeed the primary meaning of the word judgment—LS]; and must ultimately depend upon the aid of the executive arm even for its judgments."

All these things in the *Federalist Papers* ultimately go back to Montesquieu's *Spirit of Laws,*

[iii] Aristotle *Politics* 1297b35-98a3.

book 11, chapter 6. Right at the beginning[11] there, Montesquieu makes the following remark:

"There are in every state three kinds of powers: the legislative power; the executive power, the power executing things which depends on the law of nations; and the power executing things which depend on the civil law. By the first [namely, the[12] legislative—LS], the prince or magistrate makes laws for all time or always, and corrects or abrogates those which are made. By the second [the executive power referring to foreign affairs—LS] he makes peace or war, sends or receives embassies, establishes security, and prevents invasion. By the third, he punishes crimes, or judges the difference among particulars, individuals. One would call the latter the power to judge, and the other simply the executive power of the state."[iv]

Here you have a distinction with a principle: [the] first thing is laws, and [then] legislative power. Then there are two kinds of laws which are relevant here: international law and national law. And the executive power referring to actions taking place under international law is the executive *par excellence*. And the executive referring to actions under the national law, this is the judiciary. This is a tolerably clear distinction.

We do not find any such distinction, say, in Aristotle, who has the clearest statement on the subject among the writers of antiquity and the reason is this: because Aristotle doesn't speak of the *legislative* power. He speaks of the deliberative power, which is something very different from the legislative power. The deliberative power, we can say, includes the legislative power but goes much beyond it. For example, all decisions regarding war and peace, regarding revenue, regarding foreign trade, and even regarding trade within the state all belong to the deliberative power. So the reason why this distinction has become seemingly more clear in modern times is connected with the fact that the deliberative power has been somehow reduced to the legislative power. And that is connected with the emergence in modern times of what the Germans call the *Rechtsstaat*, the state in the service of law, and the state limited to and by the law. Of course the word is German; I have never heard an English equivalent, but the thought is more of English than of German origin. Yes?

**Mr. Berns:** Isn't the basic condition of that, though, the shift to the nation state as the political unit, to very large political units that can't be simply surveyed by a small group of men?

**LS:** Then[13] the utmost you could expect would be legislative assemblies, but not deliberative assemblies? So that[14] even Locke was compelled to give the power regarding peace and war to the executive—to the federative power, as he called it? That could be. But I believe it is connected with this other thing:[15] the *polis* has more functions than to establish and to guarantee the law. And the highest, you can say, the central part of governmental power is the deliberative power because it makes all fundamental decisions. The magistrates are only executors of the law, and the judges are of course subordinate to the law. But the deliberative power makes all policy decisions in every respect, of which legislation is only one. Then the notion which is connected with that is that what we now call foreign affairs are simply subsumable under international law. Is there any other point?

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[iv] Montesquieu, *The Spirit of Laws,* 11.6.1-2. Presumably Strauss's translation.

**Mr. Berns:** I'm just wondering what happens under the Roman Empire with respect to this problem.

**LS:** Well, in fact, the complete absorption of all three powers by the Roman Emperor—I mean, slightly disguised by some seeming survival of legislative power in the Senate. Of course, the popular *comitia* were abolished and the Senate had to do what the emperors politely or impolitely demanded. And the judges were appointed ultimately by the emperor.

**Mr. Berns:** Yes, according to at least Tacitus and Gibbon. I was wondering whether something like modern historians like to emphasize happened: that as the empire got large, you had to have a great deal of administrative law—

**LS:** Yes.

**Mr. Berns:** And all sorts of codes that the political people on top really didn't have to concern themselves with primarily, but they did have to—

**LS:** Yes, in proportion that became technically important and politically unimportant.

**Mr. Berns:** Yes.

**Mr. Gary:** I don't understand something about the executive position. You said that the executive position *par excellence* is the position that traditionally deals with international law.

**LS:** No, no, in Montesquieu's language.

**Mr. Gary:** Yes, in Montesquieu. But it seems to me there in no such thing as international law, and that the best that can be said—

**LS:** According to Montesquieu, there is. There are some people, I think, some people in the State Department, who also believe that.

**Mr. Gary:** There are people who believe there is such a thing, but I don't think that there is; and I think that the best that can be said for the executive is that he's a kind of public relations man. I mean, he really doesn't have much to do aside from public relations . . . according to the program that is set up here in Montesquieu. If you don't accept this—

**LS:** Yes, but in addition, even if you disregard international law, there is still, for example, what should be done about Taiwan, and ping-pong,[v] and all these such things, and the Middle East. I mean, these are great headaches. You can't say that the president doesn't earn his keep.

**Mr. Gary:** Yes, but I could say that he's—

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[v] "Taiwan and ping-pong": both have to do with American relations with the People's Republic of China. In April 1971, the American ping-pong team was invited to the PRC, signaling a change in Sino-American relations. The following year President Richard Nixon became the first American president to visit China.

**LS:** Even if he is absolutely cynical in regard to international law (which I believe he is not, but even if he were), he would have quite a bit to do. In addition, the chief executive in this country is also the chief executive regarding internal affairs, as you know. Dr. Kass?

**Dr. Kass:** The distinction between the ancient and the modern: Would you say that one point which is perhaps fundamental is the emphasis, the difference between the emphasis on the common good and the private good or any private freedom, and that therefore the reduction of the deliberative to the legislative coincides with the view of law as governing, in a way least? It doesn't really say . . .

**LS:** Yes, that is connected, sure. The modern notion of freedom is connected with the fact that originally (which is today slightly overlaid by other things) the fundamental political or moral phenomena[16] are the natural rights of man: beginning of the Declaration of Independence. Today of course this is regarded as nonsense by most people, as you know. But when you hear them talk about civil liberties, they treat them as if they were in fact natural rights. I mean freedom of speech, of assembly, and so on. So that still survives, although no longer stated in its original terms. Whether[17] it has not lost its basis by abandoning the natural right basis, that is a question.

Yes, surely it is connected with that. And in the first place we have the natural rights of individuals who associate in order to protect their natural rights, and the laws are the instrument for protection. Or in a slightly more technical language, the laws are the public judgments as to the means of self-preservation. In the state of nature everyone is the judge, and therefore war of everybody against everybody. And if we want to have peace, the judgment on the means of self-preservation must be transferred to the sovereign, and then that is law. And if you have laws, peaceful living together is possible, and the primary purpose of government is of course to establish the laws, and naturally also to protect the society against invasion or other wicked people. Yes?

**Mr. Gonda:** I'm interested in Mr. Berns's question. If it is possible that something as large as the Roman Empire can still be understood in terms of the ancient principle, where the state is understood in the widest sense, a nation, then the question of the *polis* is no longer decisive, is it? It doesn't have the same force.

**LS:** Well, with Alexander's conquest—in a way, rather, already with his father Philip's conquest—the *polis* has ceased to be an interesting political institution, and its place was taken by something like what became called an empire, the empire of Alexander or the smaller empires of his successors, then of course finally the Roman Empire. Such men as Cicero still tried to understand the Roman Republic[18] in terms of Plato and Aristotle's teaching about the city, but this was a *tour de force* and[19] [involved] a complete disregard of the question of size. Cicero was resigned about that. Size—but he doesn't discuss that at all.

**Mr. Gonda:** But the question of friendship deals with size—

**LS:** Yes, friendship, that is possible. But friendship is always,[20] in the strictest sense, as it is in Aristotle,[21] a union of very few people. Now you can say, of course, friendship should also be

the bond of the citizens. But what does it mean when you have such a Babylon-like city as Rome in the late Republic? So[22] the thoughts or the words of Plato or Aristotle are still used, by Cicero especially, but they have no longer that resonance they had in Plato and Aristotle because there was no longer a *polis*. There was one *polis* which had swallowed up all other *poleis.* And in its way, Augustus and the later emperors drew the conclusion to that, and the later emperors.[vi] —the actual abolition of the commonwealth, of the Republic. But Augustus was a very shrewd politician, as you know, and so he preserved the names of the magistrates, as Tacitus says.[vii] But they were no longer [magistrates in fact]. I mean, even[23] [Augustus] was at the same time consul, and tribune of the plebes, and praetor, I don't know what else. Then these magistracies had lost their meaning. Do you remember where we are? 767b—no, you must begin with the sentence: "Having put down the judges, too, as magistrates, we shall say, or we will say which judges are proper, and for which things, and how many in each case."

**Reader:**
ATH. Assuming, then that the judges are magistrates[viii], let us declare who will make suitable judges, and of what matters, and how many shall deal with each case.

The most elementary form of court is that which the two parties arrange for themselves, choosing judges by mutual agreement; of the rest, there shall be two forms of trial,—

**LS:** No, that is[24] practically the same as arbitration.

**Reader:**
ATH. the one when a private person accuses a private person of injuring him and desires to gain a verdict by bringing him to trial, and the other when a person believes that the State is being injured by one of the citizens and desires to succor the common weal. Who and what sort the judges are must now be explained. First, we must have a court common to all private persons who are having their third dispute with one another. It shall be formed in this way. On the day preceding the commencement of a new year of office—which commences with the month next after the summer solstice—all the officials, whether holding office for one year only or longer, shall assemble in the same temple and, after adjuring the god, they shall dedicate, so to say, one judge from each body of officials, namely, that member of each body whom they deem the best man and the most likely to decide the suits for his fellow-citizens during the ensuing year in the best and holiest way. These being chosen, they shall undergo a scrutiny before those who have chosen them; and should any be disqualified, they shall choose a substitute in like manner. Those who pass the scrutiny shall act as judges for those who have escaped the other courts, and they shall cast their votes openly. The Councillors, and all the other officials, who have elected them, shall be obliged to attend these trials, both to hear and to see; and anyone else who wishes may attend. Anyone who accuses a judge of deliberately giving an unjust judgement shall go to the law-wardens and lay his charge before them: a judge that is convicted on such a charge shall submit to pay double the

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[vi] There was a change of tape at this point, during which a question goes unrecorded.

[vii] Tacitus *Annals*, book 1.

[viii] In the Loeb: "officials."

amount of the damage done to the injured party; and if he be held to deserve a greater penalty, the judges of the case shall estimate what additional punishment must be inflicted, or what payment made to the State and to the person who took proceedings. In the matter of offences against the State it is necessary, first of all, that a share in the trial should be given to the populace, for when a wrong is done to the State, it is the whole of the people that are wronged, and they would justly be vexed if they had no share in such trials; so, while it is right that both the beginning and the ending of such a suit should be assigned to the people, the examination shall take place before three of the highest officials mutually agreed upon by both defendant and plaintiff; should they be unable by themselves to reach an agreement, the Council must revise the choice of each of them. (767b-68b)

**LS:** No, wait a second. Here, these are offenses against the city. There was, as you probably know, no public prosecutor in Athens. Plato also doesn't assume that there is a public prosecutor, but anyone who wishes may act as a prosecutor. Now it would be interesting to see how Socrates would have fared under these provisions in the Cretan city. Of course a full answer is not possible before we know the law regarding impiety as it is established later on in book 10. But still, the judicial procedure would be more favorable because the *dēmos* does not have complete control of such trials. They come in, but the preparation of the trial and the final decision does not rest in the hands of the *demos*. Nor the preparation. As for this principle to which he refers—that if wrong is done to all, all should be judges—[it] is perhaps open to this difficulty: that no one should be judge in his own case, and here all are to be judges in the case of all. But I suppose there is no alternative to that in this particular case, and it shows one of the limitations of justice.

**Mr. Klein:** . . . the beginning and the end of such a suit should be assigned to the people . . . the beginning and the ending.

**LS:** You are right. I mean, I suppose the initiation. The accusation will be—

**Mr. Klein:** The ending.

**LS**: The final decision, the verdict. That is true. But the *basanos*, the examination, is in the hands of the three highest offices, regarding which the defendant and the prosecutor must agree. So in other words, Socrates and Meletus would have to agree regarding a kind of arbiter, and if they could not agree, as is likely the case there, then the Council would make a selection. But the main point concerning the case of Socrates in Crete is: What would the law regarding impiety be? If it is like the Athenian law, then Socrates might very well have had the same fate there as he had in Athens. But the law in Crete is different. There is especially a highest and somewhat secret board of officials, the nocturnal council, and they will have long conversations with people who are accused of impiety—I mean, of impiety in their thoughts, not in their actions—and will try to persuade them of the error of their ways. And if they let themselves be persuaded, then it is all right. Only if they are—and this becomes the biggest—if they remain stubborn and are at the same time unjust in their actions. But of course the two things might be separate from one another. Well, if this year were much longer, we could read this together.

**Reader:**

ATH. In private suits also, so far as possible, all the citizens must have a share; for the man that has no share in helping to judge imagines that he has no part or lot in the State at all. Therefore there must also be courts for each tribe, and judges appointed by lot and to meet the sudden occasion must judge the cases, unbiased by appeals; but the final verdict in all such cases must rest with that court which we declare to be organized in the most incorruptible way that is humanly possible, specially for the benefit of those who have failed to obtain a settlement of their case either before the neighbours or in the tribal courts.

Thus as concerns the law-courts—which as we say cannot easily be called either "offices" or "non-offices" without ambiguity—this outline sketch serves to describe them in part, though there is a good deal it omits; for detailed legislation and definition concerning suits would most properly be placed at the conclusion of the legislative code. (768b-c)

**LS:** Yes, that is clear because we do not yet know the laws, and therefore we cannot yet say the last word about the judicial organization, obviously. But now you note the repeated reference to the fact that the judges are and are not magistrates . . .

**Reader:**
ATH. So let these matters be directed to wait for us at the conclusion; and I should say that the other official posts have had most of the legislation they require for their establishment. But a full and precise account concerning each and all of the state departments and the whole of the civic organization it is impossible to give clearly until our review has embraced every section of its subject, from the first to the very last, in proper order. So now, at the point where we stand—when our exposition has reached so far as to include the election of the officials—we may find a fit place to terminate our previous subject, and to commence the subject of legislation, which no longer needs any postponements or delays. (768d-e)

**LS:** So now[25] this is the completion of the section on the magistracies, which fills the first half of book 6, and now begins the legislation proper, which goes to the end of the whole work. Is there any point you would like to raise regarding the magistracies?

**Mrs. Kaplan:** In all this section, if I remember rightly, only the teachers of gymnastic and music should be what we call more professional, or what was here in the translation "experts."

**LS:** Yes, in Greek—

**Mrs. Kaplan:** Only two categories. The rest were people chosen according to—

**LS:** [26]But of course military officers, it goes without saying,[27] must be people who have undergone military training and have shown themselves to be able commanders in previous wars. Otherwise they would not be able to be elected by their comrades-in-arms. This is so—

**Mrs. Kaplan:** That is common sense, probably—

**LS:** Yes, but[28] now let us see who are the others. The guardians of the laws surely must be

knowers of the laws.

**Mrs. Kaplan:** But no other training, if I remember rightly, is mentioned—except in this section, that they have to be experts. About music teachers and gymnastics and I don't remember the same way, that the law wardens, that they have to be—

**LS:** He mentions this in connection with the fact that they are to be elected from the second and third class, and not from the fourth, and in this context he mentions the requirement of experience, that is the Greek word, for the music—for the men in charge of the music contests.

**Mrs. Kaplan:** For the whole body of magistrates, there were *not* supposed to be . . . specialists—

**LS:** Think for example[29] of these younger people, the country wardens. They act under the supervision of an older man who has been elected, and he has picked these young people. Now they acquire experience and knowledge under his guidance: they serve under him for two full years, so they acquire full knowledge of the territory in all seasons of the year. Then the people who have to interpret the laws which are brought from Delphi or other oracles, they also must have some knowledge of how to do these things.

**Mrs. Kaplan:** It is clear that they must have common sense.

**LS:** No, no, they must also have experience. Specific experience.

**Mrs. Kaplan:** And they are chosen mostly from the educated classes.

**LS:** Yes, that is at least the hope of Plato. Therefore the whole of book 7 is devoted to education, and we have seen that the man in charge of education as a whole is the most important officer of the city. Everything depends on that education, and this is supposed to be common to the whole citizen body. But in fact, only the more elementary parts—the three arts, as it were—are given to all.

**Mrs. Kaplan:** So there are whole segments of the population which are without education, probably . . .

**LS:** [30]But voting in many cases requires a written vote, so they must write. And I don't believe that this was meant in order to exclude people in a fraudulent way from voting, which of course has been done in the world, but I don't think that is what is meant. No, they would read and write; but the slaves,[31] especially the barbaric slaves, are not likely to do that. And as for the people who were not citizens, who were only resident aliens, that was of no concern to the legislator. I mean, if these people try to get some education for their children, that is their business, but it is not a concern of the legislator of the city to take care of their education.

**Mrs. Kaplan:** So these 5,040 people—

**LS:** And their families.

**Mrs. Kaplan:** and their families, we can suppose were at least—could at least write and read—

**LS:** And do elementary arithmetic, and gymnastics, and choral dances. And formation of *character*: that was much more important than what is now called education, in the sense of transmission of facts, you know. Because the facts which they had to know, they simply learned by growing up, by living all their lives in the city, and talking to older people who had been officials or ambassadors, and by being present in public discussions, public debates. So they knew [the facts] sufficiently for political purposes.

**Mrs. Kaplan:** What is here is a remarkable stress on administration.

**LS:** Yes, sure.

**Mrs. Kaplan:** This is through the desire of a small state, and probably the desire to educate people in kind . . . and in a friendly way. Because first of all you turn to your neighbor. In modern education there is no such provision. There are reputations, but this is not in the court . . .

**Mr. Klein:** Can I ask something? I don't understand the translation here at one point.

**LS:** At what passage?

**Mr. Klein:** 768c. Again, 768c.

**LS:** Yes?

**Mr. Klein:** The last three lines. The translation says: "For detailed legislation and definition concerning suits would most properly be placed at the conclusion of the legislative code." Now where does he get "legislative code" here?

**LS:** "Legislative code"?

**Mr. Klein:** Yes.

**LS:** *Nomothesia*. At the end of the legislation, the precise establishment of the laws regarding lawsuits, together with the distinction would in the most correct way be given at length toward the end of the legislation, of the laws. You know, what is always understood: the magistracies are one thing and the laws are another.

**Mr. Klein:** Yes, my question is whether the *telos nomothesias* is to be understood as a code.[32]

**LS:** No, toward the end. First you lay down the laws regarding theft, say; and then you lay down the judicial procedure as to how that should be prosecuted. So only very general remarks about the judicial procedure are made now, and after we are through the substantive law, then we will come through to the more procedural part of the law, in modern language.

**Mr. Klein:** Then what is *telos nomothesias*?

**LS:** The end of the legislation.

**Mr. Klein:** Well, is that a code?

**LS:** Insofar as the code is a product of the legislation. I mean, I believe that the distinction here, as well as in other places, is the one which we have heard so frequently. There are two things: the magistracies, the *archai*, and the laws. And he has said the magistracies come first. They are, as it were, the iron bonds which hold the whole thing together. And then the laws. Of course there are laws regarding the magistracies. This is a minor difficulty. Ya? Then he says now, but in a narrower sense, the laws are something different from the magistracies and in particular from the judges, or the judicature. The details regarding trials and proceedings before law courts will be given after the substantive legislation has been completed. Now whether that is in fact done or not is a question.

**Mr. Klein:** Yes, that is what I mean. I doubt whether everything is done.

**LS:** There are later on here and there statements as to which kind of law court is in charge of this kind of crime or civil suit, but there is not a plan of the whole work of the laws.

**Mr. Klein:** It is interesting that what is said here about the judge never refers explicitly to their being—to their knowing all the laws. Not explicitly, anyways.

**LS:** Well, there is some reference in the early part, is there not, that the judge must know more than the litigants, for example? Yes?

**Mr. Klein:** Yes, but I understood that to mean he must know more about the facts.

**LS:** The facts, yes. But he must also know, I think, the law. And[33] in the case of an ambiguity of the law, he must be better able to reach an equitable interpretation.

**Mr. Klein:** That is not stressed.

**LS:** No, no. That is, the whole statement about the magistracies is very sketchy. One must try to get out of it what one can, but there are many great difficulties. Dr. Kass?

**Dr. Kass:** This is a peculiar question, but[34] in the discussion of the procedure for the election of the magistrates, there's frequent reelection, every year in the case of judges, and one is to choose the best man for the job.

**LS:** Yes.

**Dr. Kass:** It's very different from our procedure of selecting judges, and wouldn't one assume that the best man would perhaps remain the best man year after year? . . .

**LS:** Yes, but that is popular government.[35] Who rules for a longer time? Only the law wardens. They have life tenure, but beginning when they are fifty, and not all of them will live to seventy. And the chief of education, or the minister of education, he [is appointed] for five years. But the others I think are all for one year.

**Dr. Kass:** I guess the question is not so much on the procedure, but isn't the supposition that if a procedure works well, possibly the same men will stay in office? That is, the—

**LS:** But he must also be subject to control, no? And one form of control is of course re-election. By the way, you are not quite fair when you say of these qualifications that the best man is not relevant in this country. Do you remember the outcry when President Nixon tried to appoint Carswell and the other gentleman whose name I've forgotten to the Supreme Court?[ix] The reasons were simply [that] they were not the best men; there are better men around. So that is not altogether irrelevant.

**Student:** Why is it necessary to this appointment of the magistrates? Megillus and Clinias would be satisfied.

**LS:** Yes, but at the same time, the Athenian Stranger speaks not only to Megillus and Clinias, yes? He speaks also, as will appear later, to future generations, because[36] when the question arises [about] what kind of books should they read in that school,[37] then it is said the most important book will be their conversation.[x] So it is also that the future generations—that is as if someone would say [that] the chief reading matter, the central reading matter for high schools and perhaps in colleges in this country should be the *Federalist Papers*. But naturally that is not quite sufficient comparison, because the *Laws* are much more comprehensive than the *Federalist* papers.

**Mr. Gonda:** Those future generations are future generations of rulers, aren't they?

**LS:** Pardon?

**Mr. Gonda:** Or future generations of potential lawgivers, aren't they? Not everyone will always—

**LS:** But not all are the law guardians. There will only be thirty-seven. I mean, everyone should know the laws at least sufficiently in order not to transgress them, and preferably also to be imbued with their spirit. And therefore [they should know] the preludes of which he had spoken.

**Student:** Does that mean that people like Clinias and Megillus . . . will be aware of this

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[ix] G. Harrold Carswell (1919-1992), nominated by Richard Nixon and confirmed by the Senate to be a federal judge on the U.S. Court of Appeals for the Fifth Circuit in 1969, was nominated by the President for the Supreme Court in 1970 and rejected by the Senate the same year. Clement Haynsworth (1912-1989), a federal judge on the U.S. Court of Appeals for the Fourth Circuit appointed by Dwight Eisenhower, was nominated for the Supreme Court by President Nixon in 1969 and rejected by the Senate the same year. The "other gentleman" is Haynsworth.

[x] 811c-12a.

deception, or will they *not* see through its dimensions?

**LS:** Well, being old hands at laws, they cannot be presumed to be what is called naïve. The Spartans were known for paucity of speech—laconic, yes?—and that does not mean of course a lack of prudence. Positive shrewdness. The Cretans were famous, at least in later times but perhaps already in classical times, for being great liars and, as it is put here, that they excel more by manifoldness of thought than by manifoldness of speech, which means sly speech. Surely I think they see through quite a few of these things without necessarily commenting. That would be part of their political judgment, that they would not comment.

**Student:** Then the desired end of having rulers rule openly involves compromise in some way. That is, the open character of rule, this public rule, is already compromised. Isn't that what it means?[38] I thought one of the more desirable elements of the good regime was that it was open rule by public men—

**LS:** Yes, sure.

**Student:** They wouldn't be a nocturnal council, let's say, or something of that sort. But this development is disappointing.

**LS:** Why? Sure, the good men must rule openly in broad daylight, that is understood, but that does not mean that they will divulge every deliberation at every time in public. That is, "governments openly arrived at" is not necessarily the assumption of Plato. Secrecy may very well be important, especially in foreign relations but perhaps also in internal things. We saw this slightly sinister reference to the *kryptoi*, you know, the secret police; that is by definition secret. Now shall we read a bit more?

**Reader:**
CLIN. The previous subject, Stranger, you have treated to our entire satisfaction; but we welcome still more heartily the way you have linked up your past statements with your future statements—

**LS:** Clinias praises particularly this link-up of the beginning of what he has done hitherto with what will come, yes? With the statements about laws.

**Reader:**
CLIN. the end with the beginning.
ATH. It seems then that up to now our ancients' game of reason has been finely played.
CLIN. You are showing, I think, how fine is the serious work of our citizens. (768e-69a)

**LS:** Yes, well, that I think, is this point: that the Athenian calls what they have been doing the sensible play[39] of old, venerable men. And Clinias corrects that. He says: "You seem to reveal the fine *seriousness* of the *men*"—the *men* in contradistinction to the old men. He may mean the citizens of the colony, but he may also mean this is not something merely for old men we are doing, but something very *male*,[40] presupposing all the vigor of men. The Athenian had spoken[41] of the play of old men with a view to legislation at least twice before, but in the previous cases

he had not been corrected by Clinias. This is the first time that Clinias corrects him, defending as it were the dignity of legislation against the implicit criticism of legislation that it is an activity not quite serious. That is what play here means. Yes?

**Reader:**
ATH. Very probably; but let us see whether you agree with me about another point.
CLIN. What is it, and whom does it concern?
ATH. You know how, for instance, the painters' art in depicting each several subject seems never to get to an end, and in its embellishing it seems as if it would never stop laying on colours or taking them off—or whatever the professional painters term the process—and reach a point where the picture admits of no further improvement in respect of beauty and lucidity.

**LS:** So[42] because of the imperfect paintings, that is not quite serious, hence playful. Yes?

**Reader:**
CLIN. I, too, remember hearing something of the fact you mention, although I am by no means practiced in that kind of art.
ATH. You are none the worse for that. (769a-b)

**LS:** Yes. Now that does not mean merely that Clinias is not worse off because he had no experience in painting, but it means that, [for a human being],[43] [it] is altogether[44] not so terribly important to be inexperienced in that. And[45] I think we must keep this in mind. There is no veneration for art in the sense in which art is used now. It is clear that Plato or any other man of a former age valued the natural beauty, say, of a human body as a model for any painted bodies. And therefore [it was] by far superior in dignity to what the painters do, however much we may be shocked by this judgment. And when we remember some of the first-rate painting, one cannot quite understand that. But that is doubtless what he means. Yes?

**Mr. Berns:** Can't one, doesn't one have to qualify that? Because the painter could present an image of a bodily perfection that might surpass the actual perfection one would find, because chance plays a role in what actually is whereas the artist can eliminate chance.

**LS:** Yes, but there is one little thing: however beautiful this Helena or super-Helen is whom he paints, she can't move; she can't speak. So you would at least have to wait for cinema [laughter] to get something which would be adequate. And even that would probably be open to objections, yes? [Laughter]

**Student:** Now they're working on—they're taking care of smell at some places now!

**LS:** Oh yes, I believe they are preparing that.

**Reader:**
ATH. We may still use this fact, which it has occurred to us to mention, to illustrate the following point. Suppose that a man should propose to paint an object of extreme beauty, and that this should never grow worse but always better, as time went on, do you not see

that, since the painter is mortal, unless he leaves a successor who is able to repair the picture if it suffers through time, and also in the future to improve it by touching up any deficiency left by his own imperfect craftsmanship, his interminable toil will have results of but short duration?
CLIN. True.
ATH. Well then, do you not think that the purpose of the lawgiver is similar? He purposes, first, to write down the laws, so far as he can, with complete precision; next, when in the course of time he puts his decree to the test of practice, you cannot suppose that any lawgiver will be so foolish as not to perceive that very many things must necessarily be left over, which it will be the duty of some successor to make right, in order that the constitution and the system of the State he has organised may always grow better, and never in any way worse.
CLIN. This, of course, is what everyone naturally desires.

**LS:** Yes. So what is the meaning of the comparison of legislation to painting? The legislator paints the most beautiful likeness, and it goes without saying that such a painting is much more beautiful than any painting by a painter can be, yes? Because they don't paint the most beautiful life, meaning the exercise of the nobility of their soul. And[46] just as a painter cannot complete his painting, the legislator cannot complete his code; and therefore he must have trained successors, and that they will do.[47] Let us only read the next speech and then stop.

**Reader:**
ATH. Suppose then that a man knew of a device indicating the way in which he could teach another man by deed and word to understand in a greater or less degree how he should conserve or amend laws, surely he would never cease declaring it until he had accomplished his purpose.
CLIN. He certainly would not. (769b-70a)

**LS:** Yes. Yes, and therefore he must get a successor. And as will become clear next time from the sequel,[48] the legislator is especially necessary to have to train such successors, because the prospect of something like the Athenian Stranger being present at every generation is very small. And therefore one must train people who can continue[49] and, if need be, amend the work. That we will discuss next time.

[1] Deleted "as."

[2] Changed from "Not, of course, as Sparta or Crete, there is no claim of the code to be."

[3] Deleted "the officials—and."

[4] Deleted "Will you begin?"

[5] Deleted "the musical competitions—."

[6] Deleted "stated as."

[7] Deleted “only—have.”

[8] Deleted “that is—.”

[9] Delete “(To a student) You make such a doubtful—I guess not? Good.”

[10] Deleted “They are.”

[11] Changed from “beginnings.”

[12] Deleted “legislator.”

[13] Changed from “And how would it—Then—in other words—then there could be only—.”

[14] Changed from “And so that for—.”

[15] Deleted “which I tried to—.”

[16] Changed from “phenomenon.”

[17] Deleted “in this.”

[18] Changed from “Roman Empire, that is to say, still Roman Republic of his time.”

[19] Deleted “quite a few—in the first place.”

[20] Deleted “something, I mean.”

[21] Deleted “it is.”

[22] Deleted “that—so.”

[23] Deleted “he.”

[24] Deleted “mere.”

[25] Deleted “we are now—.”

[26] Deleted “Yes, there was—.”

[27] Deleted “it.”

[28] Deleted “even.”

[29] Changed from “Yes, but by their bringing up—think for example of the country.”

[30] Deleted “No, the citizens—.”

[31] Deleted “are not likely to.”

[32] Deleted “**LS:** As a? **Mr. Klein**: A legislative code.”

[33] Deleted “the law—.”

[34] Deleted “I.”

[35] Deleted “There must not be—to that extent, this is democratic here. That there are no—.”

[36] Deleted “it will later—it will come out somewhere, that the whole—I mean.”

[37] Deleted “and.”

[38] Deleted “**LS:** The open character of what? **Student:** The open character of the rule, of the rulers, is compromised already, by these discussions, (inaudible) desired. **LS:** I may not understand you acoustically. **Student:”**

[39] Deleted “of aged—of old men.”

[40] Deleted “very.”

[41] Deleted “before.”

[42] Deleted “there is—therefore.”

[43] Deleted “this.”

[44] Moved “for a human being.”

[45] Deleted “that is—.”

[46] Deleted “therefore—yes—.”

[47] Deleted “—he will do. I believe he—it’s often of no use—.”

[48] Deleted “which we will read next time, that.”

[49] Deleted “and to—.”

**Session 21: no date**

**Leo Strauss:** So I thought that by the end of this academic year we would have read the sixth book, but now it looks as if we can read at least part of the seventh book as well. That's a very extraordinary thing in my life. Last time we completed our reading on the section on the magistracies and began the section on the laws in a strict and narrow sense, and this goes on till the end of the whole work. Now as for the section on the magistracies, they have a clear plan: if we take only those magistracies which are unquestionably and unqualifiably magistracies, then the most important are discussed at the beginning and the end: at the beginning, the law guardians; and the end, the officer in charge of the whole of education.

But there is another magistracy where it is dubious whether it is a magistracy, and this is [the] judges or the lawcourts. Now if we add them to the magistracies, as the Athenian Stranger does, then we would see the central places in the section on magistracies occupied by the priests. Now[1] what is in the center is most important. But "most important" is an ambiguous expression: important from what point of view? The Athenian Stranger doesn't say of the priests that they are most important, as he does of the law guardians and the officer in charge of education. We must remind ourselves again of that succinct expression of Aristotle in the *Politics* where he speaks of the priests, the men in charge of the divine things, and says they occupy the fifth and the first place.[i] The fifth place in that order in which he has named them, but in another way they occur in the first place because of the intrinsic rank of the divine beings as distinguished from mere human beings.

A special difficulty concerns the lawcourts, as we have seen. They are and they are not magistracies. Now behind this remark there is a distinction, especially for Aristotle, of magistracies as distinguished from the council and the lawcourts. This distinction occurs perhaps prior to Plato and Aristotle, in Thucydides, or rather in the peace of Nicias as reported by[2] [Thucydides], book 5, paragraph 18, where it is said—where one provision is that some cities, Delphi being one of them, should remain autonomous. That is, they should remain *autonomoi*, *autoteleis, autodikoi*, have their own laws, have their own magistracies, and have their own lawcourts. But there is only this question, whether the second expression, *autoteleis*, which could very well mean having their own magistracies, does not mean self-taxing, [they] should establish their own taxes. That is apparently not quite clear.

As for the principle underlying this whole discussion, and also underlying Plato's remark that lawcourts are or are not magistracies,[3] I am not aware of any discussion of this in either Plato or Aristotle or other ancient writers. But we can perhaps understand it most simply: that actions of the lawcourts are never initiated by the lawcourts themselves, but by plaintiffs in the case of civil suits or by any interested citizens in the case of public trials. There were no public prosecutors. The public prosecutor would of course be a magistrate. But the lawcourts as lawcourts do not initiate the proceedings. Perhaps this is an important consideration here.

At any rate, to come back to something which I have mentioned more than once, the distinction

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[i] Aristotle *Politics* 1328b.

of these three parts of a polity—the magistracies, the deliberative, and the judiciary—is something very different from what we know as a separation of powers. And[4] the separation of powers has to do with the concern with *freedom*, a concern in this form alien to the classics. Freedom means here, and especially in Montesquieu, the classic on this subject, the security of the individual. So you know absolutely where you stand: there can be no arbitrary action, arbitrary action being action which is not clearly defined by law, so that judicial discretion is strictly speaking arbitrary. In the words of Montesquieu, the judge is a mouth which pronounces the words of the laws.[ii] He subsumes a given case under the law in question, and that is all he has to do. That is of course not the spirit of the common law, but it comes quite naturally to continentals. The question is: What is freedom? And everything in a way depends on that. Now there is a remarkable passage in Montesquieu in the very context where he speaks of these things, in book 11 of *The Spirit of Laws*, where he says: "Liberty in society can only consist in one's being able to do what one ought to will, and not being constrained to do what one ought not to will."[iii]

And it is not said that the "ought" or "ought not" is determined only by positive law. This by itself could be taken to mean [that] freedom is unimpeded virtuous action or, more simply, more vigorously: freedom is virtuous action. This is fundamentally what the ancients understood by that. To take an extreme statement, occurring in Aristotle's *Ethics*, book 5, 1138:[5] "The law for example does not command that a man commit suicide, and what it does not command, it forbids."[iv] [This is] contrary to the view with which we are much more familiar: What the law does not command, it permits.[v] I think no opposition[6] goes deeper than this one. When we say[7] that we are free to do what the law permits, we are concerned in a way with freedom from the law, a sphere in which the law does not interfere with what we would wish to do. But as this passage from Aristotle, which is admittedly an extreme passage, [says], and stating what one could call the ancient view of law: "What the law does not command it forbids." Everyone is commanded or regulated or sanctioned by the law; there is no sphere free from it. This is with respect to something that we have mentioned more than once: that for the ancients, the moral and political consideration—the key consideration—concerns virtue, or virtuous action. For the moderns: freedom. And even virtue is then later on in modern times, at least in the time of Kant, defined in terms of freedom, as autonomy. Now we will come back to this on the proper occasion.

We began then the section of the laws, and there the Athenian Stranger called what they had been doing as the sensible play of aged men. That is opposed to serious things. It is not quite serious. Clinias protests against that mildly. The Athenian, as distinguished from Clinias, cannot take laws very seriously. But this of course does not mean that there is a realm of freedom above the realm of law. What it means comes out most clearly in a passage of the seventh book. You have that here, 803c2.

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[ii] Montesquieu, *Spirit of Laws,* 11.6.49. Presumably Strauss's translation.

[iii] Montesquieu, *Spirit of Laws*, 11.3.1.

[iv] Aristotle *Nicomachean Ethics* 1138a5-7.

[v] See, e.g., Hobbes, *Leviathan*, chapter 21.

**Reader:**
ATH. What I assert is this,—that a man ought to be in serious earnest about serious things, and not about trifles; and that the object really worthy of all serious and blessed effort is God, while man is contrived, as we said above, to be a plaything of God, and the best part of him is really just that; and thus I say that every man and woman ought to pass through life in accordance with this character, playing at the noblest of pastimes, being otherwise minded than they now are.

**LS:** Go on.

**Reader:**
CLIN. How so?
ATH. Now they imagine that serious work should be done for the sake of play; for they think that it is for the sake of peace that the serious work of war needs to be well conducted. (803c-d)

**LS:** Which, by the way, is the view of the Athenians themselves, as you may remember from book 1. Yes—

**Reader:**
ATH. But as a matter of fact we, it would seem, do not find in war, either as existing or likely to exist, either real play or education worthy of the name, which is what we assert—

**LS:** Yes, that is a play on the Greek word "play"—*paidia*, and *paideia*, "education." A pun which he makes frequently. Yes?

**Reader:**
ATH. which is what we assert to be in our eyes the most serious thing. It is the life of peace that everyone should live as much and as well as he can. What then is the right way? We should live out our lives playing at certain pastimes—sacrificing, singing, and dancing—so as to be able to win Heaven's favour and to repel our foes and vanquish them in fight. By means of what kinds of song and dance both these aims may be effected,—this has been in part stated in outline, and the paths of procedure have been marked out, in the belief that the poet is right when he says,

"Telemachus, thine own wit will in part
Instruct thee, and the rest will Heaven supply;
For to the will of heaven thou owest birth
And all thy nurture, I would fain believe."[vi]

It behoves our nurslings also to be of this same mind, and to believe that what we have said is sufficient, and that the heavenly powers will suggest to them all else that concerns sacrifice and the dance,—in honour of what gods and at what seasons respectively they are to play and win their favour, and thus mould their lives according to the shape of their nature, inasmuch as they are puppets for the most part, yet share occasionally in truth.

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[vi] Homer *Odyssey* 3.26-29.

**LS:** "Puppets for the most part," namely, to the extent that they are unable to judge by themselves. That has been stated when he brought in the simile of men as playthings in the earlier books. Yes, now Megillus?

**Reader:**
MEG. You have a very mean opinion, Stranger, of the human race.
ATH. Marvel not, Megillus, but forgive me. For when I spoke thus, I had my mind set on God, and was feeling the emotion to which I gave utterance. Let us grant, however, if you wish, that the human race is not a mean thing, but worthy of serious attention. (803d-804c)

**LS:** "Of some seriousness." So that is the point. There is a fundamental cleavage between the Athenian and Megillus as well as Clinias: that the Athenian looks away towards the god and therefore regards the human things as unserious, whereas the political man naturally regards the human things as very serious. That is the root of the disagreement,[8] which does not come into the open very frequently. That is the strongest passage. So let us return to where we began. Only one point may I remind you of: sensible *play*. The laws are playful, not quite serious: that is here indicated by the fact that every legislation is imperfect, as every painting is. We have read this last time. What conclusions should be drawn from this? 769e5.

**Reader:**
ATH. Suppose then that a man knew of a device indicating the way in which he could teach another man by deed and word to understand in a greater or less degree how he should conserve or amend laws, surely he would never cease declaring it until he had accomplished his purpose.
CLIN. He certainly would not.
ATH. Must not we three thus act on the present occasion? (769e-70a)

**LS:** No, "I and both of you." Yes. So first he spoke of the single legislator, and now he speaks of "I and we," the three. We will see soon what that means.

**Reader:**
CLIN. What is it you mean?
ATH. We are about to make laws, and Law-wardens have been appointed by us; therefore, since we are in the evening of life, while those, compared to us, are youthful,—

**LS:** Namely, the law guardians, who are fifty at least, but compared to them, they are youthful. Yes.

**Reader:**
ATH. we should not only legislate, as we say, ourselves, but also make legislators as well as Law-wardens of these very same men, so far as we can. (770a)

**LS:** Yes. That will become clearer in the sequel, but the main point is this. Now there are—in fact there is one central legislator here, the Athenian, but it is extremely unlikely that there will

be another Athenian Stranger available in the next generation, or perhaps in any future generation. Therefore one must disperse, as it were, the legislative faculty; and it is dispersed here, obviously, among the three of them. And in the next generation it will be among all the law wardens, who are thirty-seven. Yes?

**Reader:**
CLIN. We should,—if, that is to say, we are capable of so doing.
ATH. At any rate, we must try, and try hard.
CLIN. By all means.
ATH. Let us address them thus:—"Beloved Keepers of the Laws, in many departments of our legislation we shall leave out a vast number of matters (for we needs must do so); yet notwithstanding, all important matters, as well as the general description, we shall include, so far as we can, in our outline sketch. Your help will be required to fill in this outline; and you must listen to what I say about the aim you should have before you in doing so. Megillus, Clinias and I—"

**LS:** You see, no, it is in the original: "Megillus and I and Clinias." He is in the center; we know why. He is of course the central figure there, the most important of the three men. And that is precisely[9] the difficulty: [it] is caused not by the fact that there will be no Clinias or Megillus in the next generation but that there will be no Athenian Stranger in the next generation.

**Reader:**
ATH. "Megillus and I and Clinias[vii] have often stated to one another that aim, and we agree that it is rightly stated. So we desire you to be in immediate unison with us, as our disciples; and to aim at those objects at which, as we three have agreed, the lawgiver and Law-warden ought to aim. The sum and substance of our agreement was simply this: that whatsoever be the way in which a member of our community—be he of the male or female—"

**LS:** No, that—remember that: "in which one could become a good *male* member," yes, *anēr*. Yes, go on.

**Reader:**
ATH. "be he of the male or female sex—"

**LS:** Yes, that is now extended.

**Reader:**
ATH. "young or old,—may become a good citizen, possessed of the excellence of soul which belongs to man, whether derived from some pursuit or disposition, or from some form of diet, or from desire or opinion or mental study,—to the attainment of this end, all his efforts throughout the whole of his life shall be directed; and not a single person shall show himself preferring any object which impedes this aim." (770b-d)

**LS:** Now wait just one moment. You see, first he had spoken of that good *anēr*, that good

[vii] The reader adopts Strauss's correction of the Loeb translation.

*hombre*, and then it was extended not only to young and old but also so to men and women. This causes a minor difficulty, but especially when he speaks here of the virtue becoming to a human being, the virtue of[10] soul becoming to a human being, and who possesses that virtue through some pursuit, or some habit, or some possession, or desire, or opinion, or perhaps some branches of learning. There are quite a few sources of this virtue given here—how many do we have? Three, four, five, six. And of very different rank, because obviously one can think of the difference between opinion and branches of learning, but also the desire or possession. What does that mean? At any rate, this shows that the Athenian cannot take very seriously the virtue of which he is speaking now because [11]it is likely to be what Plato calls elsewhere vulgar virtue, not genuine virtue.[viii] Yes?

**Reader:**
ATH. "in fine, even as regards the state, he must allow it to be revolutionised, if it seems necessary, rather than voluntarily submit to the yoke of slavery under the rule of the worse, or else he must himself quit the State as an exile: all such sufferings men must endure rather than change to a polity which naturally makes men worse. This is what we previously agreed upon: so do you now keep both these objects of ours in view as you revise the laws; and censure all the laws which are unable to effect them; but welcome all such as are able to do so, and, adopting them wholeheartedly, rule your lives by them. All other practices, which tend toward 'goods' (so-called), other than these, you must bid farewell to." (770d-71a)

**LS:** Yes. So that is good. The aim is virtue. But what kind of virtue that is, that is dubious. He does speak of the virtue belonging to the soul of man, becoming to the soul of man, but this covers a great variety of levels of virtue, as we have seen. But however this may be, this virtuous life is to be the goal; and if it cannot be achieved, one should prefer exile, at any rate, to living in such a city. And that is in perfect agreement with what we had read or found out earlier, that the soul is to be honored more highly than the city. If the city is not good, then surely it must be sacrificed for the sake of the well-being of the soul. In Socrates's life as presented by Plato, that comes out most clearly in the *Crito*, where Socrates seems to say that absolute submission to the laws of Athens is the universally valid rule of conduct. But in this very dialogue with Crito, he avoids and underlines this avoidance [of] the word soul. That is, the soul is the reservation—and the goodness of the soul is the reservation[12] against the laws of the city. That is not explicitly said in the *Crito*, but the argument is good enough for Crito and for people who might accuse him of being a bad friend because he has not helped Socrates to escape from prison. Now here this other passage is very difficult, and there is a great variety of translations. Now let me see whether I've found it. Taylor translates: "in the last event, should there be no choice but to be driven from the State itself before she deigns to crouch under the servile yoke of ruler by the base, or to leave her for exile, any such fate must be borne rather than to change to a polity which will breed baser men."[ix] And how did he translate it?[13] Did he not imply something like rebellion might be legitimate? Ya, that is a hard question.

**Reader:**
ATH. "even as regards the State, he must allow it to be revolutionised, if it seems necessary—"

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[viii] E.g. Plato *Phaedo* 82a-b; *Republic* 500d.

[ix] A. E. Taylor, *Plato: The Laws* (Everyman's Library) (London: J.M. Dent & Sons, 1960), 153.

(770e)

**LS:** Yes, I'm not sure whether that is right, but somehow one gets the impression from the passage that it is so. And that would of course be a very extraordinary statement in a Platonic dialogue. Not that it is alien to Plato's thought, but that he is very hesitant to preach rebellion, although he knows that under certain conditions it might be necessary. Now we come to the beginning of the laws—yes, Dr. Kass?

**Dr. Kass:** What do you make of this passage where he says: "Both the objects are to be seen" [as you revise the laws]?

**LS:** *Hekatera*, yes. I have the passage, yes. *Hekatera*. I believe he means this: we must look at[14] the two things, but prefer the one and not the other. Yes. That is at least the most simple explanation, without any complication. There is [an] either–or: either virtue or nonvirtue. You must keep both in view, consider both, and make your choice accordingly. So[15] this section which we have read is the transition to the discussion of the laws proper. And now he begins with the laws proper. The transition was made with a statement about the necessity of having legislators in the future generations, or in other words, that the guardians of the laws must also fulfill the functions of legislators, which is a new thought, introduced here for the first time. And now he begins with the laws.

**Mr. Klein:** How would you translate the word *anastaton* at the beginning of 770e?

**LS:** *Stasis*? How shall I say? Something like "subverted."

**Mr. Klein:** That is what this man translates by "revolutionized."

**LS:** Yes, but it is not so easy. I mean, I also thought of that . . . I have here copied the translation by a thorough commentator, England. Now let us see if I can read that: "He must sacrifice even the city, if it appears necessary that it should be overturned [overturned is the point—LS] rather than be born to a servile yoke at the bidding of the meaner sort."[x] So England also is in favor of this revolutionary interpretation. But it is very rare in Plato. And I think there are some difficulties, which England admits through his interpretation, of a purely grammatical kind which I am unable to solve by myself. So shall we begin with the section on the laws?

**Reader:**
ATH. For a beginning of the laws which are to follow—

**LS:** Yes. That must be understood quite strictly: of the laws which are to follow—not of all laws, because in a way what we have heard about the division of property and about the magistracies; these are also laws in a sense, you know—but the laws which come next, which come now.

**Reader:**

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[x] E. B. England, *The Laws of Plato: The Text Edited with Introduction, Notes, etc.* (London: Longmans, Green, & Co. 1921), 601.

ATH. we must commence with things sacred. First, we must consider anew the number 5,040, and the number of convenient subdivisions which we found it to contain both as a whole and when divided up into tribes; the tribal number is, as we said, a twelfth part of the whole number, being in its nature precisely 20 x 21. Our whole number has twelve subdivisions and the tribal number also has twelve; and each portion must be regarded as a sacred gift of God, conformed to the months and to the revolution of the universe.

**LS:** Yes. We remember there were earlier statements about the sanctity of the numbers and especially of twelve; and in 745d that was brought in connection[16] with the twelve gods, namely, the twelve Olympian gods. That is now dropped; the sanctity of the number consists[17] in its being in agreement with the revolution of the whole: we can say, with the cosmic God or gods, as distinguished from the Olympian gods. Yes?

**Reader:**
ATH. Wherefore also every State is guided by native instinct to hold them sacred, although some men possibly have made their divisions more correctly than others, or have consecrated them more happily. We, in any case, affirm now that we are perfectly correct in first selecting the number 5,040, which admits of division by all the numbers from 1 to 12, excepting only 11—and this omission is very easily remedied, since the mere subtraction of two hearths from the total restores an integral number as quotient: that this is really true we could show, at our leisure, by a fairly short explanation. (771a-c)

**LS:** Yes, but this leads of course to other very great difficulties. If you have, say, a tribe consisting of four hundred twenty landholders and you deduct two, you have four hundred eighteen, which is divisible by eleven; but then four hundred eighteen will no longer be divisible by all the other numbers. In addition, I do not understand what he says in c4: *epi thatera,* because it would mean, if we *add* to that—which of course would not make the number divisible by eleven.

**Mr. Gary:** I think I understand that. It's not necessary that the numbers all be divisible simultaneously, but it's necessary that the number be divisible by as many as possible. If you can divide by the first twelve except eleven, then in all those cases where you need four or five you divide that way—

**LS:** That's easy.

**Mr. Gary:** Then when you have to divide by eleven, you just take two out and then make the division by eleven. But it's not necessary that they all be done simultaneously: there are some times when you want to divide by eleven, and some times when you want to divide by five.

**LS:** Yes, but how would it work out in practice?

**Mr. Gary:** Well, one day you find that for some extraordinary reason, you have to divide everybody into eleven groups, just for some extraordinary reason.

**LS:** Yes, but still the whole citizen body is 5,040, and if you add two, or subtract two, you will

not get a number divisible by eleven, will you? In four hundred twenty you would get a division by eleven if you subtract two. I must say, I do not understand it. I regard it as possible that it is a playful remark in order to boost the virtue of the number 5,040—that the only flaw which it has, non-divisibility by eleven, can easily be remedied. I do not know. Yes?

**Student:** I have a question as to how serious the number 5,040 is anyway, insofar as there will be deaths and births varying periodically. To stabilize the population at that level is really going to require constant changes to keep the number the same.

**LS:** Well, arrangements have been made for that to disturb the balance sooner or later: there will be excess or defect of birth, there will be wars, you know.[18] But still, if possible, to have permanence of possessions and perfect clarity as to possessions would be a very desirable thing. The number 5,040 has these qualities. He stated it somewhat differently on the earlier occasion, where he said it is susceptible of fifty-nine divisions, as you may remember. Surely there is something playful about it, and that has very much to do with the playful character of the whole legislation, you know.

**Mr. Gary:** There's a footnote here which says that 5,040 is 11 times 458 plus 2. So 5,038 is divisible by eleven after all.

**LS:** But plus two.

**Mr. Gary**: So that means that when you have to divide by eleven, you must take two people out.

**LS:** Yes, but is this not very unfair to these two? Think of either distribution or taxes, should two not be taxed? Should two not get part of the spoils of war belonging to them?

**Mr. Gary:** Maybe you could make a kind of special honor for those people. [Laughter]

**LS:** I see. Still, but you must admit, then, the legislator is not very precise at that point, is he?

**Mr. Gary:** He's got a good method. [Laughter][19]

**LS:** Yes, that this is so—how does he say here[20], that this defect is easily remedied? And "this is truly so."

**Mr. Gary:** "We could show, at our leisure, by a fairly short explanation." (771c)

**LS:** Yes. Well, explanation is in Greek *mythos*. Whether *mythos* doesn't have the meaning which it frequently has, a story of what is not, that's a long question. Yes?

**Reader:**
ATH. For the present, then, we shall trust to the oracular statement just delivered, and we shall employ these subdivisions, and give to each portion the name of a God, or of a child of Gods, and bestow on it altars and all that belongs thereto; and at these we shall appoint two assemblies every month for sacrifice—of which twelve (yearly) shall be for the whole tribal division, and

twelve for its urban section only; the object of these shall be first, to offer thanksgiving to the gods and to do them service, and secondly, as we should assert, to promote fellowship amongst ourselves and mutual acquaintance and association of every sort. For, in view of the fellowship and intercourse of marriage, it is necessary to eliminate ignorance, both on the part of the husband concerning the woman he marries and the family she comes from, and on the part of the father concerning the man to whom he gives his daughter; for it is all-important in such matters to avoid, if possible, any mistake. To achieve this serious purpose, sportive dances should be arranged for boys and girls; and at these they should both view and be viewed, in a reasonable way and on occasions that offer a suitable pretext, with bodies unclad, save so far as sober modesty prescribes. Of all such matters the officers of the choirs shall be the supervisors and controllers, and also, in conjunction with the Law-wardens, the lawgivers of all that we leave unprescribed.

It is, as we said, necessary that in regard to all matters involving a host of petty details the lawgiver should leave omissions, and that rules and amendments should be made from year to year by those who have constant experience of them from year to year and are taught by practice, until it be decided that a satisfactory code has been made out to regulate all such proceedings. (771c-72b)

**LS:** "all such laws."

**Reader:**
ATH. A fair and sufficient period to assign for such experimental work would be ten years, both for sacrifices and for dances in all their several details; each body of officials, acting in conjunction with the original lawgiver, if he be still alive, or by themselves, if he be dead, shall report to the Law-wardens whatever is omitted in their own department, and shall make it good, until each detail seems to have reached its proper completion: this done, they shall decree them as fixed rules, and employ them as well as the rest of the laws originally decreed by the lawgiver. In these they must never make any change voluntarily; but if it should ever be thought that a necessity for change has arisen, all the people must be consulted, as well as all the officials, and they must seek advice from all the divine oracles; and if there is a general consent by all, then they may make a change, but under no other conditions at any time; and the objector to change shall always prevail according to law. (772b-d)

**LS:** So in other words, we have first been told that there will be perpetual legislators, and now it seems to be said that after a certain time of experimenting, the experimenting must stop. And then the laws must be for all practical purposes unchangeable, because [it is very unlikely] that you are able to get such universal agreement to change, not only from the whole citizen body and from all magistrates but also from all oracles at the same time.[21] But I think there is no contradiction, because that refers only to this kind of laws, the laws regarding the sacred things. They can be stabilized after ten years, and no further change is permitted unless there is an overwhelming necessity, [and] then there will be no opposition to the change, at least no opposition to speak of. This is all he has to say about the laws regarding the sacred things, which doesn't mean that he will not take up divine service and divine worship in various contexts later on. But this is the section explicitly devoted to the subject. And now you see what he said at the

beginning: this is to be done in the first place in order to give thanks to the gods and to solicit their favors; and secondly, for increasing acquaintance among the citizens. The bulk of this statement is devoted[22] to the second purpose and not to the first. He had spoken of the importance of festivals in honor of the gods for increasing acquaintance among the citizens before, but there the purpose was different: so that the citizens know one another well enough for the purpose of election and distribution of honors, this kind of thing. He is silent about that here. He speaks only of marriage, so that the bride and bridegroom would know each other as well as decently possible prior to marriage, and even the families of the bridegroom and bride, so that one would know which family one marries and so forth. The reason why he speaks here of marrying and not of the other purposes of which he had spoken on the first occasion will become clear at once. Yes, go on.

**Reader:**
ATH. When any man of twenty-five years of age, viewing and being viewed by others, believes that he has found in any quarter a mate to his liking and suitable for the joint procreation of children, he shall marry, in every case before he is thirty-five; but first let him hearken to the direction as to how he should seek what is proper and fitting, for, as Clinias maintains, one ought to introduce each law by a prelude suitable thereto.
CLIN. A very proper reminder, Stranger,—and you have chosen, in my opinion, a most opportune point in your discourse for making it. (772d-e)

**LS:** Wait. So he comes now to the marriage laws: laws regarding sacred things, marriage laws. Now on an earlier occasion when he discussed the preludes—Clinias refers to that here—there he used the marriage laws as a specimen of laws, and he said that the marriage laws come first by nature. That is in 721b. But there was a difficulty at that time, because from the context there one would expect that the laws which should come first would be the laws regarding sacred things; and therefore, to solve this difficulty, one could say: Well, the marriage laws come first according to the natural order, but the laws regarding sacred things are first from another point of view, not from the point of view of the natural order. And that is in a way confirmed here because here, first we have the laws regarding the sacred things, and then the laws regarding marriage. There is another minor difficulty here because in the former statement it was said that a man should marry between thirty and thirty-five, and now it is said between twenty-five and thirty-five. In a later statement, where he takes it up again, in 780e, he will again say between thirty and thirty-five. I do not know whether one can solve the difficulty as follows: formerly when he had spoken of the country police, it was said that people can be drafted into the country police between the years of twenty-five and thirty, and in that time they would have to eat and sleep in the common mess halls of the districts, and they could hardly have a married life at that time. Whether this solves the difficulty I do not know. That's the only thing that occurs to me. So[23] you give permission for everyone to marry when he is twenty-five, subject to this: that he may be drafted, and then perhaps he had better wait until he is beyond the chance of being drafted for the country police. Usually the explanation is that this is one of the many incongruities due to the fact that Plato didn't have so much energy to make a final revision, and there were quite a few incongruities left. It is not terribly important at this point. So now we come then to the marriage laws. Yes?

**Dr. Kass:** I was wondering about your remarks on the connection between the laws of marriage

and the laws of sacred things. It seems that even in the passage we read before the interruption, there was a blurring together of the laws of marriage and the laws of sacred things. He begins by discussing sacred things, and it's clear that he's already discussing the use of a religious ceremony for the ceremony of marriage—

**LS:** That goes through everything. But that doesn't mean that there is a thematic discussion of the laws regarding sacred things as such.

**Dr. Kass:** I guess my question is, to your suggestion that the explanation lies in saying that marriage is first in the natural order, and that there is a distinct order: Could it not be that the weaving together of these two things suggests that while biological appropriation may be first in the natural order, the institution of marriage derives its authority in fact from the sacred?

**LS:** That may be. In the first place, where he gives a general sketch of legislation in 631 to 32, the first book, there he begins with the marriage laws because he begins with birth; and then he goes through the whole human life until he comes to the end of the polity, i.e., to death. So[24] birth is by nature the first. And of course one could rightly say marriage and birth are two different things. But *legitimate* birth presupposes marriage, doesn't it?

**Dr. Kass:** My point, I think, would be to argue that one needs to reinforce that with some divine sanctioning.

**LS:** Yes, sure there is no question. But then it would belong to a different order, and then the question would still be: Are the sacred things in the service of what is by nature first, or the other way around? No? That would be a question. Yes. So shall we continue with the section on the marriage laws?

**Reader:**
ATH. You are right. So let us say to the son of noble sires: My child, you must make a marriage that will commend itself to men of sense, who would counsel you neither to shun connexion with a poor family, nor to pursue ardently connexion with a rich one, but, other things being equal, to prefer always an alliance with a family of moderate means. Such a course will benefit both the State and the united families, since in respect of excellence what is evenly balanced and symmetrical is infinitely superior to what is untempered.

**LS:** Excessive wealth which would be brought about by a marriage of two very wealthy spouses, that would destroy the harmony of the state.

**Reader:**
ATH. The man who knows he is unduly hasty and violent in all his actions should win a bride sprung from steady parents; while the man that is of a contrary nature should proceed to mate himself with one of the opposite kind.

**LS:** So in other words, there is not only the opposition of the rich and the poor; there is also the opposition of the steady and the rash. And in both cases, mixture of the extremes, blending of the extremes[25], is to be encouraged so as to get the right mixture. Yes?

**Reader:**
ATH. Regarding marriage as a whole there shall be one general rule: each man must seek to form such a marriage as shall benefit the State, rather than such as best pleases himself. (772e-73b)

**LS:** Yes, "is most pleasing to himself." That is crucial. It is of course the same in Aristotle. No love marriage. It may happen, but[26][it] will be purely accidental.[27] [It] is not essential to marriage. And that was the view of the human race for many, many centuries; and since a couple of generations, the opposite. The most beautiful example known to me, at any rate, of this change are the novels of Jane Austen. There are so many things in those novels which could be taken straight out of Aristotle's *Ethics*, except this: that for Miss Austen, a marriage not based on love is immoral. That is a key theme throughout the novel[s]. Of course there is nothing of this kind in Aristotle. That has something to do with what I mentioned before, at the beginning of the last meeting: the difference between freedom and virtue. For Plato and Aristotle, virtue is the consideration. Love obviously belongs to freedom. Although I am sure there is a difference between virtuous and vicious love; but still, love as love does not belong to virtue.

**Mr. Berns:** In a way you made the qualification by this last sentence, because the things that make for love in her novels, I think, are things that Aristotle would also recognize—

**LS:** Yes, sure, but it is not applied by Aristotle to marriage, is it? In Aristotle's case, it is even stronger than Plato. What is the recommended age of the husband?

**Student:** Thirty-seven?[xi]

**LS:** Yes, and here nothing is said to this effect.

**Mr. Klein:** This translation has "Regarding marriage as a whole, there shall be one general rule." (773b)

**LS:** Yes. *Mythos*.

**Mr. Klein**: Yes, yes, *mythos*.

**LS:** Yes, sure, sure. That he does all the time. One should really collect all passages in the *Laws* where the word *mythos* occurs and then try to find out the spread of meanings of that word, which also would make it more difficult to speak of Plato's "myth" in general.[28] It [is] a purely impressionistic thing we do when we speak of Plato's myths. Myths are those stories which we regard as mythic and not necessarily what Plato regarded as mythic.

**Mr. Gary:** There seems to be a contradiction here.

**LS:** Namely?

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[xi] Aristotle *Politics* 1335a27-32.

**Mr. Gary:** Well, he said before that the people were going to be viewed by each other, he implied that they would be partially naked—

**LS:** Yes, but that means necessarily—it simply means to see whether they are bodily fit and attractive: that does not mean yet love.

**Mr. Gary:** No, I'm not talking about love, I'm just looking here at the text, where it talks about—

**LS:** And for example, whether the girl is likely to[29] produce strong and many children. Yes?

**Mr Gary:** Yes?

**LS:** That[30] is calculation; that is not feeling.

**Mr. Gary:** No, I agree that is not feeling. I'm not even considering the subject of love, but I'm just looking now at this *line*, that "Each man shall form such a marriage as to benefit the State rather than such as best pleases himself." (773b)

**LS:** Yes.

**Mr. Gary:** Well, certainly if a girl has a beautiful body, then that would be pleasing to the man, and if he chooses her because he sees that, which is not so unlikely—

**LS:** He doesn't say that the two considerations are incompatible.

**Mr. Gary:** But I think that they are—

**LS:** In one way, in the application which he makes, they are incompatible. But we must read the next sentence to get out what he means.

**Mr. Gary:** Okay.

**LS:** Yes, yes.

**Reader:**
ATH. There is a natural tendency for everyone to make for the mate that most resembles himself, whence it results that the whole State becomes ill-balanced both in wealth and moral habits;—(773b-c)

**LS:** Yes. What we are naturally attracted to, and in particular what is similar to us, that is *pleasing*. But we must counteract this tendency. The rich attracted by the rich; that is most pleasant to them. But they must counteract that, and they must marry rather a poor girl.

**Mr. Gary:** Okay, how about the beautiful?

**LS**: That is not discussed here.

**Mr. Gary:** But that is clearly—

**LS:** That would create a grave problem, because also the ugly ones have to be married. [Laughter]

**Mr. Gary:** Sure. So it seems that it is most in the benefit of the State not to allow these people to look at one another and to decide for themselves, but to simply assign—

**LS:** I see what you mean. You mean Plato is too liberal, too permissive. [Laughter] A rare but well-taken point.

**Mr. Gary:** Isn't that right?

**LS:** Yes, there is something to that.

**Mr. Klein:** And we should not forget, there is always such a thing as attractive ugliness.

**Mr. Gary:** Well, okay.

**LS:** Yes. Well, in the *Republic* nothing of this kind would happen, because everyone would be assigned his spouse by the authorities. If you can call that spouse, you can say youth, rather, yes? Because there is no marriage there.

**Reader:**
ATH. and because of this, the consequences we least desire are those that generally befall most States. To make express enactments about these matters by law—that, for instance, a rich man must not marry into a rich family, nor a man of wide power with a powerful family, or that man of hasty tempers must be obliged to seek alliances with those of slower tempers, and the slow with the hasty—this, besides being ridiculous, would cause widespread resentment;—

**LS:** Because people are by nature attracted by what is similar to them, and therefore if their desires are thwarted, they get angry. Yes?

**Reader:**
ATH. for people do not find it easy to perceive that a State should be like a bowl of mixed wine, where the wine when first poured in foams madly, but as soon as it is chastened by the sober deity of water, it forms—

**LS:** Well, "by a different god who is sober." Yes?

**Reader:**
it forms a fair alliance, and produces a potion that is good and moderate. That this is precisely

what happens in the blending of children is a thing which hardly anyone is capable of perceiving; therefrom in the legal code we must omit such rules, and merely try by the spell of words to persuade each one to value the equality of his children more highly than the equality of a marriage with inordinate wealth, and by means of reproaches to divert from his object him who has set his heart on marrying for money, although we may not compel him by a written law. (773c-e)

**LS:** "So nature will not be formed brutally by law, but by enchanting speeches." But—

**Mrs. Kaplan:** From this passage, it is still not clear how it will be managed that the appropriate marriage should be what is best for the state, but the rules and laws it is not explicitly said. After all, like Mr. Gary said, someone who sees a beautiful girl doesn't take account of what was for the state the best, and gets married!

**LS:** Well, you know that in former times there was still another obstacle between the seeing of the beautiful girl and marrying her, namely, the parents on both sides. [Laughter] And they are not necessarily in love with the beautiful girl.

**Mrs. Kaplan:** Yes, but it is not said that it is of parents here they are talking.

**LS:** No, but that is understood. But I think when things become serious, and where serious people—not people in love—discuss it, i.e., the parents, then these things come. And then their beauty or ugliness is not the guiding consideration for parents, who after all are not so immediately involved as the young people. And there are no laws in addition; there are only encouragements.

**Mrs. Kaplan:** For the best good of the state, it should be probably decided by the state . . .

**LS:** Yes, but one cannot—what can you do? He who marries a woman, "Who marries in a way not conducive to the well-being of the State shall be punished in such-and-such a way?"

**Mrs. Kaplan:** Exactly!

**LS:** No, that Plato regards as ridiculous in this particular case. What he can do will be to persuade or compel poets to praise the right kind of marriage and blame the wrong kind. And that may have some effect on some people, some time.

**Mrs. Kaplan:** Well, but the bonds of marriage are too serious for that . . . We know that divorce is from, just exactly from, this—

**LS**: Yes, but on the other hand, divorces can also come from too great resemblance.

**Mrs. Kaplan:** Exactly! There should be a law!

**LS:** If someone—if one spouse is quiet and placid and the other is excitable, say, they supplement each other very well, whereas if they are both excitable, that can be a lifelong war.

**Mrs. Kaplan:** Maybe.

**LS:** It is difficult.

**Mrs. Kaplan:** Yes, very difficult. Definitely difficult.

**Mr. Kaplan:** I think that the dances that are meant . . . are something like square dances.

**LS:** Yes, but still, more should be visible, I think. More should be visible. Otherwise he wouldn't have said "as much as decency permits." I mean, one must see of the girl whether she is likely to be a mother productive of strong and healthy offspring.

**Mr. Kaplan:** You know what square dances are?

**LS:** I do not know. I have only seen square dances on the screen, so I do not know how much one can see there.

**Mr. Kaplan:** I have seen them in actual performance at this college, directed by a student of yours.

**LS:** Oh really? I see. I didn't know. Shall we read a bit more?

**Reader:**
ATH. Concerning marriage these shall be the exhortations given, in addition to those previously given; declaring how it is a duty to lay hold on the ever-living reality by providing servants for God in our own stead; and this we do by leaving behind us children's children. All this and more one might say in a proper prelude concerning marriage and the duty of marrying. Should any man however, refuse to obey willingly, and keep himself aloof and unpartnered in the State, and reach the age of thirty-five unmarried, an annual fine shall be imposed upon him, of a hundred drachmae if he be of the highest property-class, if of the second, seventy, if of the third, sixty, if of the fourth, thirty. This fine shall be consecrated to Hera. He that fails to pay the fine in full every year shall owe ten times the amount of it, and the treasurer of the goddess shall exact this sum, or failing to exact it, he shall owe it himself, and in the audit he shall in every case be liable to account for such a sum. This shall be the money-fine in which the man who refuses to marry shall be mulcted, and as to honor, he shall receive none from the younger men, and no young man shall of his own free-will pay any regard to him: if he attempt to punish any person, everyone shall come to the assistance of the person maltreated and defend him, and whoever is present and fails thus to give assistance shall be declared by law to be both a cowardly and a bad citizen. (773e-74c)

**LS:** This occurred already before, in the first sketch of the marriage laws in 721 or thereabouts, but with one obvious difference. That time it was said that bachelors over thirty-five would be fined. But there was no gradation of the fine in accordance with the four property-classes—and for the very good reason, because the property-classes had not yet been introduced there. And now we are familiar with that and are satisfied that it is a sound institution, and therefore it is

there. The same applies to dowries, of which he speaks in the sequel. Dowries are forbidden, as we know, and only something like a trousseau is permitted. He will make that in the next.

**Reader:**
ATH. Concerning dowries it has been stated before, and it shall be stated again, that an equal exchange consists in neither giving nor receiving any gift; nor is it likely that the poor among the citizens in this state should remain till old age unmarried for lack of means—for all have the necessaries of life provided for them—; and the result of this rule will be less insolence on the part of the wives and less humiliation and servility on the part of the husband because of money. Whoso obeys this rule will be acting nobly; but he that disobeys—by giving or receiving for raiment a sum of over fifty drachmae, or over one mina, or over one and a half minae, or (if a member of the highest property-class) over two minae,— shall owe to the public treasury a sum equal thereto, and the sum given or received shall be consecrated to Hera and Zeus, and the treasurers of these deities shall exact it,— just as it was the rule, in cases of refusal to marry, that the treasurers of Hera should exact the fine in each instance, or else pay it out of their own pockets. (774c-e )

**LS:** Yes, and why he says here Hera and Zeus, and in the earlier case only Hera, I do not know. Hera is the goddess of marriage, but—and Hera and Zeus's marriage one cannot exactly say [was] the model marriage, given Zeus's many adventures, [31]but the highest marriage, if one may say so, on Olympus. But I do not know why he makes this difference, that in one case, one says one must pay to Hera and another to Hera and Zeus.

**Mr. Berns:** The fine for bachelors is, I guess, on different grounds but worked out in the progressive income tax, too.

**LS:** Yes, that's true.

**Mr. Berns:** But the crucial difference is—

**LS:** Yes, but earlier there was no mention of loss of civic honors.

**Mr. Berns:** Yes.

**Mrs. Kaplan:** The rule against dowries seems rather anti-feminine.

**LS:** It is antifeminine, to be sure, because he doesn't wish—

**Mrs. Kaplan:** He doesn't wish—women shouldn't be too proud.

**LS:** Yes, too insolent.

**Mrs. Kaplan:** . . .

**LS:** That was a common complaint—

**Mr. Kaplan:** But men should not feel humiliated.

**LS:** Because they are poorer than their wives. That was a common complaint in former times.

**Mrs. Kaplan:** Well, now, men are very proud if they take a rich wife [laughing]—I don't know if they would be humiliated by it in America.

**LS:** Well, you don't know what is going on among themselves [laughter]. But this was a common point, that if a man married a wealthy woman, she would boss him around. And[32] perhaps this is the point: a woman bossing around the husband is much worse than the husband bossing around the wife, because he is by nature the ruler[33]. Between ruling and bossing there is a very tenuous difference, but if the woman rules in the home, that is against nature. I believe something of this kind is underlined.

**Mr. Berns:** I wonder if it doesn't have something to do with—I mean, if you think of the problem in modern Greece, this is really a terrible problem there. You have all sorts of very poor people who want to get married and because of this custom of the dowry, they simply can't.

**LS:** Yes.

**Mr. Berns:** And it leads to all kinds of rather sad problems. I mean, this could be a kind of democratic rule, or a rule to relieve the poor.

**LS:** Plato doesn't look at it from a democratic point of view, but simply because—the concern with, the exaggerated concern with wealth, with possessions, that is degrading. Yes?

**Mr. Gary:** What's the difference between dowry and trousseau? Is that just—

**LS:** Yes, he speaks of—no, no, [34]I mean, she must bring some dresses. Yes?

**Mr. Gary:** Oh, trousseau is just dresses.

**LS:** Yes, something of this kind, not money. Surely not money.

**Mr. Gary:** I see.

**Reader:**
ATH. The right of betrothal belongs in the first place to the father, next to the grandfather, thirdly to the full brothers; failing any of these, it rightly belongs next to relatives on the mother's side in like order; in case of any unwonted misfortune, the right shall belong to the nearest of kin in each case, acting in conjunction with the guardians. Concerning the preliminary marriage-sacrifice and all other sacred ceremonies proper to be performed before, during or after marriage, each man shall enquire of the interpreters, and believe that, in obeying their directions, he will have done all things duly. (774e-75a)

**LS:** Yes, and then there comes a rather lengthy statement on the marriage festivals, which of

course are also regulated in a rather austere spirit. No inordinate expense, and especially no drunkenness; and least of all drunkenness of the bridegroom and the bride, because they cannot know whether they might not generate a child, even in the first night, and that child would naturally suffer from the bad state of body and mind of the parents. That was a common view in former times. Plato qualifies it a bit, he says "according to what seems to be plausible," what is generally held. Whether he shared that is not quite clear. Well, we will read that next time.

And then there comes the final provision regarding marriage, whether the young couple must move out to the other house. You remember every household has two houses;[35] the young couple must live in a different place than the bridegroom's parents and the bride's parents, because if they see one another too often, that leads to lack of longing for one another. That's one way of putting it. And therefore this is provided for by this sage rule. That is the last thing he says about marriage.

And then he turns to slaves. Marriage, slaves: that part of the household which[36] [consists of] human beings who are there prior to the birth of children. The children and what immediately precedes this—birth, pregnancy, and so on—that comes later. The education of children is in book 7. So that has a rather clear plan, and I think he also planned this. The overall plan is quite clear.[37] We have seen the relation of the laws regarding the sacred things and the laws regarding marriage—and marriage means the beginning of *legitimate* birth—because if you disregard the distinction between legitimate and illegitimate, then of course you no longer speak[38] political language. So that is perfectly all right. I think that is very clear here. Yes. We can perhaps read what he says about the festivals, no?

**Reader:**
ATH. Concerning marriage-feasts,—both parties should invite their male and female friends, not more than five on each side, and an equal number of the kinsfolk and connexions of both houses: in no case must the expense exceed what the person's means permit—one mina for the richest class, half that amount for the second, and so on in proportion, according as the valuation grows less. He that obeys the law should be praised by all; but him that disobeys the Law-wardens shall punish as a man of poor taste and ill-trained in the "nomes,"—

**LS:** It is in Greek *nomos*, and they believe that it has a musical meaning, a certain musical composition called the nome. But it could as well mean the laws—the marriage laws of the Muses. Yes—

**Reader:**
of the nuptial Muses. Drinking to excess is a practice that is nowhere seemly—save only at the feasts of the God, the Giver of wine—nor yet safe; and certainly it is not so for those who take marriage seriously; for at such a time above all it behoves both bride and bridegroom to be sober, seeing that the change in their life is a great one, and in order to ensure, so far as possible, in every case that the child that is begotten may be sprung from the loins of sober parents: for what shall be, with God's help, the night or day of its begetting is quite uncertain. Moreover, it is not right that procreation should be the work of bodies dissolved by excess of wine, but rather that the embryo should be compacted firmly, steadily and quietly in the womb. But the man that is steeped in wine moves and is moved himself in every way, writhing both in body and soul;

consequently, when drunk, a man is clumsy and bad at sowing seed, and is thus likely to beget unstable and untrusty offspring, crooked in form and character. (775a-d)

**LS:** Yes: "As seems likely," on the basis of what is plausible. That is what is generally thought about these matters.

**Reader:**
ATH. Wherefore he must be very careful throughout all the year and the whole of his life—and most especially during the time that he is begetting—to commit no act that involves either bodily ailment or violence and injustice; for these he will inevitably stamp on the souls and bodies of the offspring, and will generate them in every way inferior. From acts of such a kind he must especially abstain on the day and night of his marriage; for the Beginning that sits enshrined as a goddess among mortals is the Saviour of all, provided that she receives the honour due to her from each one who approaches her. (775d-e)

**LS:** Yes. Then there comes a provision regarding the house, of which I have spoken before. We don't have to read that. We will turn to the discussion of the slaves after that, and finally the subject which is taken up after the slaves is buildings. After all, they live in a house; and that brings up the whole issue of buildings and the building police in the city, and we will consider that next time.

[1] Deleted "the section—."

[2] Deleted "Nicias."

[3] Deleted "there is—."

[4] Deleted "that has to do—."

[5] Deleted "—now wait a moment—"And what the law—."

[6] Deleted "can, is."

[7] Changed from "speak—when we mean."

[8] Deleted "and."

[9] Deleted "the—."

[10] Deleted "a."

[11] Deleted "it can be"

[12] Deleted "against the city."

[13] Deleted "I think he said something like—."

[14] Deleted "two, at."

[15] Deleted "this is."

[16] Moved "in 745d."

[17] Deleted "in their being."

[18] Deleted “Let us—.”

[19] Deleted “**LS:** Pardon? **Mr. Gary:** He’s got a good method, I think. This is very good.”

[20] Deleted “about the.”

[21] Moved “that is very unlikely.”

[22] Deleted “to the second part, surely not to—.”

[23] Deleted “that.”

[24] Deleted “from—.”

[25] Deleted “should be.”

[26] Deleted “that.”

[27] Deleted “that.”

[28] Deleted “We all—that.”

[29] Deleted “be—.”

[30] Deleted “is not—that.”

[31] Deleted “but the most”

[32] Deleted “that was much worse thought—.”

[33] Deleted “and therefore.”

[34] Deleted “that is”

[35] Deleted “there must not be—.”

[36] Deleted “I mean, those.”

[37] Deleted “Once.”

[38] Changed from “do not talk anymore.”

**Session 22: no date**

**Leo Strauss:** We should try to get some notion of how the whole work is composed, but we cannot read the whole. I trust you understand it, and you forgive it. Now as for the section where we are now, the Athenian has begun to speak of laws in the narrow sense of the word as distinguished from the arrangements regarding the magistracies. He began with the laws regarding the sacred things and then with the marriage laws. We have read those, and we have seen that here the difficulty is solved which we had found in an earlier discussion: Are the laws regarding marriage the first laws, or the laws regarding the sacred things? And the answer is: the laws regarding the sacred things are first, but the laws regarding marriage are first according to nature. That I believe is settled by now. And we have read the other things regarding the marriage laws: no dowries, severe restrictions regarding trousseaus and wedding festivities. And now we come to the final section here, that is in 775e5, shortly before 776. Will you read them, please?

**Reader:**
ATH. From acts of such a kind he must especially abstain on the day and night of his marriage; for the Beginning that sits enshrined as a goddess among mortals is the Savior of all, provided that she receives the honor due to her from each one who approaches her.

The man who marries must part from his father and mother, and take one of the two houses in his allotment, to be, as it were, the nest and home of his chicks, and make therein his marriage and the dwelling and home of himself and his children. For in friendship the presence of some degree of longing seems to cement various dispositions and bind them together; but unabated proximity, since it lacks the longing due to an interval, causes friends to fall away from one another owing to an excessive surfeit of each other's company. Therefore the married pair must leave their own houses to their parents and the bride's relations, and act themselves as if they had gone off to a colony, visiting and being visited in their home, begetting and rearing children, and so handing on life, like a torch, from one generation to another, and ever worshipping the gods as the laws direct. (775e-76b)

**LS:** Yes, so that is clear. They have to take the other house, and [for] a very sound reason: if they live with their in-laws, that would not be conducive to friendship. There must be visits from time to time; that makes this relation much more agreeable. Only, if longing is such a crucial condition of friendship, one could wonder whether the constant living together of the couple is not endangered by that constant living together—a subject not discussed by Plato, but I believe it did not escape him. He may have thought that such separations will come from time to time due to war and other such happenings, and so no legal provision for that is necessary.[1] This is the end of the marriage laws in the strict and narrow sense. And now we come to the next subject. What is it?

**Reader:**
ATH. Next, as regards possessions, what should a man possess to form a reasonable amount of substance? As to most chattels, it is easy enough both to see what they should be and to acquire

them; but servants present all kinds of difficulties. The reason is that our language about them is partly right and partly wrong; for the language we use both contradicts and agrees with our practical experience of them. (776b-c)

**LS:** No, wait. So he says first "servants," *oiketai*, and later on in the same section, *douloi,* "slaves." So to make it quite clear: he is now dealing with slaves, and[2] slaves as part of the property, that property which consists of human beings. This is treated here at this place. Why? Why is it treated here? Well,[3] the young couple is together; they have been settled in that house, and the settlement would not be complete if there were no servants or slaves. Therefore that precedes the children. The children will be born in due time, but this is a part of the household from the very beginning. There is a parallel to that in Xenophon's *Oeconomicus*, where Socrates[4] or someone else discusses the household management and speaks of husband and wife, and of the slaves, but not of the children and the rearing of children.[5] This has here a special reason, because this is a very young couple who just married,[6] and therefore the children cannot come up. So Xenophon or Socrates there is silent on the rearing of children, whereas the Athenian here will devote the whole seventh book to the subject. Another point which one might mention: in Xenophon's *Oeconomicus*, there is a considerable part of the work[7] devoted to the education of the young wife by her husband. There is no analogon to that in the *Laws* because here in this book, as we shall see later also, all education is public and there is no private education by the wife or the husband. Yes?

**Reader:**
MEG. What mean we by this? We are still in the dark, Stranger, as to what you refer to.

**LS:** Why does Megillus suddenly come in? Well, it will appear from the immediate sequent.

**Reader:**
ATH. That is quite natural, Megillus. For probably the most vexed problem in all Hellas is the problem of the Helot-system of the Lacedaemonians, which some maintain to be good, others bad; a less violent dispute rages round the subjection of the Mariandyni to the slave-system of the Heracleotes, and that of the class of Penestae to the Thessalians. In view of these and similar instances, what ought we to do about this question of owning servants? The point I happened to mention in the course of my argument,—and about which you naturally asked me what I referred to, was this. (776c-d)

**LS:** [8]We know now why Megillus comes in: Megillus comes in because the Spartan slave system, the Helots, was conspicuous as a problem, as most people thought the Spartans mismanaged the slaves worse than any other city. So that's a very simple reason. And now he comes to the substantive difficulty here.

**Reader:**
ATH. We know, of course, that we would all agree that one ought to own slaves that are as docile and good as possible; for in the past many slaves have proved themselves better in every form of excellence than brothers or sons, and have saved their masters and their goods and their whole houses. Surely we know that this language is used about slaves?
MEG. Certainly. (776d-e)

**LS:** So that is one view: slaves could be friends, dearer to one and better for one than sons and brothers. What's the other view?

**Reader:**
ATH. And is not the opposite kind of language also used,—that the soul of a slave has no soundness in it, and that a sensible man should never trust that class at all? And our wisest—

**LS:** How does he say "that class"? "That one should not trust."

**Reader:**
ATH. should never trust that class at all.

**LS:** Yes. It is a somewhat stronger term in Greek: that *genus*, that race—you know, a different breed. Yes?

**Reader:**
ATH. And our wisest poet, too, in speaking of Zeus, declared that—
"Of half their wits far-thundering Zeus bereaves those men on whom the day of bondage falls."[i]
Thus each party adopts a different attitude of mind: the one places no trust at all in the servant-class, but, treating them like brute beasts, with goads and whips they make the servants' souls not merely thrice but fifty times enslaved; whereas the other party act in precisely the opposite way.
MEG. Just so. (776e-77a)

**LS:** So these are the two opposite views: in one, slaves may be friends and therefore should be treated as friends; in the other, they cannot possibly be friends and they must be treated accordingly. Now this second view takes the slaves as a different breed,[9] a class of being different from that of free men, in the way in which Aristotle presents that in the first book of the *Politics*.[ii] And here an authority is used: the wisest of our poets—of course Homer, who, speaking on behalf of Zeus, says, and then there follows a quotation. This is said by the swineherd Eumaeus, of all people.[10] In Homer it is said that Zeus takes away half of men's virtue, and this is changed here to half of men's mind. So the diminution of the mind is due not to nature but to enslavement and is a beneficial action of Zeus. He wants to enable the man to be a slave, and therefore he takes away half of his mind. But this is not very Prometheic of Zeus, because he makes them altogether slavish and therefore very bad slaves. That seems to be the difficulty here. At any rate, there is[11] no assertion[12] [here that] there are natural slaves in the sense in which Aristotle speaks. There are of course natural slaves in the sense [that there are] men who are incapable of controlling[13] their desires, but this has nothing to do with the political distinction between free men and slaves. And[14] the political distinction is not natural, although[15] Plato accepts it, of course. On what ground could he accept it, if it is not natural? Slaves are simply people who have become captives in war,[16] so that it is accidental that these men are slaves and these others not. But I suppose the reason is that there is a necessity, a need for slaves,

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[i] Homer *Odyssey* 17.322-24.

[ii] Aristotle *Politics* 1252a24-34.

and the *polis* couldn't be without slaves and therefore this legitimates slavery. And this legitimates the view of violence, of coercion, in order to make people slaves. Aristotle is much more decent in this respect than Plato by limiting slavery to those who by nature are better off if they are slaves. But he cannot really maintain it, as you see from the *Politics*, because when he speaks of his best regime in books 7 and 8 of the *Politics* he demands that emancipation be held out as a reward to slaves if they behave. Now a natural slave could of course never be emancipated. So[17] Aristotle is in this respect, one can say, more well-meaning than Plato, but in effect he arrives at the same conclusion: that one must [have] slaves, and the slaves are people taken [as] prisoners in war. There is of course a distinction[18] [whether] they are Greeks or barbarians, but this is not referred to here, except a little bit later in a more precise context. Yes?

**Reader:**
CLIN. Since this difference of opinion exists, Stranger, what ought we to do about our own country, in regard to the owning of slaves and their punishment?
ATH. Well, now, Clinias, since man is an intractable creature, it is plain that he is not at all likely to be or to become easy to deal with in respect of the necessary distinction between slave and free-born master in actual experience. (777b)

**LS:** Yes. In other words, it is[19] to distinguish between slave and freemen by deed. Yes? By deed, as *ergon*. A distinction by *logos* is not possible at all, so one can only make this distinction by the deed of enslavement. Yes?

**Reader:**
CLIN. That is evident.
ATH. The slave is no easy chattel. For actual experience shows how many evils result from slavery,—as in the frequent revolts in Messenia, and in the States where there are many—

**LS:** Messenia is of course the home of the Helots.

**Reader:**
ATH. servants kept who speak the same tongue, not to speak of the crimes of all sorts committed by the 'Corsairs,' as they are called, who haunt the coasts of Italy, and the reprisals therefor. In view of all these facts, it is really a puzzle to know how to deal with all such matters. Two means only are left for us to try—the one is, not to allow the slaves, if they are to tolerate slavery quietly, to be all of the same nation, but, so far as possible, to have them of different races,—and the other—

**LS:** Yes, of different languages.

**Reader:**
ATH. different languages—

**LS:** Yes, because that is the crucial point. If they speak the same language, they can much more easily reach an understanding with a view to a servile rebellion than otherwise. The difficulty is only, if they speak different languages, but if they don't speak Greek, how can they be

commanded by the master? Yes?

**Reader:**
ATH. and the other is to accord them proper treatment, and that not only for their sakes, but still more for the sake of ourselves. Proper treatment of servants consists in using no violence toward them, and in hurting them even less, if possible, than our own equals. For it is his way of dealing with men whom it is easy for him to wrong that shows most clearly whether a man is genuine or hypocritical in his reverence for justice and hatred of injustice.

**LS:** The terms which he translates here by genuine are "whether he honors by nature and in a non-feigned way, right, and hates beingly, truly, injustice." So "by nature," *phusei*, and "beingly," *ontos,* are used in the same sense, of course.

**Reader:**
ATH. He, therefore, that in dealing with slaves proves himself, in his character and action, undefiled by what is unholy or unjust will best be able to sow a crop of goodness,—and this we may say, and justly say, of every master, or king, and of everyone who possesses any kind of absolute power over a person weaker than himself. We ought to punish slaves justly, and not to make them conceited by merely admonishing them as we would free men. An address to a servant should be mostly a simple command: there should be no jesting with servants, either male or female, for by a course of excessively foolish indulgence in their treatment of their slaves, masters often make life harder both for themselves, as rulers, and for their slaves, as subject to rule.
CLIN. That is true. (777b-78a)

**LS:** Why does he mention female slaves first here?

**Student:** Obviously . . .

**LS:** Yes, good. And we don't have to . . . So the solution is a mean between the two . . . the first, they should be treated as friends; and the other, they should be treated as beasts. The intermediate view which the Athenian suggests is truly intermediate: the right mean between these two extremes; no familiarity, no discussion—commands. Not crude commands, but clear commands. That is the most important rule regarding the holding of slaves. Yes. Yes?

**Dr. Kass:** The discussion of justice enters in only with respect to how the slave is in fact treated once he is possessed—

**LS:** Yes.

**Dr. Kass:** and not in terms of whether slavery is in fact just—

**LS:** Yes.

**Dr. Kass:** which is that the opposite of[20] the two views that are expressed in book 1 of the *Politics* have to do with the justice of the institution of slavery itself.

**LS:** Yes, that is true.[21] Do you remember what[22] Plato says on slavery in the *Republic*?[iii] There are no slaves there. And this could be an indication that Plato regarded slavery as not according to nature, and therefore [not] just. And this would seem to be confirmed by the passage we have read here. But considerations of justice cannot be severed from the consideration of the common good, of the good of the city. Now if the city needs slaves, then slavery is justified by this very fact.

**Dr. Kass:** Why isn't[23] the necessity of slavery considered? It seems that the best argument for slavery has to do with the provision of leisure and therefore is justified in terms[24] primarily of increasing . . .

**LS:** In Plato, the same; and in the *Laws* too. Here the citizens must have the leisure for devoting themselves to the common things, which means primarily of course the things of the city, but[25] may mean also the things common to all things, that is to say, contemplation. And since this is the good life, and it is in a sense not possible if the dirty work is not done by other people, one must procure such other people who do the dirty work.[26]

**Dr. Kass:** That means, doesn't it, that this will have to be a commonwealth which wages war.[27]

**LS:** Yes.

**Dr. Kass:** And in particular, [since] the first conclusion that they should have is that they should have slaves that speak different languages, they will have to wage many different kinds of wars with many different kinds of people.

**LS:** Yes. Well, of course they could live in a neighborhood in which there are a variety of barbaric tribes speaking different languages.

**Dr. Kass:** In a sense, doesn't the institution require an activity in which the absence the institution might also not be required? That is, slaves provide the leisure; making war provides slaves.

**LS:** Yes, that is in a different way. That is not the purpose of slavery, to make possible war. Because the end of war is peace, and the right use of peace is leisure. But of course, in order to have peace, you must wage war from time to time, as people thought at least in former times; and this kind of slave-catching expedition[28] [is] part of the art of war, as Aristotle calls it. And if you say, well, can't you have free labor[29], the point is this. These people who are free men but not citizens create a great political problem: you know, if you have a considerable part of the inhabitants of the city who are free men and yet not citizens, they will cause a difficulty. That is a kind of extra-legal *demos* which forms itself and endangers the whole (as they say now) establishment. If they are from the outset beyond the pale of citizenship, the danger is much worse. Aristotle also follows this line in his best regime of the two last books of the *Politics*: the

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[iii] Perhaps Strauss is referring to Plato *Republic* 614b-16a. Here, Socrates says that someone who has betrayed a city and enslaved its people would receive ten times the pain as a punishment.

city is a city without a *demos*. They all live as gentlemen farmers and the work is done by slaves. And some kind of work is also done by metics, but who are foreigners, and of course they will have nothing to say in any city matters. That is, I think there is no difference in this respect between Plato and Aristotle. If one goes further back and addresses to Plato this question: What is the reason why you insist on limiting citizenship so much, so that perhaps only half of the population of the city are citizens? Then he would say: full citizenship requires education.[30] You wouldn't wish to be governed by uneducated people, you know; and if they are full citizens, they may well become magistrates. And a more modern answer to that is universal education. But the trouble is that in this philanthropic change, education has changed its meaning. It did no longer mean what it means here in the first place, formation of character but, as you know, reading, writing, and arithmetic.[31] And not even that, if I am sufficiently informed about what is going on at the frontiers of education. So it is hard in either case.[32]

**Mrs. Kaplan:** May I ask something?

**LS:** Please.

**Mrs. Kaplan:** [33]Plato speaks of slaves here, but doesn't say how to acquire them. This is a new state. There are 5,400 people, how do there get to be slaves?[34]

**LS:** It is presupposed that there are slaves available. And since people are not likely to become slaves voluntarily, how else could they become available except by violence?

**Mr. Kaplan:** Perhaps you can buy them.[35]

**LS:** Then the slave trader would have used violence. Think only of the stories you hear about the origins of Negro slavery here. They may have been sold by their fellow Negroes in Africa, but the poor fellows who were shipped to this country or to South America did not go voluntarily there. So violence is necessary. Therefore when Plato or the Athenian Stranger enumerates the titles to rule, the seven titles to rule[36], one of them is sheer violence.[37] [Being] the stronger, the physically stronger[38] is a title to rule, unfortunately, but unavoidably.

**Mrs. Kaplan:** I dare say[39] it should cross the mind of Plato that there is a kind of rule which is unjust—

**LS:** Sure. But he said so![40] Why does he speak of the *idea* of justice, meaning that everything except the idea of justice is tainted with injustice, so there is no institution, no city, no human being who is perfectly just?[41] Therefore in the *Republic*, when they begin to discuss justice and try to discuss the question of what is justice, Socrates says to Glaucon and Adeimantus: Now let us see where in the city we will find justice, and where *injustice*.[iv] Paul Shorey, who translated the *Republic* in the Loeb Classical Library,[42] says: Well, there cannot of course be any injustice in the perfect city of the *Republic.* But if he had read further on (which he did by the way, because he translated the whole book), he would have seen that everything except the idea[43] of justice is tainted with injustice. So[44] one can be sure to find some injustice even in the perfect

[iv] Plato *Republic* 427d.

city of the *Republic,* let alone all cities or states which we find in deed.[45] And the question is only which distribution of justice and injustice is least unbearable,[46] [since] a perfectly just city is impossible. And therefore, of course,[47] slavery is not for Plato such a grave problem as it was for us[48], not because he was a Greek and accepted the institutions of Greece as the standard—which is not true, as we know from the *Republic* and as we shall see very soon here too—but [because] he did not expect the impossible. There is something in man, in the nature of man[49] (not of course owing to any fall, to any original sin, but by nature), which prevents a simply just city. So[50] the just city, which we may very well call just,[51] must be understood to include some injustice.[52] The modern philosophers tried to establish this city, or at least to draw the outline of a city in which there cannot be any injustice, but[53] in order to do that, they had to revolutionize the whole of moral and political thought. And whether they were more successful, that is a long question. I mean, think of Rousseau and the others.

**Mr. Kaplan:** Aren't those ideas of the just city, modern ones, taken under the influence of the heavenly Jerusalem, [the] city of God? Aren't they under the influence of the Bible?

**LS:** Yes, but in the Bible the just city is the work of God.

**Mr. Kaplan:** Yes, but[54] [man's] entire nature would be changed . . .

**LS:** That is a plausible suggestion, that the biblical tradition accounts for the differences between the modern political philosophers and the ancients. But it would have to be shown in detail. I mean, for example, if it is true that Machiavelli plays a very important role for the emergence of modern thought, I don't find much biblical things in Machiavelli. Or if you think of the very great importance of Hobbes[55] [and] his change from duty to right, there is nothing biblical in that.

**Mr. Kaplan:** Yes, but [in] Marx, certainly.

**LS:** Yes, but that is very late, when all basic issues were already settled. And whether that is true that Marx is such a messianic thinker—that is often asserted, but I[56] don't feel compelled to believe that. But the question which we have to consider is whether[57] the moderns succeeded, at least in theory, [in establishing][58] a commonwealth which is perfectly just.

**Mrs. Kaplan:** If there is more or less always injustice—

**LS:** Yes.

**Mrs. Kaplan:** [59]it is clear that the *Republic*, as such, cannot be perfect.

**LS:** Yes.

**Mrs. Kaplan:** There are aids and laws for a certain direction, but this less which rests, no matter how little, makes the whole, the whole perfect unperfect. Less, but not perfect. I mean, in that way, justice—injustice has to be mixed with justice, and it would be best and more exclusive . . .

**LS:** Well, I do not finally understand you. Do you mean to say that if you have the prospect of an infinite progress toward lesser and lesser injustice, then the injustice which we observe and which was always there would be more bearable?

**Mrs. Kaplan:** In one way,[60] maybe bearable. But [it] still makes justice unjust. Maybe there are[61] slaves who are very well handled, and very well situated—I don't know, imagine such things—still would be slaves.

**LS:** Yes?

**Mrs. Kaplan:** So justice will be not justice. No matter how good these—

**LS:** Yes, but if this slavery makes possible in the future a just society, would this be a justification of slavery? Just as according to Marx the slavery, the division of labor altogether, and all the terrible defects of capitalist society are necessary in order to enable men to develop fully their productive powers. And in the meantime, that is terrible, but finally that makes possible heaven on earth. Would this be a justification?

**Mrs. Kaplan:** No.

**LS:** Yes, but to whom do you address this complaint? Can you expect a different thing?[62]

**Mrs. Kaplan:** But my question was[63] . . . [that Plato] explicitly doesn't mention how slaves come to be acquired—

**LS:** Well, that is true.

**Mrs. Kaplan:** and this is probably a first . . .

**Mr. Klein:** Excuse me. There is one simple way in which slaves come in. Those colonists bring their slaves with them . . . [64]

**LS:** Well, Mr. Klein surely would admit that the moral question is not solved by the fact that the slaves are already owned. Yes?

**Mr. Klein:** [to Mrs. Kaplan] Human nature is such that Nietzsche—

**Mrs. Kaplan:** All right! But this is Plato who writes that, and Plato wrote the *Republic*. I say . . . he must have it clearer. No matter how difficult he has it . . . inside the *Republic*, the notion of good, the notion of . . . I say only, it is defeated . . .

**LS:** It defeats—

**Mrs. Kaplan:** [65]This less justice makes impossible a humanly perfect state.

**LS:** Yes,[66] sure. But even[67] in the best city of the *Republic* there is injustice. If you go into any

institution there [you will find some injustice]. For example, you have this very just institution, that babies who[68] ought to belong to the upper class will be taken away from their lower class parents and vice-versa. But how will it work out in practice?[69] Unless you accept some very crude color racialism[70] of which there was no question there,[71] you cannot see from a baby's face whether it is an upper- or a lower-class baby. So you have to wait until he or she develops, but by that time he or she becomes attached to [his or] her parents, and vice-versa. And then the parents know the child and this upsets the whole thing, because no one must know who his parents are and the parents must not know who their children are.[72] Otherwise there will be again family or at least a substitute of family, which would be ruinous to the whole establishment. That is one; and many other things—and also the equality of the sexes, which cause also great difficulties.[73] Plato knows quite well—and somewhere else[74] Socrates says, not in the *Republic*, that evil will never cease from this place, from this mortal place, not because of some original sin but because of nature. This lady wanted to say something?

**Miss McKemie:** Would you deny a distinction between sin,[75] injustice as a failure to realize justice, and a deliberate injustice? There is a way that injustice can come to be and there is a way that it[76] can be, you know, a lack as well.

**LS:** Yes, I do not know whether I understand you, but he says[77] here that a man can treat his slaves justly—you know, treat them decently. Be particularly careful because the slaves are the weaker; they are in the worse position. That is the application of justice as far as slaves are concerned.[78] This is very important, but it does not affect the question which we have been discussing, whether the institution of slavery in itself is just or unjust. I do not know whether this solves your difficulty.

**Miss McKemie:** Well, there is a kind of injustice which is like—which is unknowing, which is by nature almost . . . Because man doesn't perfectly know justice, he can't perfectly realize it. But then there is deliberate injustice—

**LS:** Oh, yes.

**Miss McKemie:** And that is sin, and that is distinct from human failure to realize it.

**LS:** Surely there are certain human actions of which we can say without any hesitation: these are unjust actions. We don't have to ascend to the highest levels. For instance, if someone wishes to have the benefits of society without accepting its burdens, then he is obviously an unjust man.[79] That does not require profound reflection. And all the other things[80] like pocket-snatching or purse-snatching and robbery, and to say nothing of murder, they are all covered by this kind of thing. But the difficulties are not here, and men ordinarily do not make rebellions because they want to abolish the laws prohibiting murder, theft and robbery.[81] That is not a controversial thing. I mean,[82] a man thinks he can get away with murder,[83] but this is never a general line of policy. No society will be established with a view to permitting everyone who wants to murder to get away with it. Differently stated,[84] when people live together in a society, there is a certain crude notion of society prevailing there and that is sufficient for most practical purposes.[85] For example, one could say, prior to the Supreme Court decisions of the last twenty years, that for a democracy to prevent citizens from voting by force or fraud is very unjust action.[86] I mean, I am

not a radical, but this I always felt, that there is some contradiction[87] if a given society is a democracy and practically every adult inhabitant of that state is a citizen, then he[88] must not be prevented by force or fraud from voting. I am not speaking now of literacy tests; that is a perfectly possible qualification.

**Miss McKemie:** Do you mean that there is justice relative to a regime as well?

**LS:** Well,[89] I would say rather this: we always are deep in a cave, and[90] the light we have is not necessarily the light of the sun but the ceiling of the cave, and we can reach the light of the sun only by first ascending within the cave. And so what we have first are the accepted notions of justice. If we think more deeply and look, then we will always find extreme cases which do not quite fit in, and then we begin to think about the foundations itself. Simply and practically stated, all political discussions in this country, at least until a very short time ago, were based on the[91] Constitution of the United States. Yes? And that meant on the tacit assumption that this is a just order of society. But one can of course raise the question: Is the Constitution itself just?[92] That is not a practical question, fortunately, most of the time; but it is an undeniable question and sometimes it becomes even practically necessary to raise.

**Miss McKemie:** What then does "social justice" mean?[93] How do you see the change in the Surpreme Court's concerns now? Is it that they are trying to write social law?[94]

**LS:** [95]Well, I never use that expression, "social justice," but I hear it from time to time. But I believe what they mean is this: that an X they call society is responsible for all kinds of injustices, and that X must abolish these injustices.[96] For example, say that there are poor people, and it would seem to be that society is responsible for the fact that there are poor people. Now this is of course[97] an assertion which is not self-evident. Maybe people are poor because they are not—how does Locke call that beautifully?—rational and industrious. It could be. You know, loafers. And there could also be people who are poor without [it being] their fault—you know, poor harvest and so on. That needs a long discussion. But somehow the people who talk of social justice presuppose that there is[98] an X called society which is responsible for everything. And of course those who are a little bit more precise say: Well, it is not society as such but it is capitalist society, or[99] a specific society, who do that. But[100] I do not know where the term "social justice" came up for the first time.

**Miss McKemie:** Are you saying that is the principle on which that society is organized that—

**LS:** I don't believe they would call that social justice.

**Miss McKemie:** [101]This cause for this injustice must have been caused by a nonpolitical origin, by some social origin? I guess that—

**LS:** I do not know whether you are right on that point. Maybe you are. In former times, people did not make a distinction between social justice and other justice, but today that is very common. The other kind of justice is one for which a man can be held responsible if he acts unjustly. But the social justice or injustice is something for which no man can be held responsible but only that X called society.[102] Shall we go on now, Mr. Gary?

**Reader:**
ATH. Suppose, then, that we are now, to the best of our power, provided with servants sufficient in number and quality to assist in every kind of task, should we not, in the next place, describe our dwellings?
CLIN. Most certainly.

**LS:** So first, marriages; then the human part of the household apart from the married couple, the slaves, and then the houses.[103]

**Reader:**
ATH. It would seem that our city, being new and houseless hitherto, must provide for practically the whole of its housebuilding, arranging all the details of its architecture, including temples and walls. These things are really, Clinias, prior to marriage; but since our construction is now a verbal one, this is a very—

**LS:** "By speech." That is a bit more than "verbal."

**Reader:**
ATH: Since our construction is now by speech, this is a very suitable place to deal with them; when we come to the actual construction of the State, we shall, God willing, make the houses precede marriage, and crown all our architectural work with our marriage-laws. For the present we shall confine ourselves to a brief outline of our building regulations. (778a-c)

**LS:** So in other words, he proceeds in a disorderly manner. The houses should come first before they marry.[104] This is the way in which they must proceed in deed, but not according to the *logos*. The *logos* permits the opposite procedure, and the reason is, I suppose, that houses are for the sake of human beings; and therefore in particular for the sake of married human beings and not marriage for the sake of housing, so that the case of the laws regarding the sacred things is somewhat different. The laws regarding the sacred things, as we have seen, precede the marriage laws. But this might very well mean that the laws regarding the sacred things are for the sake of marriage. As you have seen, when he discussed the sacred things he laid great stress on the fact that there should be regular festivals, where the members of the community, especially the younger people, the marriageable people, would come to see one another and be seen by one another. And that was a major reason why these festivals are to be made. Yes. So we have come, we come to—

**Reader:**
CLIN. Certainly.
ATH. The temples we must erect all round the market-place, and in a circle round the whole city, on the highest spots, for the sake of ease in fencing them and of cleanliness; beside the temples we will set the houses of the officials and the law-courts, in which, as being most holy places, they will give and receive judgments,—partly because therein they deal with holy matters, and partly because they are the seats of holy gods; and in these will fittingly be held trials for murder and for all crimes worthy of death. As to

walls, Megillus, I would agree with your Sparta in letting the walls lie sleeping in the ground, and not wake them up, and that for the following reasons. It is a fine saying of the poet, and often repeated, that walls should be made of bronze and iron rather than of earth. But our plan, in addition to this, would deserve to raise roars of laughter,—I mean the plan of sending young men into the country every year to dig and trench and build, so as to keep the enemy out and prevent their ever setting foot on the borders of the land—if we were also to build a wall round; for, in the first place, a wall is by no means an advantage to a city as regards health, and moreover, it usually causes a soft habit of soul in the inhabitants, by inviting them to seek refuge within it instead of repelling the enemy; instead of securing their safety by keeping watch night and day, it tempts them to believe that their safety is ensured if they are fenced in with walls and gates and go to sleep, like men born to shirk toil, little knowing that ease is really the fruit of toil, whereas a new crop of toils is the inevitable outcome, as I think, of dishonourable ease and sloth. But if men really must have a wall, then the building of the private houses must be arranged from the start in such a way that the whole city may form a single wall; all the houses must have good walls, built regularly and in a similar style, facing the roads, so that the whole city will have the form of a single house, which will render its appearance not unpleasing, besides being far and away the best plan for ensuring safety and ease for defense. To see that the original buildings remain will fittingly be the special charge of the inmates; and the city-stewards should supervise them, and compel by fines those who are negligent, and also watch over the cleanliness of everything in the city, and prevent any private person from encroaching on State property either by buildings or diggings. These officers must also keep a watch over the proper flowing of the rain-water, and over all matters, whether within or without the city, that it is right for them to manage. All such details—and all else that the lawgiver is unable to deal with and omits—the Law-wardens shall regulate by supplementary decrees, taking account of the practical requirements. And now that these buildings and those of the market-place, and the gymnasia, and all the schools have been erected and await their inmates, and the theatres their spectators, let us proceed to the subject which comes next after marriage, taking our legislation in order. (778c-79d)

**LS:** So in other words, this is the conclusion of the marriage section, because slaves are part of the household, and houses are of course indispensable. But if we look from this point of view at what he says about housing, one thing is very strange: [he] hardly says anything about private houses. He speaks chiefly about temples and other public buildings and [about] this other question of the walls of the city, and mentions private houses only occasionally.[105]

There is of course nothing of houses to speak of in the *Republic*. But there it is perfectly necessary, because the family is abolished and therefore there must not be any private dwellings. Anyone may enter any dwelling at any time. That is the abolition of privacy. Not only the FBI may listen in, but anyone may enter at any time, without any search warrant or something else. Now here of course there are private houses,[106] but they are considered as little as possible. If you would compare that again with Xenophon, in the *Memorabilia*, book 3, chapter 8, where Socrates presents his view about houses, you would see an amazing difference. Socrates is very much concerned with domestic comfort and convenience—nothing of this kind in the austere Plato. The *Laws* is very close to the *Republic* in spite of the fact that there is an admission of

private property and private family. That would also come out very clearly in the sequel. So we have now concluded the section on[107] marriage, and the things necessarily related to marriage like slaves and houses. Now what comes next?

**Reader:**
CLIN: By all means.
ATH. Let us regard the marriage ceremony as now completed, Clinias; next will come the period before child-birth, which will extend to a full year; how the bride and bridegroom ought to pass this time in a State that will be unlike most other States,—that is to be our next theme, and it is not the easiest of things to explain; we have uttered not a few hard sayings before, but none of them all will the mass find harder to accept than this. All the same, what we believe to be right and true must by all means be stated, Clinias.
CLIN. Certainly. (779d-e)

**LS:** Now wait here a second. So[108] we have settled the young couple in the house with their slaves, and now they begin their married life. But in the first stage, not only are there no children; the first stage even precedes the generation of children. And this is the first subject. And later he will come to[109] procreation proper and finally, in the next book, book 7, to the rearing of children. So this will be clearly the next subject.

Now he says here, at the end of the speech which[110] we just read, [that] what seems to be correct and true must by all means, or in all circumstances, be said. And Clinias: "Of course." But is this "of course?" You remember, perhaps, the Dorian law of laws, which forbids [one] to say the good and correct except under very special circumstances. Only among old men when no young men are present may the divine laws be criticized. But more immediately important perhaps is the parallel in the *Republic*, when Socrates brings up a related question, the question of the community of wives. And Socrates hesitates to discuss it, and then Glaucon says: Why do you hesitate? We are all reasonable and trustworthy and benevolent hearers.[v] To which Socrates replies: Surely to say the truth which one knows about the greatest and dearest things among reasonable friends is safe. So it is by no means safe to say it under all circumstances, in all surroundings.[111] The reason for the difference between the Athenian Stranger and Socrates in the *Republic*, one can say, is this: that what the Athenian will propose here is much less shocking than what the Socrates of the *Republic* proposes there. There will be no community of wives here; there will only be much more limited changes in the relation of the two sexes, which will be explained in the sequel Yes?

**Reader:**
ATH. Whoever proposes to publish laws for States, regulating the conduct of the citizens in state affairs and public matters, and deems that there is no need to make laws for their private conduct, even in necessary matters, but that everyone should be allowed to spend his day just as he pleases, instead of its being compulsory for everything, public and private, to be done by a regular rule, and supposes that, if he leaves private conduct unregulated by law, the citizens will still consent to regulate their public and civil life by law,—this man is wrong in his proposal.

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[v] Plato *Republic* 449c-51a. Strauss's paraphrase.

**LS:** You see?[112] Private life is to be as much regulated by law as public life. Yes?

**Reader:**
ATH. For what reason have I said this? For this reason,—because we shall assert that the married people must take their meals at the public messes neither more nor less than they did during the time preceding marriage. When the customs of the public mess first arose in your countries—probably dictated by a war or by some event of equal potency—

**LS:** Yes. "Dictated" more literally translated as "war or another calamity *legislating*." Go on.

**Reader:**
ATH. when you were short of men and in dire straits,—it seemed an astonishing institution; but after you had experience of these public messes and had been obliged to adopt them, the custom seemed to contribute admirably towards security; and in some such way as that the public mess came to be one of your established institutions. (779e-80c)

**LS:** So in other words, we hear for the first time that there will be a general institution of common meals as it existed in Sparta and Crete, and this will not be changed for the newly-married. They still have to continue to take their food in the public messes. Yes?

**Mr. Gary:** They can't have their children for a year.

**LS:** Well, I mean, it takes not quite a year, in any case, but—

**Mr. Gary:** They can't start having children for three months or four months,[113] then, is that right?

**LS:** No, but conception does not necessarily follow every sexual intercourse. Yes?

**Mr. Gary:** Or could they take a chance? I mean, they wouldn't want to break the law.

**LS:** Yes, but[114] if they have to take public meals, they have to take public meals.

**Mr. Gary:** These things are piling up here. This is the second one.

**LS:** Yes, well this is a very grave subject, you know. Good. Now let us see what the precise difficulty is.

**Reader:**
CLIN. That is likely enough.
ATH. So, though this was once, as I said, an astonishing and alarming institution to impose on people, a man who tried to impose it as a law nowadays would not find it an equally difficult task. But the practice which follows on this institution, and which, if carried out, would be really successful,—although at present it nowhere is carried out,

and so causes the lawgiver (if he tries) to be practically carding his wool (as the proverb has it) into the fire, and labouring in vain at an endless tale of toils—this practice is neither easy to state nor, when stated, to carry into effect. (780c-d)

**LS:** So he in a way has told us only that[115] all the young people will have to continue to take their meals in the public messes, and then that the institution of the public messes, by now accepted without any hesitation at least in Sparta and Crete, was originally very difficult to establish, and only such an upheaval like a war could have introduced it. Clinias wisely says: What are you driving at, Athenian Stranger? What *is* he driving at?

**Reader:**
CLIN. Why do you show so much hesitation, Stranger, in mentioning this?
ATH. Listen now, so that we may not have to spend so such time on the matter to no purpose. Everything that takes place in the State, if it participates in order and law, confers all kinds of blessings; but most things that are either without order or badly-ordered counteract the effects of the well-ordered.

**LS:** So in other words, not all things not ordered or badly ordered are fatal. Yes. It is good to know that. Yes?

**Reader:**
ATH. And it is into this plight that the practice we are discussing has fallen. In your case, Clinias, and Megillus, public meals for men are, as I said, rightly and admirably established by a divine necessity— (780d-e)

**LS:** Yes, by some divine necessity. What he previously called a war or another calamity that legislated it for them. Yes?

**Reader:**
ATH. but for women this institution is left, quite wrongly, unprescribed by law, nor are public meals for them brought to the light of day; instead of this, the female sex, that very section of humanity which, owing to its frailty, is in other respects most secretive and intriguing, is abandoned to its disorderly condition through the perverse compliance of the lawgiver.

**LS:** So you see the legislator gave in to them. That is the innovation: common meals also for women. And women apparently dislike that intensely because they[116] don't want to be dragged into the light. And they are called a *genos* of human beings, just as the slaves were called a *genos*. But this time the Athenian says this in his own name, and not in rendering other people's thoughts. That is a natural distinction among human beings, male and female—not that between free men and slaves. Yes?

**Reader:**
ATH. Owing to your neglect of that sex, you have had an influx of many consequences which would have been much better than they now are if they had been under legal control. For it is not merely, as one might suppose, a matter affecting one-half of our whole task—this matter of

neglecting to regulate women,—but in as far as females are inferior in goodness to males, just in so far as it affects more than the half.

**LS:** [117]That he had said in the *Republic*, you know, that one half is normally activated for the city, but the other half is left out. And[118] the other half [must] also [be] activated. And[119] here he goes beyond that. He says: If you do not do that, you leave not only one half unregulated, but you endanger the whole. Yes?

**Reader:**
ATH. It is better, then, for the welfare of the State to revise and reform this institution, and to regulate all the institutions for both men and women in common. At present, however, the human race is so far from having reached this happy position, that a man of discretion must actually avoid all mention of the practice in districts and states where even the existence of public meals is absolutely without any formal recognition. (780e-81c)

**LS:** You see here the minor contradiction to what he said before in 779e, that one must say what seems to be correct and true in all circumstances.[120] There are certain subjects where sensible men would not say the true and correct thing—like, concerning the common meals of women, yes? No man of sense would do that. Yes?

**Reader:**
ATH. How then shall one attempt, without being laughed at, actually to compel women to take food and drink publicly and exposed to the view of all? The female sex would more readily endure anything rather than this: accustomed as they are to live a retired and private life—

**LS:** [121]To live privately and in obscurity.

**Reader:**
ATH. women will use every means to resist being led out into the light, and they will prove much too strong for the lawgiver. So that elsewhere, as I said, women would not so much as listen to the mention of the right rule without shrieks of indignation; but in our State perhaps they will. So if we agree that our discourse about the polity as a whole must not—so far as theory goes—prove abortive, I am willing to explain how this institution is good and fitting, if you are equally desirous to listen, but otherwise to leave it alone. (781c-d)

**LS:** Yes, now let us stop here for a moment. So you see the women are weaker than men. That is of course also said in the *Republic*,[vi] but here that is not said in this form in the *Republic*: that they are inferior to men in regard to virtue, and therefore they are particularly in need of being supervised and not permitted to sit in dark corners and do God knows what. They must be dragged into the light of the day, and that is the revolutionary proposal of the Athenian Stranger. You remember that when he spoke of common meals in the first book, the Athenian had some criticisms: for example, that they are conducive to homosexuality. Now if the common meals would be common to men and women, this danger would be averted. But it is not yet clear

[vi] Plato *Republic* 450d.

whether common meals of women will mean common meals of men and women, or common meals of men on the one hand, and common meals of women in some other place. That is not yet clear. At any rate it is quite a proposal.[122] He says here [that] he is going to show or try to show that this institution is *good* and *becoming*. That is something different from showing that it is *possible*. In the *Republic*, Socrates had made the distinction when speaking of the relation between two sexes and in particular of the equality of the two sexes, and had raised this question of whether the equality of the sexes is possible or feasible but had dropped it. What he wants to show is that it is desirable or, as is said here, good and fitting. So the whole question of whether this great improvement is possible remains open.[123] We know he will only show, and let us see how he will show, that it is good and fitting. And the reason is the fact that the women are the weaker sex, and grave inconveniences follow from that. In the *Republic*, of course, it is asserted that in spite of the fact that women are weaker, they can achieve the highest virtue as well as men. Nothing of this kind is suggested in the *Laws*. So here Plato remains closer to what was acceptable to people than he did in the *Republic*, but that cloven hoof is noticeable also here. Yes?

**Reader:**
CLIN. Nay, Stranger, we are both inexpressibly desirous to listen.
ATH. Let us listen, then. (781d)

**LS:** That is hard. To whom do they listen? He says: Let us listen. To him? Or to the *logos*? I do not know why he uses that here.

**Reader:**
ATH. And do not be surprised if you find me taking the subject up again from an early point. For we are now enjoying leisure—and there is no pressing reason to hinder us from considering laws from all possible points of view.
CLIN. Very true.
ATH. Let us, then, revert again to our first statements. Thus much at least every man ought to understand,—that either the human race never had a beginning at all, and will never have an end, but always was, and always will be, or else it must have been in existence an incalculable length of time from the date when it first began.
CLIN. Undoubtedly. (781d-82a)

**LS:** Now what was he doing here? He had made, as we say, a revolutionary proposal, a proposal breaking with all tradition known to him, with everything ancient. And therefore in order to justify that break, he must go to what is more ancient than the ancient. And[124] he here refers [to] the political investigation at the beginning of the third book. He goes back to the beginnings, which are older than all human traditions. And there is only this difference, that he spells out here more clearly, I think, than he did at the beginning of the third book, that the human race may never have come into being and may never perish. The alternative is that[125] the human race has existed for an immeasurably long time, but not necessarily for always. Yes? So the human race exists at least for an immeasurable long time, perhaps forever. What follows from that?

**Reader:**
CLIN. Undoubtedly.

ATH. Well then, do we not suppose that all the world over and in all sorts of ways there have been risings and failings of States, and institutions of every variety of order and disorder, and appetites for food—both meats and drinks—of every kind, and all sorts of variations in the seasons, during which it is probable that the animals underwent innumerable changes?
CLIN. Certainly. (782a-b)

**LS:** What he implies, I believe, is this: since this time is immeasurably long and all kinds of changes are likely to have taken place, there is no reason to doubt that there were common meals of women some time in the past in some places. You know, this enlargement of the horizon[126] in a different way[127] [recurs with] the notion of original communism['s] addressing the view that men can live without division of labor, without a division[128] into families, and so on and so on—[this] proves the fact that it is possible in the future. Yes?

**Reader:**
CLIN. Certainly—

**LS:** I believe we will stop here because we must not read a rather long passage[129] [for which] we do not have time. He discusses then human life at the beginning and the alternatives which existed there: cannibalism on the one hand and great purity, vegetarianism, on the other, and the conclusions to be drawn from that. The conclusion is not, however, as we would think: that this shows the necessity of community of meals. It only shows the necessity of control of the strongest natural desire of men, the sexual desire, which by itself is a disease, namely, if it is not regulated by law and the true speech.[130] But the conclusion, that hence [there should be] common meals for women, is not wrong. He does promise a short while later that he will take up this subject and prove that one should have common meals for women, but this promise is of course not fulfilled. So this remains here as a reminder[131] of the best city of the *Republic*, which emerges for a moment but is then brought into oblivion again. And then[132] finally [he takes up] the last subject, which is the procreation of children, and which is treated rather briefly. And then the[133] end of the sixth book, and then the rearing of children in book 7.

**Mr. Klein:** One question. It says that in all those changes—

**LS:** Yes?

**Mr. Klein:** that the animals changed. Now what does he mean?

**LS:** I believe that has something to do with the fact that in this whole section here, beginning here,[134] at the time in which there was not yet agriculture,[135] the animals—but in the wide sense where it includes men, of course—lived, as now, from eating one another.

**Mr. Klein:** You mean "changing" does not mean a species? It's then the habits that change.

**LS:** Yes. But the point is: Why does he speak of animals in general, and not of men? This goes through[136] the whole section. Later on he speaks, for example, of food and drink and sex as the desires characteristic of all animals, and then suddenly changes to human beings, because only in

the case of men is the sexual desire so dangerous. He may think of the fact that there are no seasons, as in the case of animals. He may also think of the fact that there are no prohibitions against incest in the case of animals, and so forth.[137] I don't believe that I can say more about it now.

[1] Deleted "Yes."

[2] Deleted "that, as."

[3] Deleted "we have."

[4] Deleted "discusses—."

[5] Deleted "But."

[6] Deleted "and which he discusses there."

[7] Deleted "is."

[8] Deleted "And that is—."

[9] Deleted"—we could say a kind of being."

[10] Deleted "That."

[11] Deleted "no question here—."

[12] Deleted "in any kind that slaves—."

[13] Changed from "to control."

[14] Deleted "in."

[15] Deleted "but."

[16] Deleted "and—."

[17] Deleted "that."

[18] Deleted "but that."

[19] Deleted "to make—."

[20] Deleted "that."

[21] Deleted "That, and one can."

[22] Deleted "he says about slavery."

[23] Deleted "that—why isn't that question—."

[24] Deleted "really—."

[25] Deleted "means also—."

[26] Deleted "without the slaves."

[27] Deleted "**LS**: I beg your pardon? **Kass**: Which wages war."

[28] Deleted and moved "that is war—."

[29] Deleted "That would be—but."

[30] Deleted “And.”

[31] Deleted “and so—.”

[32] Deleted “it is hard.”

[33] Deleted “[inaudible words].”

[34] Deleted “He doesn’t say a word about that [inaudible words].”

[35] Deleted “**LS**: Pardon? **Kaplan**: Buy them.”

[36] Deleted “you remember that passage?—.”

[37] Deleted “That is something—.”

[38] Deleted “that.”

[39] Deleted “that in the [inaudible word] of these pages.”

[40] Deleted “But he said so!”

[41] Deleted “And when.”

[42] Deleted “he.”

[43] Deleted “of injustice—.”

[44] Deleted “one would have—.”

[45] Deleted “—that is so.”

[46] Deleted “I don't believe that there—.”

[47] Deleted “—therefore.”

[48] Deleted “but.”

[49] Deleted “which—and.”

[50] Deleted “that.”

[51] Deleted “that.”

[52] Deleted “And.”

[53] Deleted “that they had—.”

[54] Deleted “the.”

[55] Deleted “which Hobbes’ doctrine says, I mean.”

[56] Deleted “am not—.”

[57] Deleted “they succeeded—.”

[58] Changed from “to establish.”

[59] Deleted “—for Plato, the *Republic*, [inaudible words].”

[60] Deleted “bearable.”

[61] Deleted “—maybe.”

[62] Deleted “**Mrs. Kaplan**: [inaudible words] absolute politification of human nature. But here it is impossible [inaudible words]. **LS**: Yes—.”

[63] Deleted “was a [inaudible words], in—here, here Plato [inaudible words].”

[64] Deleted “**Kaplan**: Well— **LS:** Yes,[64] that is—but still, that of course— **Kaplan**: [inaudible words] economically

is not clear[64] how they, how they handle this new state, 5,400. If you brought slaves [inaudible words].

[65] Deleted “[inaudible words] the injustice.”

[66] Deleted “yes.”

[67] Deleted “in the Republic—.”

[68] Deleted “belong—.”

[69] Deleted “You don't see from a baby's face that it—.”

[70] Deleted “—yes?—.”

[71] Deleted “—so.”

[72] Deleted “because of—you know.”

[73] Deleted “Surely there is no—that.”

[74] Deleted “he—somewhere else.”

[75] Deleted “and a failure of realization for.”

[76] Deleted “—if somehow a failure of justice is coming—I mean justice is only achieved by injustice—.”

[77] Changed from “speaks.”

[78] Deleted “But this—.”

[79] Deleted “Yes?”

[80] Deleted “like—.”

[81] Deleted “Yes? You know?”

[82] Deleted “the individual—how is the wonderful phrase?—.”

[83] Deleted “that—or with other criminal actions, surely—.”

[84] Deleted “there is—.”

[85] Deleted “You know?”

[86] Deleted “Yes? Could one not?”

[87] Deleted “if this is—.”

[88] Deleted “must have—.”

[89] Deleted “that leads—can put it this way.”

[90] Deleted “what.”

[91] Deleted “Ameri—on the.”

[92] Deleted “You know?”

[93] Deleted “If the court has changed direction or changed its concerns how are they are they headed for—.”

[94] Deleted “for.”

[95] Deleted “No, I believe—.”

[96] Deleted “without—you know, one cannot—.”

[97] Deleted “a question—.”

[98] Deleted “a thing called.”

[99] Deleted “I don't know what kind of—.”

[100] Deleted “this term?”

[101] Deleted “So whether it is—.”

[102] Deleted “Now.”

[103] Deleted “—the houses. Yes?”

[104] Deleted “But.”

[105] Deleted “How must they be built in order to contribute to the safety of the city against enemy attack.”

[106] Deleted “here.”

[107] Changed from “of.”

[108] Deleted “the next subject is.”

[109] Deleted “the gener—.”

[110] Deleted “was of the Athenian speech which.”

[111] Deleted “Here—and.”

[112] Deleted “There is no—.”

[113] Deleted “or three months.”

[114] Deleted “what has this to do—we are speaking—.”

[115] Deleted “there will be—.”

[116] Deleted “are—.”

[117] Deleted “So.”

[118] Deleted and moved “there must be.”

[119] Deleted “here, so that, it would seem—.”

[120] Deleted “Yes**?”**

[121] Deleted “Yes, but I am—in the obscurity.”

[122] Deleted “Now, and what.”

[123] Changed from “So the whole question whether it is possible, this great improvement, this question remains open.”

[124] Deleted “that he had done in the third book to which.”

[125] Deleted “it is—.”

[126] Deleted “as.”

[127] Deleted “but for example.”

[128] Deleted “of families—.”

[129] Deleted “otherwise for this.”

[130] Deleted “And—.”

[131] Deleted “as a little [inaudible words] of the *Republic.”*

[132] Deleted “he—well, then he goes—.”

[133] Deleted “other.”

[134] Deleted “he uses—for example, here when you see a little bit later, in 782B.”

[135] Deleted “yes?”

[136] Deleted “here.”

[137] Deleted “Yes.”

**Session 23: no date**

**Leo Strauss:** [In progress] —difference of opinion as to the exact time. We will finish today our reading of book 6, and then survey what we find [in] the whole six books. But now let us first read the end, 782b. The context is this: the Athenian Stranger discusses how the life of the young couple prior to the generation of offspring is to be regulated. The key point is common meals, as before marriage, but—and that is a new proposal which was not anticipated by Sparta or Crete—common meals also for women. And that is a paradoxical proposal. The Athenian will show that common meals for women are good and becoming. He does not say that he will show that they are possible. This is similar to what Socrates does in the *Republic* when a corresponding theme is discussed regarding the two sexes, where Socrates raises the question of possibility and drops it immediately and limits himself to showing the desirability. So the problem of the *Republic* is of course always present here but does not come to the fore in the way in which it does in the *Republic*. Now what did he say then? One must go back to what was said at the beginning. This is at the beginning of book 3, about the life of early man. That we read last time. Now?

**Reader:**
ATH. Are we to believe, then that vines, not previously existing, appeared at a certain stage; and olives, likewise, and the gifts of Demeter and Kore? And that some Triptolemus was the minister of such fruits? And during the period that these fruits were as yet non-existent, must we not suppose that the animals turned, as they do now, to feeding on one another?
CLIN. Of course. (782b)

**LS:** So in other words, animals eat one another in the absence of agriculture. Yes? That is the point. With the emergence of agriculture, lions would no longer eat lambs. That would seem to be indicated. But I think it is safe to say he thinks of men in particular, and that would mean [that] in the beginning men would have been cannibals. And as we know from the first book, the first *politeia* was that of the Cyclopes, in which cannibalism was practiced as a matter of course. Yes?

**Mr. Berns:** I'm sorry.[1] Cannibalism was practiced among the Cyclopes?

**LS:** Not among the Cyclopes, but the Cyclopes ate human beings, didn't they?

**Mr. Berns:** . . .

**LS:** [2]No, they did not eat one another. They would be too hard to kill, I think.[3] And I believe they would not have been tasty enough [laughter], because he enjoyed very much eating Odysseus's comrades.

**Reader:**
ATH. The custom of men sacrificing one another is in fact one that survives even now among many peoples;—

**LS:** So that is a relic of original cannibalism. Yes?

**Reader:**
ATH. whereas among others we hear of how the opposite custom existed, when they were forbidden so much as to eat an ox, and their offerings to the gods consisted, not of animals, but of cakes of meal and grain steeped in honey, and other such bloodless sacrifices, and from flesh they abstained as though it were unholy to eat it or to stain with blood the altars of the gods; instead of that, those of us men who then existed lived what is called an "Orphic life," keeping wholly to inanimate food and contrariwise, abstaining wholly from things animate.
CLIN. Certainly what you say is widely reported and easy to credit. (782c-d)

**LS:** [4]So we have two alternatives: the one is in favor of cannibalism, the other in favor of vegetarianism. And if we can use an analogy of an earlier case, namely, when slavery was discussed, and the proper treatment of slaves, where two extreme views were presented and the middle view was the sound one, one could say the right mean between cannibalism and vegetarianism is to eat and sacrifice certain kinds of animals, not men. That would seem to make sense,[5] although the conclusion is not drawn. It is surely not a statement in favor of the Orphic vegetarianism.[6] One can say there are two perversions, cannibalism and vegetarianism. Yes?

**Reader:**
ATH. Someone might ask us—"For what purpose have you now said all this?"
CLIN. A correct surmise, Stranger.

**LS:** [7]So what the Athenian is about to say is admittedly obscure.

**Reader:**
ATH. So I will try, if I can, Clinias, to explain the subject which comes next in order.

**LS:** This emphasizes again that it will not be quite clear; he will try to make it clear. Yes?

**Reader:**
CLIN. Say on.
ATH. I observe that with men all things depend on a three-fold need and desire, wherein if they proceed rightly, the result is goodness, if badly, the opposite. Of these desires they possess those for food and drink as soon as they are born; and about the whole sphere of food every creature has an instinctive lust, and is full of craving, and quite deaf to any suggestion that they ought to do anything else than satisfy their tastes and desires for all such objects, and thus rid themselves entirely of all pain. Thirdly comes our greatest need and keenest lust— (782d-83a)

**LS:** "Us."[8] Here he refers now to human beings in particular.

**Reader:**
ATH. which, though the latest to emerge, influences the soul of men with most raging frenzy—the lust for the sowing of offspring which burns with utmost violence. These three morbid states we must direct towards what is most good, instead of what is nominally most pleasant, trying to check them by means of the three greatest forces—fear, law, and true reasoning—reinforced by

the Muses and the Gods of Games, so as to quench thereby their increase and inflow. (783a)

**LS:** [9]You see here by the way that the *nomos* and the true *logos* are clearly distinguished, and there can be no doubt about the distinction.[10] As for sex, that is most dangerous among men as distinguished from the other animals for a simple reason: incest is not a perversion in the case of the other animals, whereas in the case of man this perversion is possible and criminal, yes? And therefore[11] [a] special power is needed in order to check that desire.[12] That is the main point. The conclusion—which is not drawn but which I think we must draw—of this, although it is not proven by this argument: hence, common meals of women. Otherwise the whole thing makes no sense. He will not show this in the future either.[13] There is only one more remark in the next speech of the Athenian.

**Reader:**
ATH. So let us place the subject of the production of children next after that of marriage, and after their production, their nurture and education. If our discourse proceeds on these lines, possibly each of our laws will attain completion, and when we come to the public meals, by approaching these at close quarters we shall probably discern more clearly whether such associations ought to be for men only, or for women as well; and thus we shall not only prescribe the preliminaries that are still without legal regulation, and place them as fences before the common meals, but also, as I said just now, we shall discuss more exactly the character of the common meals, and thus be more likely to prescribe for them laws that are suitable and fitting.
CLIN. You are perfectly right. (783b-c)

**LS:** Yes. So in other words, the subject of the common meals for women will be taken up. It remains open whether[14] both men and women participate or whether there will be common meals for men in one house, and for the women in another house. That is completely unclear. But the main point is, and I believe we should be prepared for that, this promise is never fulfilled. So the proof of the goodness of common meals of women is never given, because quite a bit is lacking. We know there is need for control of sex, but how this control would be achieved by common meals for women is not made clear. And we have the right to hear the argument about that before we accept such a paradoxical institution and drag the women out into the light, as he called it before, which they detest—you know, so that everyone can see how they eat and drink.[15] You must not consider of course present-day notions of women's liberation, because Plato went very far in the direction of women's liberation, as you know, but here he is speaking to old-fashioned conservative, not to say reactionary, Dorians who would look askance at such changes.

**Reader:**
ATH. Let us, then, bear in mind the things we mentioned a moment ago; for probably we shall need them all presently.
CLIN. What are the things you bid us remember?
ATH. Those we distinguished by the three terms we used: we spoke, you recollect, of eating, secondly of drinking, and thirdly of sexual excitement.

**LS:** So you see he doesn't mention any more the common meals of women. That they don't have to keep in mind, but the importance of these basic desires, that they must keep in mind.

**Reader:**
CLIN. We shall certainly remember the things you now bid us, Stranger.
ATH. Very good. Let us now come to the nuptials, so as to instruct them how and in what manner they ought to produce children, and if we fail to persuade them, to threaten them by certain laws.
CLIN. How? (783c-d)

**LS:** So he proceeds in an orderly manner, as you see. He has got them married, and settled them down in their house, and has given them slaves, and has arranged for their daily life by the common meals for women. And now the purpose for which they are married, the production of children, has[16] to be regulated. So that is the strict order. And then at the beginning of book 7, he turns to the rearing and education of children. In spite of certain difficulties in book 6, the order is very clear. It follows the sequence of things in human life. Yes?

**Reader:**
ATH. The bride and bridegroom must set their minds to produce for the State children of the greatest possible goodness and beauty. All people that are partners in any action produce results that are fair and good whensoever they apply their minds to themselves and the action, but the opposite results when either they have no minds or fail to apply them. The bridegroom, therefore, shall apply his mind both to the bride and to the work of procreation, and the bride shall do likewise, especially during the period when they have no children yet born. In charge of them there shall be the women-inspectors whom we have chosen—more or fewer of them, according to the number and times of their appointments,—"

**LS:** They had not chosen them,[17] but that doesn't make any difference whether they had chosen them or they will choose them.

**Reader:**
ATH. decided by the officials; and they shall meet every day at the temple of Eileithyia—(783d-84a)

**LS:** The goddess of[18] childbirth.

**Reader:**
for, at the most, a third part of the day; and at their meetings they shall report to one another any case they may have noticed where any man or woman of the procreative age is devoting his attention to other things instead of to the rules ordained at the marriage sacrifices and ceremonies. The period of procreation and supervision shall be ten years and no longer, whenever there is an abundant issue of offspring; but in case any are without issue to the end of this period, they shall take counsel in common to decide what terms are advantageous for both parties, in conjunction with their kindred and the women-officials, and be divorced. If any dispute arises as to what is fitting and advantageous for each party, they shall choose ten of the Law-wardens, and abide by the regulations they shall permit or impose. The women-inspectors shall enter the houses of the young people, and, partly by threats, partly by admonition, stop them from their sin

and folly: if they cannot do so, they shall go and report the case to the Law-wardens, and they shall prevent them. If they also prove unable, they shall inform the State Council, posting up a sworn statement that they are "verily unable to reform so-and-so." The man that is thus posted up,—if he fails to defeat those who have thus posted him in the law-courts—shall suffer the following disqualifications: he shall not attend any marriage or children's birthday feasts, and if he does so, anyone who wishes may with impunity punish him with blows. The same law shall hold good for the women: the offender shall have no part in women's excursions, honors, or invitations to weddings or birthday feasts, if she has been similarly posted up as disorderly and has lost her suit.

And when they shall have finished producing children according to the laws, if the man have sexual intercourse with a strange woman, or the woman with a man, while the latter are still within the procreative age-limit, they shall be liable to the same penalty as was stated for those still producing children. Thereafter the man and woman that are sober-minded in these matters shall be well-reputed in every way; but the opposite kind of esteem, or rather disesteem, shall be shown to persons of the opposite character. Sexual conduct shall lie unmentioned or unprescribed by law when the majority show due propriety therein; but if they are disorderly, then what is thus prescribed shall be executed according to the laws then enacted.

For everyone the first year is the beginning of the whole life: it ought to be inscribed as life's beginning for both boy and girl in their ancestral shrines: beside it, on a whited wall in every phratry, there should be written up the number of the archons who give its number to the year; and the names of the living members of the phratry shall be written always close together, and those of the deceased shall be erased. The limit of the marriage-age shall be from sixteen to twenty years—the longest time allowed—for a girl, and for a boy from thirty to thirty-five. The limit for official posts shall be forty for a woman and thirty for a man. For military services the limit shall be from twenty years up to sixty for a man; for women they shall ordain what is possible and fitting, in each case, after they have finished bearing children, and up to the age of fifty, in whatever kind of military work it may be thought right to employ their services. (784a-85b)

**LS:** So that is the end of this book. These regulations obviously have something to do with what he called previously the weakness of women; therefore, less military service, later eligibility to office and so on, to the things mentioned here. And I think the Athenian Stranger imitates in a way the silence which should be observed if people behave well in these matters, by speaking in a rather vague way. Where he says that, for example, these women inspectors should stop "their ignorance and mistakes," what kind of mistakes are not said. Surely not mistakes regarding household management in general, but you can imagine it obviously has to do with sexual conduct. The reticence of the Athenian Stranger foreshadows the reticence of the legislator: if the society is healthy, then no laws will be made about it. Otherwise, the reticence must cease and laws must be laid down. Now, is there any point you would like to bring up now? We will not begin today to read in book 7.

**Mrs. Kaplan:** This is one small question. The marriage age for women shall be from sixteen up to twenty. After twenty, can they marry?

**LS:** They must marry early enough in order to give birth to children while they are young. That is the reason.

**Mrs. Kaplan:** I understand. But what happens if a woman reaches the age of twenty and has not married?

**LS:** Then[19] she will lose all kinds of civic honors, and perhaps there will also be fines. You know, in the case of bachelors that was said very clearly. And this would also, I believe, apply to women, if we have some equality of the sexes.

**Mrs. Kaplan:** Yes, but I thought[20] if a bachelor or a woman married after all, later this would be all right.

**LS:** No, if he hadn't married when he was thirty-five—

**Mrs. Kaplan:** . . .

**LS:** No.[21] He cannot escape the punishment, because he also must marry at an age presumed to be best for procreation; and then if he is older than that, the presumption of the lawgiver is that he would not be as good at procreation as he was up to thirty-five. You see how much *nomos* means legal presumptions. I mean, if you look at Supreme Court justice Douglas,[i] there is no reason why he should not marry when he is eighty. But that doesn't apply to all people; the legislator takes a rough and ready rule.

**Mrs. Kaplan:** Even so, he says here that the marriage, rite of marriage, can be . . .

**LS:** No, he means the limits of marriage, meaning of marrying. Of marrying, for the girl, from sixteen to twenty. And of course, if she survives a number of childbirths, she can become a great-grandmother. That is all right with the legislator. But she must not procreate children[22] after she has reached a certain age because of the assumption that the children of oldish parents will not be as good as the children of people in their *acme*, in their prime. I don't know, Dr. Kass, whether that is medically regarded as correct.

**Dr. Kass:** There is, I think, some evidence[23] for it.

**LS:** I see. So this is not merely popular superstition.

**Mrs. Kaplan:** [24]So there are ten years[25] when they are supposed to bear children. And now if you think this, from sixteen to twenty, is the only time they can marry, it's kind of—

**LS:** No, but[26] they will be married as long as they live after they marry. And the husband is supposed to have intercourse only with his wife, and therefore a law which limits the wife's

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[i] Supreme Court Justice William O. Douglas (1898-1980) served on the Court from 1939 to 1975. In 1963, at age sixty-four, Douglas married Joan Martin, who was forty-one years his junior.

activities limits by this very fact the husband's activities. That is [not] always[27] unjust, I think.[28]

**Mrs. Kaplan:** . . .

**LS:** Well, I believe that what Plato says is more rational than what Aristotle says.[29] Aristotle tries to figure out that the cessation of child procreation must coincide in both cases, and therefore the man must marry[30] [at] thirty-seven and the wife seventeen.[ii][31] Plato is much more, how shall I say, more humane.

**Mr. Gary:** It seems to me that he is in a certain sense presupposing the conditions of the end that he is trying to get to by saying[32] that the punishment will in part be that people will not be well-accepted in civic affairs. I think that that's a law that presupposes the goal he is moving towards, because if a group of people decided they didn't want the state to interfere with them in such an outrageous way in their marriages, coming in and seeing to it that their minds were right, then if enough people did that, there would be no law about civic ceremonies that would[33] [affect] them, because they could all go to[34] the ceremonies together and no one would—

**LS:** Yes, but that is what the Athenian said to begin with, that the women especially will offer a very strong and probably too powerful resistance to his proposals.

**Mr. Gary:** So his proposals are vitiated by that.

**LS:** Yes, but the question is whether, if people are properly habituated, both women and men,[35] something more conducive to the well-being of the city is possible. You must not think that this will mean that they are forbidden[36] to participate in weddings and in the other parties, as if to say that if someone doesn't do these and these things he may never go to a cocktail party. You know, these were not cocktail parties. You could understand it if you take any more old-fashioned society, like traditional Jews or some of the Christian sects, where exclusion from *their* festivities would be an absolutely terrible blow.[37] I mean, which girl would have any objection to marrying between sixteen and twenty?

**Mr. Gary:** But who would want to be under the supervision of these marriage supervisors? Who would want to live in such a state?

**LS:** Yes, today, but in former times there were mothers around, and mothers-in-laws, and aunts, and chaperones, and all these kinds of things. And the Athenian Stranger thinks it is better if this supervision is done by officials—not social workers, but officials, the women inspectors who see and supervise and see if anything fishy is going on there, and then they will either instruct them or threaten them.

**Mr. Gary:** It seems to me that their threats don't have any teeth in them. Their threats are dependent[38] for the most part on the whole society's being willing to cooperate, and[39] the only way these threats will work—

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[ii] Aristotle *Politics* 1335a29.

**LS:** Yes, that is indeed the assumption: that monogamy is a working institution, that adultery will be the exception—which can probably not be altogether prevented, because there are always slave girls around, you know, to mention only one obvious difficulty.

**Mr. Klein:** Mr. Gary, may I give you an example which is not here . . . Sixty years ago,—a short time—[a] girl was not allowed[40] to leave the house without a hat. And I remember when I saw my father, about thirty years ago, he was very angry that I didn't have a hat. What do you say?

**Mr. Gary:** Times change. [Laughter]

**LS:** There is a beautiful document of this change in an advertisement, which they don't show any more because it is an advertisement for cigarettes, of a woman sixty years ago who is smoking stealthily in the basement. And then her opposite number now is going smoking through the streets, and then they sing:[41] "You've come a long way, baby."[42]

But the question is: Which is better? Was it better that women did not or were not permitted to smoke in public, in the presence of men? Or is it better that they may smoke as well as men? That would be a question. And you would have to go into that.[43] We would have take up all these questions to which[44] Athenian Stranger has alluded,[45] about these fundamental urges of men and that they have to be controlled.

**Mr. Gary:** It just occurred to me that those who realize that they have to be controlled, and those who realize that there ought to be chaperones, or marriage inspectors,[46] or not smoking for women in public—those who realize that are always going to be the few, not the many. And if he gives us the many realizing that to begin with, then he can do all the proofs he wants to, all the verbal demonstrations: it doesn't change the fact that he's presupposed his goal. This is not a way of rule for a political man.

**LS:** But what do the speeches mean? They are in the first place speeches of praise and blame. And people do not want to be *authoritatively*, authoritatively blamed with the consent of the community as a whole.[47] Only some fellow criminals would reject this authoritative blaming, and say: Well, this is what the squares say.[48]

**Mr. Gary:** I'm just afraid that would be almost everybody that would say that.[49]

**LS:** Well, sure, then the answer is very simple, that the society is in a state of complete disintegration and people are extremely shortsighted if they do not consider[50] what will happen ten years from now [if this goes on]. People who have very short memories[51] have forgotten what my generation and even younger ones have experienced, what were the consequences of the disintegration of society. But one can be sure that this will not last in the earth, that society will somehow establish the minimum requirements—which may not be those regarding women not smoking[52] but other minimum requirements—by brute force. You know what methods they have discovered in our century. Did you ever hear of labor camps? Did you ever hear of the notion of loafers and parasites for which there is no place in society?[iii] That is also a way of

[iii] A common theme of Soviet propaganda in the 1920s.

looking at it, yes? And with what right do people demand plain rights for themselves without being willing to undergo obligations? There is a possibility for argument[53] there, [I believe]. Of course, one cannot begin to argue if one is shouted down from the beginning as in a Nazi assembly. That is true. But you would admit that shouting down is not argument.[54] Dr. Kass?

**Dr. Kass:** I have a question about the statement[55] at the end of 783d, the beginning of the long speech of the Athenian where he says that "the bride and the bridegroom must set their minds to produce for the State children of the greatest possible goodness and beauty." Wouldn't it seem reasonable that those ends might best be served, and in fact the couple might even come to the conclusion that these ends might be served, by their importing a foreign partner?[56] If I'm not mistaken, this is described[57] [as] the Spartan practice in the *Life of Lycurgus*, where a man would go out and find a virtuous man of the community to provide him with a son.[iv] Why, in lieu of the fact it might be a Spartan practice and[58] therefore it might not be shocking for the Athenian to discuss in the presence of a Spartan, why does he then confine the discussion or practice to the monogamous biological family and there is no discussion of what we would call "eugenics"?

**LS:** [59]If thought through, this would lead to the dissolution of marriage, would it not? And Socrates or Plato have drawn all the conclusions from it in the *Republic*, where he goes much beyond any Spartan practice in this matter, as you know. But here he wants to accept a *polis*, a normal *polis*, a *polis* as it is commonly known. And there[60] the family would be the center,[61] the monogamous family.

**Dr. Kass:** Is this a concession to what is possible? Or[62] is the monogamous family a prerequisite for a *polis*?

**LS:** That is a long question. I mean, as the *Republic* shows and as some Aristophanean comedies show, that is a question and was known to be a question. But what is the difference between the best regime of the *Republic* and the best regime here or in practically any other *polis*? Answer: no communism.[63] Private things beyond the[64] private things [by nature], as the body. That means of course, in the first place, most obviously, private property. But it means also private children, so that a father[65] is sure that these are his children, especially his sons, to whom he will give[66] the family plot. And how can he be sure of that, I mean within the limits in which we must of course theorize,[67] if he doesn't have a wife of his own? This does not theoretically solve the difficulty because as we know, at least in the time of Homer[68] the only one who can be sure is the mother, not the father.[69] Still, there are some probable reasons for practical purposes[70] that one can say this is the father, like likeness, like the trustworthiness of the character of the woman, and so on.[71] So[72] they want to have their *own*—their own property, their own children—and this means of course a certain reservation against the *polis*.[73] They don't want to sacrifice *everything* to the *polis*, and this in one sense *weakens* the *polis* but in another sense *strengthens* it, because people will say: If I want to preserve my own, I have to preserve the city, which guarantees me that I have my own. And therefore I believe they would say the family is indispensable for the *polis*, in fact. And [yet][74] the theoretical difficulties remain. Mr. Berns?

**Mr. Berns:** I was just thinking that when you say that it leaves open the possibility of arguments about priorities—

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[iv] Plutarch *Life of Lycurgus* § 15.

**LS:** What kind of arguments?

**Mr. Berns:** Well, there is, for instance, whether the loyalty to the family is higher or loyalty to the *polis* is higher.

**LS:** Yes. In other words, should parents, and in particular the mother, not have the right to say: I prefer the life of my son to the salvation of the *polis*, and therefore he should be a draft-dodger, or do something similar? Well, as you know, the answer is clear: draft-dodging and anything of this kind would not help if the enemies conquer the city. The whole *polis* of the citizens will be sold into slavery, if they are not killed; and so it is not a practical proposition. These things can be done by stealth,[75] surreptitiously, but[76] you can never get a rule like this. For the ancient city, the only point where a question of principle arises is where philosophy comes in, as[77] classically in the case of Socrates, who would not obey[78] a rule forbidding him to philosophize. He would not obey that.

**Mr. Berns:** Well,[79] isn't the real solution somehow unclear? It's really problematic. In a certain way, the way you said it, the family is prior;[80] and in another way, the *polis* is prior.

**LS:** Yes, sure, this is a minor complication because[81] the family is rendered possible by the *polis*, and in this sense the *polis* is prior—to say nothing of the fact that the family as family[82] cannot give that most important guidance by law, by sacred law, which the city can give. So man, therefore,[83] is a *political* animal and not just the economic animal, [84][that is, a] member of the household.

**Mr. Berns:** Would you say that the divine laws of the family take their origin somehow in the *polis*? For instance, look at Sophocles's *Antigone*,[85] where the issue seems to be a conflict between[86] the gods of the city and the gods of the family, the gods of the underground and the gods above. It seems clear from there that those who follow the gods of the city have to set limits on themselves.

**LS:** Yes, but I do not know whether that is necessarily the lesson to be drawn from the *Antigone*. Is this not a misuse of the *polis*, that Cleon forbids the burial?[87]

**Mr. Berns:** Yes, but[88] somehow it comes that the dignity of the city would suffer, if traitors were given an honorable burial.

**LS:**[89]All right. That is hard, then. That would mean that there are cases, borderline cases for which a general solution is not possible and where it will be decided by accident, whoever prevails. But is this not true in all political questions?

**Mr. Berns:** Well, I was also thinking of the *Oresteia*, where the solution at the end is clearly the primacy of the city, except the way it comes about in this case, you're not really sure that the men can make the decision for themselves. The men vote evenly and[90] [the case has] to be decided upon finally by the goddess, so that it is clear that[91] the *polis* ends up as primary, but we're never sure why.

**LS:** Well, I believe[92] one can give a reason:[93] that the family cannot last if it is not part of the *polis*. Some Cyclopic existence is possible without the *polis*, but then all higher things in man will[94] be prevented from coming into their own, if there is not a society of sufficient size and sufficient strength.

**Mr. Bloom:** Concerning the vegetarian–cannibalist opposition presented in 782c: the cannibalism is necessary because there aren't any animals—

**LS:** There is no . . .

**Mr. Bloom:** The cannibalism is necessary because there are no plants, but the vegetarianism is not necessary because there are animals. Is there any reason for the difference in the necessity of these practices?

**LS:** Yes. People recoiled from sacrificing human beings, and then pursuing this further, they began to abhor all killing and all bloody sacrifices. And this is, so to speak, a cleaner solution than cannibalism. But—

**Mr. Bloom:** That's true of *nomos*, whereas the other is by necessity somehow, which isn't *nomos* . . .

**LS:** Yes, as it is presented here, yes.

**Mr. Bloom:** I just wondered about the context of necessary cannibalism and unnecessary vegetarianism.

**LS:** That is a point which has to be considered and which I did not consider.[95]

**Mr. Berns:** I wonder if also vegetarianism doesn't really go with [the] ignoring of foreign policy.[96]

**LS:** You mean killing of enemies?

**Mr. Berns:** Exactly, that somehow the killing of animals would seem to be a kind of preparation for adequate foreign policy.

**LS:** At least these people, of whom he speaks here, brought together killing of human beings and killing of animals in general. Yes, that would indeed be[97] another difficulty. Yes?

**Mr. Berns:** I wondered also about drink and sex. They don't really seem to be the crucial problems that *nomos* has to concern itself with so much, does it?

**LS:** But are they not[98] the basic desires? Sure. And can they not, when not guided, lead to terrible things such as cannibalism, and incest, and so on and so on? So it is surely[99] an important task of the legislator to take care of them. It is not the whole task, but it is nowhere said to be the

whole task.

**Mr. Berns:** No, but as someone else has said,[100] pride is somehow the key problem for civil society[101]—controlling pride.

**LS:** Yes. But, for example, if you think of the crimes committed from sexual passion, then you would have to say, as this individual also[102] to whom you refer also would have said, that such infatuation is also a form of pride. But that would[103] probably be a bit forced. If, for example,[104] someone is passionately in love, in bodily love with his mother (I have heard they talk a lot about this nowadays, ya?), and what is there of pride, if you look at the phenomenon itself? Hobbes might conceivably say that this is a form of pride.

**Mr. Bloom:** Rousseau does say that all love is *amour propre*.[105]

**LS:** You mean because it is directed towards this single woman.

**Mr. Bloom:** Exclusively.

**LS:** [106]As distinguished from[107] *vaga libido*.

**Mrs. Kaplan:** I wonder how—it is not an answer to this question, but I wonder how Plato takes the position in one work of dissolving the family in the *Republic*, and bases around that a *polis*, a kind of strong—a supposedly strong *polis*; and on the other hand, he takes the position of gratifying it, and builds around that a state? I mean, to us the *Republic* would have to be low in . . . It is kind of bewildering that two opposite views are presented with the same conviction. Here for the state you have to marry; there for the state you have to be solitary.

**LS:** [108]This is not an unsurmountable difficulty: Did he not say here in the *Laws* that there is a best regime, that of the *Republic*; and secondly, there is a second-best regime, deviating from the sacred line, and that is the one which he describes here? So if you admit that this solution is the second-best and thereby admit that there is a better one elsewhere, where is the difficulty?[109]

**Mrs. Kaplan:** This is the second-best.

**LS:** Yes, and of course, you know, he is[110] slightly uncomfortable about it, and that explains certain details in the way in which he says it. Because if the citizens are absolutely sure it is second-best, that[111] will not strengthen their attachment; and therefore it is [a] somewhat annoying, not to say[112] subversive thought. And therefore he will not say to the citizens that it is second-best. That he says to the legislators and the magistrates, who are of stronger fiber and can digest that—as in one way or another, we all have to digest such thoughts.

Yes. Well, I thought we should briefly consider what is the main thread of the argument of the first six books. And I would say there is a distinction made, intimated, and then deliberately blurred. And that distinction is that between the *polis* and philosophy. This must of course be properly understood. Philosophy is very rarely mentioned in the *Laws*: not a single time hitherto. The *Laws* is the only Platonic dialogue without Socrates; the *Laws* is the sub-Socratic dialogue.

So there is no explicit mention of philosophy, but it is there. The explicit distinction is in the first place that between law and intellect, between *nomos* and *nous*.[113] They are brought together all the time, and they are distinguished. Now the way in which we ordinarily understand such statements is this: that the *nous* is the ideas to which the laws are approximations, more or less close. But this has a difficulty, because there is an essential difference between any approximation to an ideal and the ideal. What is the X that accounts for this unbridgeable gulf between the approximations, however close, and the ideal? And secondly, the intellect, called here the ideal, is not an ideal but the reality. Therefore the distinction between ideal and real[114] does not help very much. So [we have] the distinction between *nomos* and *nous*, and connected with that is a distinction between the ancient and the true. The ancient and true. People brought up in the *nomos* follow and are bred to follow the ancient as ancient, and yet the ancient as ancient cannot be the true. Their admiration of the ancient leads to respect for the old men, the bearers of the tradition[115] who are not the *wise* men, and yet we have seen more than once how the Athenian Stranger tends to identify them. But the men who are to be decisive in the community are not just any old men, but *educated* old men; that goes without saying. We can say[116] perfect *gentlemen*, who must be reasonably wealthy; otherwise they won't have the leisure to acquire the education. They of course are also distinguished from the wise men, but the tendency here also is to identify them—to blur the distinction. And the last point of the distinction[117] concerns what we call religion, and what Aristotle calls "the things which concern the divine things." According to the *nomos,* the views supported by the law,[118] what has to do with the divine is the *first*, the highest and prime. From the alternative, it is not the highest and prime but, as Aristotle says, the fifth[119]—it doesn't come very high.[v]

But this whole doctrine here is based on the inequality of men: the end of man is virtue, and men are[120] unequal in this respect, which is the decisive respect. This I think we can safely say about the core of the argument of the *Laws*, which does not of course suffice for understanding every particular, but at least it enters into every particular. The question which we cannot help raising independently of any popular slogans[121] and which must be raised is: What is the relevance of all this for us? Is it not completely obsolete? Do we not live in modern times in a society in which the *polis*, or its successor the state, is in harmony with philosophy, philosophy being a part of the many cultural activities which go on in the state and are protected by the state? Does this whole issue as seen by Plato not disappear?

Let us take a look at communism. There is here a perfect harmony between philosophy and the *polis*. Philosophy of course is not what Plato understood by philosophy, but what Marx sometimes called "social physics." But then in the course of the argument we come across the identification of the will of the proletariat, as the most progressive part of society, with the will of the Communist party—an unevident identification, an imposed *nomos*. This alleged harmony is prepared by an older view stemming from the seventeenth century, according to which science is for the sake of power: *Scientia propter potentia*. And that means, if we retranslate that into Plato: the highest is by nature in the service of the lower; whereas according to Plato such service of the higher to the lower is indeed the essence of the city but nevertheless against nature. And I believe that this is a crucial preparation for bringing about the view which we observe around us today. So would you like to discuss this point?

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[v] Aristotle *Politics* 1328b11.

**Mr. Klein:** What did you say about the relation of the ancients, not the older people, but the ancients to truth? Did you mention that?[122]

**LS:** Intellect and truth belong together, just as law and the ancient belong together.

**Mr. Klein:** Law is the *nomos*?

**LS:** [123]Surely. That is, today no one thinks in these terms any longer, and this is of no immediate political importance whatever. But the question is whether what we accept is not concerned with identically the same question, answering the question differently on the basis of a premise which is not evidently correct. So theoretically, at any rate, this is very relevant.

**Student:** Could you repeat the phrase?

**LS:** For example, science for the sake of power. That is one way of putting it, as distinguished from the older view that science was for its own sake.

**Mr. Berns:** Did I understand you correctly? I thought you were you saying[124] [that the] fundamental relevance is that the view which can conclude that science is for the sake of power really presupposes the perspective of the *Laws* and blurring the distinctions that the *Laws*—

**LS:** You mean of the Platonic book the *Laws?* That is not necessary to bring in—

**Mr. Berns:** I thought that was what you brought together?

**LS:** No, no. I tried first to sketch this fundamental distinction, which I intimated but at the same time blurred, and then raised the question: Is this not just ancient history? And I tried to show that it is not so because we are confronted with the same essential question. The predominant view is that the opposite answer, opposite to the Platonic answer, is the right answer. But this is not self evident, and therefore—

**Mr. Berns:** That's what I was saying. Somehow you seem to be arguing rather the view that perhaps science for the sake of power . . . is blurring this distinction.

**LS:** Yes, sure. That is a kind of politicization of philosophy; is that what you mean?

**Mr. Gary:** Aren't we leaving out[125] another alternative: science for the sake of pleasure? That seems to be the modern view also.

**LS:** Yes, but that there is a pleasure accompanying cognition, that was—

**Mr. Gary:** No, not that. That would be the highest pleasure that one might get from science for its own sake. What I'm thinking of now [is] science for the sake of a house with central heating, and a stove, and a dishwasher. Science for the sake of—

**LS:** Yes, all right. But think it through. This thought was not unknown to Plato and Aristotle, and it was famously and classically developed by Epicurus and his school, science is only for the sake of pleasure. Yes, but not *this* kind of pleasure! He thought of the pleasure which we derive from the liberation of our mind from superstitious fears. He thought we will live miserably as long as we have these superstitious fears; and therefore we need astronomy and so on and so on—and also physics, of course.

**Mr. Gary:** It seems that there are there two parts to the ancient view. Science for its own sake—

**LS:** It doesn't make any difference because in the second case, if you say science is for the sake of pleasure, the question is: What kind of pleasure?

**Mr. Gary:** Yes, but there is a modern kind and an ancient kind.

**LS:** Yes, just as in the other case. Say, Bacon or Hobbes to Epicurus, that is the same relation as that of Descartes or Leibniz to Plato and Aristotle. There is a dualism in classical antiquity which is repeated in modern philosophy but on a different plane. Therefore modern hedonism is not classical hedonism; modern moralism is not classical moralism.[126] Modern hedonism is akin to modern moralism, just as ancient hedonism is akin to ancient moralism, if I may use these rather vague terms.

**Mr. Gary:** Where did you put Bacon?[127] Did you say he was opposed to Hobbes?

**LS:** No.[128] Surely Bacon begins with the question of Callicles in the *Gorgias*—you know Socrates's argument against Callicles, you have read that? And he simply says: No, that is quite good, what Callicles wants—not all the consequences, of course, with tyranny, but that the strongest and most violent desires followed by pain are preferable to gentle desires free from pain.[129] Mr. Berns says that better—does he say that Socrates was too cautious[130] or too timid?

**Mr. Berns:** Well, first of all,[131] he calls Callicles the sophist, and he says that it's possible to have more pleasure in taking pleasure mixed with pain. He uses the example of diamond cutters, who will sometimes get a very large, beautiful stone by allowing a small flaw to remain.

**LS:** Yes, but the point is, from Bacon's critique of Socrates on this point there follows the use of science for the increase of pleasures, not the pleasures inherent in knowledge or necessarily accompanying it, but ordinary pleasures, say, more pleasant houses, better air-conditioning, and so on.

**Mr. Gary:** It seems that that's the way that Adam Smith thought—

**LS:** Yes, but later—

**Mr. Gary:** But I'm thinking now about the most extreme modern as opposed to . . .

**LS:** Sure, sure.

**Mr. Berns:** Yes, but isn't this[132] [an unusual way to think about this project, considering] the more secret part of the teaching, that Bacon thought that by this means the philosophers will rule?

**LS:** You mean they would rule by procuring the many the pleasures which they would like to have?

**Mr. Berns:** Yes.

**LS:** Well, that confirms the Platonic analysis, doesn't it?[133] Plato's view, as it is stated in the *Crito* very ruthlessly, [is that] there is no common deliberation between the philosophers and the nonphilosophers, given the fundamental difference of their ends.[vi] Now if the ends are identified as they are by Bacon, then of course there is common deliberation, and only if the philosophers prove to be better deliberators than the nonphilosophers, then there[134] [cannot be] conflict between philosophy and society any more.[135] You know, in actual practice it took quite some time until this harmony was established, and it[136] has perhaps never been fully established. I think even Sabine,[vii] a famous historian of political thought, wondered occasionally whether there was ever a society which permitted the writing or publishing of *anything*. And I believe with the possible exception of the Third Republic[viii] and the Weimar Republic in Germany, that may be true. Surely not the Anglo-Saxon countries; only now they are catching up. Yes?

**Student:** Yes, you were talking about Plato's principle that the service of the higher to the lower is contrary to nature, and I'm thinking in terms of the argument in the *Republic* where the philosophers are compelled to rule.[ix] Does this suggest that[137] because the *Republic* is unlikely to be actualized, is this a serious problem, or does it suggest that there is a tension between the demands of justice and of wisdom?

**LS:** Well, would not the mere use of the word *compulsion* seem to prove that there is something which is against nature? I mean, I know that this is more complicated because in the *Republic,* as you know, also the ascent[138] to the light is due to compulsion—contrary to what Plato or Socrates suggest elsewhere, namely, that there is an *eros* for the truth,[x] i.e., something which does not require compulsion. But surely, in this passage of the *Republic* to which you refer, taken by itself would prove that[139] the philosophers who live in the islands of the blessed are perfectly happy there, [and] are compelled to do the dirty work of administration.

**Student:** Yes, but I was thinking specifically in terms of the desirability, of the desire of that coming about.

**LS:** Yes,[140] for the future philosopher it could be, but it would to be a noble duty. But a duty is still a duty. There is still something which man does not naturally desire.

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[vi] Plato *Crito* 50c-54e.

[vii] George H. Sabine, author of *A History of Political Theory*, first published in 1937.

[viii] Presumably the Third Republic of France, formed in 1871.

[ix] Plato *Republic* 519c-520d.

[x] E.g. Plato *Symposium* 204b.

**Student:** In that sense, then, the *polis* could be higher than philosophy.

**LS:** I believe from Plato's point of view, nothing [could be].

**Student:** But if it is desirable, though, that philosophers be compelled to rule, then they will not have as much time for philosophy.

**LS:** Yes, but you know, it is limited. He is very nice to them:[141]for quite some time they can indulge their true work, but then they must go down into the cave again.[142] But apparently this is what Plato thought would be[143] the imaginably best solution of the difficulty. I say "imaginably best solution" and not "possibly best," because it is not possible. But one could play with this as a kind of—it would be wonderful to have it that way. And one could of course also raise the question whether this would be so wonderful.

**Mr. Klein:** But why[144] are the philosophers compelled [in the *Republic*] to serve the *polis*?

**Student:** Because they would be best for it?

**Mr. Klein:** No, that is not a reason.

**Student:** [145]Are you saying why are they compelled or why are they philosophers?

**Mr. Klein:** [146]It is said in the first book that one of the reasons is to make philosophy still possible.

**LS:** Well, I think the explicit reason[147] given is this: that they[148] owe their whole education to the *polis*, and therefore they owe the *polis* a compensation [or] service—service not merely as young men in the army, but as rulers. That is, I believe—

**Mr. Klein:** It says that in the first book, in the very first book.

**LS:** Yes, but there the argument is somewhat different, I believe. You mean with Glaucon, this brief intermezzo.

**Student:** But[149] I don't really see the point of it. Certainly most philosophers don't rule, I mean philosophy is—

**LS:** Yes, but is this not a fair thought: the underdeveloped countries who send their gifted boys to the West (I know one of them,[150] but I won't mention his name) [LS laughs] with the understanding that after they have acquired all the intellectual virtues available in the West, they will of course pay back their home country by returning.[151] You have heard of some people who did not return. That is an act of injustice. And the same should apply, with the necessary modifications, to the philosophers in the *Republic*.

**Mr. Bloom:** Well, you know there's a simple explanation possible, given the perspective of the

Platonic world. Socrates was put to death by the city. This is the only city in which Socrates would not be put to death.

**LS:** Because he would be the judge.

**Mr. Bloom:** Yes, and that potential situation is always . . .

**LS:**[152]By the way, that is a question which one must keep in mind for the second half of the *Laws*.[153] We mention it occasionally, not only before: What would have happened to Socrates in the Cretan city if he had been accused of impiety? Would his fate be the same as in Athens or not? Also, what would be understood by impiety there as distinguished from what the Athenians thought?

I would like to mention only one point which bothers me, and that is this: this core of the argument which I sketched was the doctrine of the essential relation of philosophy and the city, of two different human possibilities, [to] which [it] would seem to be irrelevant whether there will be or have been always human beings.[154] Only this: *if* there are human beings, then this gulf between philosophy and the *polis* is necessarily given. That would be the meaning with which we would understand it. But for Plato, of course, philosophy and the city are not merely eternal possibilities;[155] as the Athenian Stranger has said more than once, or indicated at least, the human race always was and always will be. Therefore these are not mere possibilities. There is only this difficulty in Plato: the cataclysms, these[156] catastrophic interruptions of political, civilized life, where only a very few men survive, you know, on mountaintops. But, and this is the only valid criticism of Plato I can find in Lucretius's poem: Why *any* survivors? If the waves go so high, why can't they go next time a hundred yards higher, and no one would survive? That is, I think, a legitimate criticism of Plato. Plato as it were assumes somehow a kind of providence which prevents destruction of the human race, and whether he has a right to assume that or not is a question. So if this is so, then man is not necessary.

**Student:** Can you repeat that?

**LS:** If this is so, man is not necessary. He is the pure fact.[157] But would a whole which does not harbor beings who can be aware of it, would this be a world? Would this be truly a whole? If not, then man *is* necessary, even assuming that there are such destructions of the whole human race. But if one goes further, is the whole[158] necessary? I believe he would have to come up against this question, and that is fundamentally the question I think which was decided by Plato and Aristotle not differently than by the earlier philosophers.[159] There cannot be a coming into being out of nothing, as the Bible says, but this is not the complete alternative to the ancient view.[160] Strictly speaking, I would have to say, [the alternative would be that something could] come into being out of nothing and through nothing. In the Bible of course everything comes into being out of nothing through God, the eternal being. Is this a possible thought, that things could come into being out of nothing and through nothing? And if this is not a possible thought, is then the world not necessary? These are the questions, I believe, which we cannot totally neglect and which are in a way discussed in the *Laws* in the tenth book, where Plato gives what presents itself as a demonstration of the existence of gods.

**Mr. Bloom:** Does there[161] [have to be a whole?][xi]

**LS:** Yes,[162] sure, in the loose sense in which I used it.

**Mr. Bloom:** But in that sense, how can you say then that the whole would not be a whole without man?

**LS:** Consider it. Look at[163] what we call a complete account of the world, and it also may be an ordered world without any human beings: a world in which there is no one who can see, perceive the world. Is there not something lacking?

**Mr. Klein:** I must say something. There is for Plato the *eidos*, man. From this follows, according to the *Sophist*, that there will always be man.

**LS:** Sure,[164] that I said. But the question is this: What about the teaching regarding cataclysms?

**Mr. Klein:** That makes it necessary. But there always are survivors.

**LS:** Yes, but how does this work?[165] I mean, how does the *eidos* affect what is going on?

**Mr. Klein:** It affects it because the *eidos* is tied to that which shares in the *eidos*. There can be no *eidos* without that which shares in it. I think that is what the *Sophist* says.

**LS:** There can be—

**Mr. Klein:** The *eidos*[166] compels beings that come into being and disappear—compels these to exist. I think that is what the *Sophist* teaches.

**LS:** Yes. Are you satisfied with that?

**Mr. Bloom:** Yes . . .

**Mr. Klein:** No, I mean for *people.*

**LS:** [167]I mean not that you are satisfied that this is Plato's view.

**Mr. Klein:** One thing is to ask the question regardless of Plato.

**LS:** Sure.

**Mr. Klein:** At that point, I simply don't know. But as far as Plato is concerned, there will be always men.

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[xi] This remark condenses a portion of the exchange between Strauss and Mr. Bloom that is mostly inaudible.

**LS:** Yes, sure. This[168] becomes clear even from the simple argument of the *Laws*. Yes, but the question is—

**Mr. Klein:** Will there always be man?

**LS:** No.[169] Can we accept this without further ado as true? After all, Plato does not—

**Mr. Klein:** I agree, we cannot accept it as true. I only wanted it clear for Plato.

**LS:** Sure, sure, there is no question. But the question is precisely[170] whether we can accept it, and whether this [will] not affect[171] what I said first about the essential or[172] eternal possibility[173] [of] the conflict—

**Mr. Klein:** By the way, there are already [the cataclysms] without Plato.[174] The question for us is the evolution.

**LS:** Sure.[175] I have heard of that.

**Mrs. Kaplan:** And did you say the sciences are for power?[176]

**LS:** Today?

**Mrs. Kaplan:** Today.

**LS:** Yes.

**Mrs. Kaplan:** But couldn't we say more, that in contemporary thinking, sciences are in the contemporary setting for the power of conquering nature?

**LS:** Yes, sure. There was that.

**Mrs. Kaplan:** And like one of the recent philosophers said, that nature is stepmother for the man. And this is a contemporary attitude. That power is for a war with nature. Is this thought also ancient?[177] Ancients did not look at nature as a stepmother.

**LS:** Oh, some did. That expression is ancient.[178] For example, the argument comparing a human baby with a newborn puppy or a newborn lamb. And you see how well-endowed the puppy or the lamb is, and how poor the human baby is. Man alone is treated by nature like a stepchild.

**Mrs. Kaplan:** And they knew how to bow before nature. Contemporary man doesn't.

**LS:** Sure, sure.

**Mrs. Kaplan:** He has no regard for this.

**LS:** I know.[179] And the consequence is[180] [that] those who are consistent would have to say that

we have now the means to prevent cataclysms.

**Mrs. Kaplan:** That is what I wanted to say, that this is the direction in which they think about making man immortal.[181]

**LS:** Or emigration to another solar system.

**Mrs. Kaplan:** [182]I think there was a Latin philosopher who talked about how philosophy is finished. He said that the whole point now is that they overcome fear to work toward immortality.[183]

**LS:** Of the human race.

**Mrs. Kaplan:** Yes. And if they want that, then man would be always just[184] that [laughs]—just immortal.

**LS:** That the *individuals* will be immortal.

**Mr. Bloom:** But how would you address that question: the plausibility of the Platonic thesis that there will always be man?

**LS:** Yes, well, I don't believe him.

**Mr. Klein:** Nobody can know.

**Mr. Bloom:** No, he said he doesn't believe in him.

**LS:** No, no—

**Mr. Bloom:** Which is something different from what you said. You say you don't know; he says he doesn't believe in him.

**LS:** No, no, Mr. Klein said he doesn't know regarding another point, I believe.

**Mr. Bloom:** [185]I asked you: Do you believe in the plausibility of the Platonic thesis that there will always be men?

**LS:** No.[186]

**Mr. Bloom:** And I think you answered no, and rightly. Now what does that mean?

**LS:** Yes. That has surely very grave consequences. [Laughter]

**Mr. Bloom:** [laughing] That is not an answer.

**LS:** Oh, yes. But whether it, for example, would lead to the consequence that the whole analysis

of human life given by Plato is wrong fundamentally, from top to bottom—whether that consequence follows, I doubt very much. Because there is so much good sense there that I am sure this is the wrong conclusion, [187]especially if I compare it with what the people in the other camp say,[188]who say, in accordance with what I believe to be the truth, that the human race is not immortal, and say fantastic things about human society and human life.

**Mr. Bloom:** That's a low enough thing. You at first raised Lucretius, and you used that . . .

**LS:** Yes, that is the reason[189] [I raised him], because surely Lucretius is not a modern and therefore the question can be studied,[190] in a way, in spite of all the opposition.[191]

**Mr. Klein:** [192]Imagine Plato here, and you would ask Plato the following question: Are you completely convinced of what you, let us say, talk of what is said in the *Sophist*? Would he say yes?

**Mr. Bloom:** No.

**Mr. Klein:** Okay.

**Mr. Bloom:** That's not decisive. True, but not decisive.

**Mr. Klein:** But,[193] you know, it's always an open question.

**Mr. Bloom:** Yes, but what I would simply say is that he'd have more reason to doubt than not the eternity of the species.

**Mr. Klein:** I don't think so . . . [Laughter]

**LS:** But you must not forget one little thing: those who say, like Plato and Aristotle, that the human race is immortal, talk in one way much more *sensibly* than the others. You only have to think of the first man, whether in the biblical or in the Epicurean sense. Aristotle: man generates man; the world always goes its course, sensibly; no fantastic things. [From the other view], what we swallow and perhaps are forced to swallow are absolutely fantastic things. For me, the most telling example is the Eohippus. When I see such a herd of horses of the size of rats, I have a physical revulsion which I have in no other case of breeds of beings which I know. I suppose everyone of us has such feelings sometimes when confronted with paleontological data. But the main point is that the coming into being of man out of nonman is unintelligible.

**Mr. Bloom:** Sure, there's no question that that's a great strength. But in a way, what I'm saying—

**Student:** I'm sorry. Let me understand that. The coming into being of what?

**LS:** Of man out of nonman.

**Student:** Of man out of nonman.

**LS:** Is unintelligible.[194] I can make it clearer: you have a herd of apes, and suddenly by some mutation one of them is a human being.[195] Think of the situation of that poor kid! [Laughter]

**Mr. Berns:** Yes, but it seems to me that the question that one has to raise to Mr. Klein[196]: If there is no *eidos* without that which shares in that *eidos*, and there is nothing which shares in it, then there is no longer an *eidos*?

**Mr. Klein:** No. By the way, what I said about Plato is not applicable to Aristotle. Aristotle would say: Yes, this is so!

**Mr. Berns:** Yes, I'm sorry. What I meant was, why must there be *eidos*?

**Mr. Klein:** But that's what the *eidos* means.

**Mr. Berns:** Why must it? *Eidos* is the looks of something, the intelligible looks of something.

**Mr. Klein:** [Laughing] The *eidos* is always there because it is always, as opposed to anything which comes into being and . . .

**Mr. Berns:** But we come to the *eidos* as an underpinning to make intelligible what comes to us first.

**Mr. Klein:** Sure.

**Mrs. Kaplan:** If you mean this thing, that is not Plato. That will not be Plato.

**Mr. Berns:** Well, I don't want to make this too long, but could you make a short statement saying why that is necessary?

**Mr. Klein:** Well, look, everything depends on this. Apart from the reserve that ultimately that is an open question, all that is ever said by Plato is the assumption that there is something which is always. Now surely one may say that is only an assumption, and let us not forget that the Academy later on became essentially a skeptical . . .

**Mr. Bloom:** Well, we're fully aware of this, but one does have to think of the alternative. I mean, how can one explain it if man does pass out of being? And doesn't the alternative seem highly plausible to us at least? How one can explain without miracles the return of some kind of order? That there are seeds of beings, there is no doubt . . .

**LS:** Stoics, yes.

**Mr. Bloom:** That must have been based upon some reflection upon Plato.

**LS:** Surely on the assumption that there can be cataclysms. That[197] I believe is what the Stoics

meant, but it is a long time since I have looked at that. I think that these sperms, *spermatikoi*[xii] *logoi*, were imperishable.[198]

**Mr. Bloom:** You see, something like that appeals to me more at this time, because it would seem to maintain the possibility of the Platonic thesis along with the tremendous consciousness of the ever-threatenedness of man.

**Mr. Klein:** I'm touching wood.

**Mr. Bloom:** What?

**Mr. Klein:** [Taps his forehead] I'm touching wood. [Laughter]

**LS:** Thank you very much, Mr. Klein.

[1] Deleted "That."

[2] Deleted "Yes."

[3] Deleted "also."

[4] Deleted "Yes, now."

[5] Deleted "yes?"

[6] Deleted "There are two—."

[7] Deleted "So the Athenian says—."

[8] Deleted "'Us.'"

[9] Deleted "Yes, well."

[10] Deleted "And the latter—."

[11] Deleted "there is."

[12] Deleted "Yes."

[13] Deleted "That is the whole—."

[14] Deleted "there will be common meals for—where."

[15] Deleted "—which would be—and they detest it."

[16] Changed from "that has now."

[17] Deleted "They had not—."

[18] Deleted "birth—."

[19] Deleted "she will be—."

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[xii] Generative, capable of procreating.

[20] Deleted “they could if someone—.”

[21] Deleted “no no, no.”

[22] Deleted “beyond—.”

[23] Deleted “—some evidence.”

[24] Deleted “This kind of, some kind of [inaudible words] the women will be supervised for twenty years. All right [inaudible words].”

[25] Deleted “where [inaudible words] is the time.”

[26] Deleted “beyond.”

[27] Moved “not.”

[28] Deleted “I mean and if, if—.”

[29] Changed from “Well, this, I believe, is more rational—what Plato says—than what Aristotle says.”

[30] Deleted “—I forget now—I think the man must be how old?”

[31] Deleted “the wife seventeen.”

[32] Deleted “that the punishment will depend on the—.”

[33] Deleted “have an effect.”

[34] Deleted “the.”

[35] Changed from “that if people are properly habituated, both women and men, whether.”

[36] Deleted “not.”

[37] Deleted “So that they would—.”

[38] Deleted “upon the notion that.”

[39] Deleted “only this person or these few people—.”

[40] Changed from “Sixty years ago, sixty years ago—a short time—it was not allowed—the girl was not allowed.”

[41] Deleted “‘You have gone a long way, baby.’ So, or.”

[42] Deleted “So this can—yes, sure.”

[43] Deleted “And that would, I think—.”

[44] Deleted “Socrates has—.”

[45] Deleted “you know? About.”

[46] Deleted “or—.”

[47] Deleted “and.”

[48] Deleted “Or—huh?”

[49] Deleted “**LS**: What? **Gary**: “Well, this is what the squares say.”

[50] Deleted “what will happen ten—.” Moved “if this goes on.”

[51] Deleted “they.”

[52] Changed from “not smoking of women.”

[53] Moved “I believe.”

[54] Deleted “Would you? Good. So, Mr.”

[55] Deleted “at the beginning—.”

[56] Deleted “That is.”

[57] Deleted “like.”

[58] Deleted “it—.”

[59] Deleted “Yes, but this—.”

[60] Deleted “there would be—.”

[61] Deleted “and.”

[62] Deleted “is this what is [inaudible words]—.”

[63] Deleted “Private, private things—.”

[64] Moved “by nature.”

[65] Deleted “—a father.”

[66] Deleted “the plot—you know.”

[67] Deleted “if there is not—.”

[68] Deleted “the only one who is sure.”

[69] Deleted “But.”

[70] Deleted “certain—.”

[71] Deleted “and so on. And.”

[72] Deleted “if they want to—.”

[73] Deleted “Yes?”

[74] Deleted “not—.”

[75] Deleted “yes? By stealth.”

[76] Deleted “they can—.”

[77] Deleted “clearly—.”

[78] Deleted “a law or ruling that he would cease to philosophize. Yes? I mean a law—.”

[79] Deleted “isn’t—so.”

[80] Deleted “[inaudible words].”

[81] Deleted “the polis—in one way the family is-–.”

[82] Deleted “does not—.”

[83] Deleted “man.”

[84] Deleted “the animal, the.”

[85] Changed from “Because, for instance, with *Antigone*.”

[86] Deleted “the laws of the city—or rather.”

[87] Deleted “Yes?”

[88] Deleted “it seems to touch the issue [inaudible words].”

[89] Deleted “So.”

[90] Deleted “have.”

[91] Deleted “the polis is—.”

[92] Deleted “one can—.”

[93] Deleted “[inaudible words] which I will try to indicate, the reason.”

[94] Deleted “not.”

[95] Deleted “Yes.”

[96] Deleted “**LS**: Ignoring what? **Berns**: Ignoring foreign policy.”

[97] Deleted “a difficulty.”

[98] Deleted “basic.”

[99] Changed from “So this is surely a task.”

[100] Deleted “that.”

[101] Deleted “pride.”

[102] Deleted “to whom you—.”

[103] Deleted “be—.”

[104] Deleted “if.”

[105] Deleted “**LS**: Pardon? **Bloom**: Rousseau does say—Rousseau says that all love is *amour proper* **LS**: Yes. All love? **Bloom**: All love.”

[106] Deleted “Yes.”

[107] Deleted “vague.”

[108] Deleted “But did he—still this is, I believe.”

[109] Deleted “Where is the difficulty?”

[110] Deleted “a bit.”

[111] Deleted “is—.”

[112] Moved “a.”

[113] Deleted “or *no s̄*.”

[114] Deleted “does not really help—.”

[115] Deleted “and who—the old men—.”

[116] Deleted “perfect old—.”

[117] Deleted “is this:”

[118] Deleted “that.”

[119] Deleted “So, however.”

[120] Deleted “inequal—.”

[121] Deleted “is.”

[122] Deleted “The ancients? To truth?” LS: You mean the gerontes, the old men? Klein: No, no. The ancient times. I don’t know the— LS: Yes, I spoke of that: nomos, nous; and then palaion, alethes. The ancient and the true. Klein:

What is the relation between the two?

[123] Deleted “That is—.”

[124] Deleted “then [inaudible words] the.”

[125] Deleted “here? There is.”

[126] Deleted “Modern moralism is akin—.”

[127] Deleted “Did you say Bacon was opposed to—did you say anything to Bacon?”

[128] Deleted “Bacon.”

[129] Deleted “And he says—.”

[130] Deleted “**Berns**: Bacon? **LS**:”

[131] Deleted “he says that the Sophist—.”

[132] Reworded “in a certain way unusual, thinking of this project, in a way.”

[133] Deleted “For Plato—.”

[134] Deleted “is no—.”

[135] Moved “—cannot be.”

[136] Deleted “is.”

[137] Deleted “since—.”

[138] Changed from “to ascend.”

[139] Deleted “there is a higher—.”

[140] Deleted “because that—.”

[141] Deleted “he limits them in time—.”

[142] Deleted “Yes, this is one—.”

[143] Deleted “an imaginable.”

[144] Deleted and moved “are they compelled in the Republic, why.”

[145] Deleted “Why—besides the fact that they are [inaudible words]?”

[146] Deleted “Why do you say? Why do you think that—compelled?”

[147] Deleted “is.”

[148] Deleted “have—.”

[149] Deleted “I don’t see why that’s—I mean.”

[150] Deleted “and they—.”

[151] Deleted “Now—and.”

[152] Deleted “The question.”

[153] Deleted “we mention it occasionally, not only before—.”

[154] Deleted “—whether there are human beings.”

[155] Deleted “as he has—.”

[156] Deleted “interruptions, the.”

[157] Deleted “Yes.”

[158] Deleted “—disregarding man, is the whole.”

[159] Deleted “There cannot be.”

[160] Moved “the Biblical view.”

[161] Deleted “[inaudible words]— **LS**: I beg your pardon? **Bloom**: —has to be a whole? Accounts [inaudible words].”

[162] Deleted “I mean—yes.”

[163] Deleted “the world—say.”

[164] Deleted “Yes.”

[165] Deleted “How does this work?”

[166] Deleted “— **LS**: Yes. **Klein**: —.”

[167] Deleted “I mean, you”

[168] Deleted “appears—it.”

[169] Deleted “no—can we.”

[170] Deleted “if—.”

[171] Deleted “—this.”

[172] Deleted “if you will.”

[173] Deleted “you know.”

[174] Moved “the cataclysms.”

[175] Deleted “sure, sure.”

[176] Changed from “And could we say that—you said that power, that science is for power? Contemporary? Contemporary? The sciences are for power?”

[177] Deleted “**LS**: Is this? **Kaplan**: Is this always ancient?”

[178] Deleted “Oh yes, that was said.”

[179] Deleted “I know.”

[180] Deleted “they must believe.”

[181] Deleted “[inaudible words].”

[182] Deleted “I think there is—.”

[183] Deleted “How is this [inaudible words].”

[184] Deleted “always.”

[185] Deleted “No, he said—.”

[186] Deleted “no, no, no.”

[187] Deleted “and.”

[188] Deleted “who are—.”

[189] Deleted “—yes.”

[190] Deleted “in a more—.”

[191] Deleted "—you know he never mentions Plato of course—in spite of all the opposition, still on the same plane."

[192] Deleted "Why couldn't [inaudible words] I will now do something."

[193] Deleted "there is always an open question—."

[194] Deleted "You."

[195] Deleted "How—."

[196] Deleted "and that is, if it is the case that—why couldn't Plato deal with this possibility that—take for example."

[197] Deleted "is."

[198] Changed from "I think that—yes, and that these sperms –*spermatikoi*[198] *logoi*, that they were unperishable—imperishable."

**Session 24: no date**

**Leo Strauss:** In the time still left, we should begin at once with reading selected passages from book 7. But at the end of the discussion last time, a discussion was started which was not altogether clear or satisfactory. And I[1] [have] now a statement by Mr. Gary, which doesn't refer explicitly to this discussion but I believe it was caused by the discussion. Or do I misunderstand?

**Mr. Gary:** No, you're right.

**LS:** Well, will you read that?

**Mr. Gary:** I'm to read it?

**LS:** You will read it better than I.

**Mr. Gary:** To see the problems is not to solve them. Philosophy leads to either an unsatisfied condition of seeing the problems, or to a committed condition of faith that this view is true and not that one. There is no searching in philosophy other than what the problems are, unless philosophy is taken to include the whole of our life experience. We call truth what we judge best. Reason is of little use in the formation of our basic view. It comes after the fact of our dedication or commitment to a purpose.

**LS:** Yes. After the fact: that is, I believe, a characteristic expression. But the other things also, they have to do with what I tried to explain last time about the difficulties we have in accepting, or appropriating, what we learn from Plato. I will try to restate what I said with the hope that it is a bit clearer.

Now Mr. Klein, as you may remember, reminded us of the fact that the Platonic school, the Academy, was first dogmatic and then skeptic. And from this he inferred rightly that Plato was not a dogmatist nor a skeptic, but something else. And that "something else" is not so easy to determine. There is a saying of Pascal which I believe is very appropriate: we know too little to be dogmatists, and too much to be skeptics.[i] The Platonic view, somehow between skepticism and dogmatism, may remind one[2] of Kant's critique of philosophy, which is also neither dogmatic nor skeptic. But there is this great difference: in Kant one can say we have a sphere which is potentially of the greatest clarity, the phenomenal world; and then there is a sphere which we must assume, and which is absolutely dark except on the basis of morality. Now[3] if one wants to apply this distinction to Plato, one would say that for Plato, the phenomenal is never so free from obscurity as it could be in Kant, nor is the noumenal as inaccessible and lacking clarity as it is according to Kant.

Now when reading Plato we find certainties which are meant to be final, and I think we can understand that and make it our own: that the unexamined life is not worth living is perhaps the best-known example; that every other life is bestial. Now[4]—and that is clearly implied in this

[i] Pascal, *Pensées*, 3.229.

thesis regarding the unexamined life—the whole teaching, the whole moral–political teaching, the whole teaching regarding the tension between the city and philosophy, has this same character. I will not repeat what I said about that, because I suppose you remember it. Now all these things, it seems to me, retain their evidence and are even confirmed by the modern anti-Platonic positions. So the assertion that the tension between the city and philosophy has been overcome or can be overcome, be it by democracy, be it by communism, I think is open to a decisive Platonic counterattack. But there is this difficulty:[5] Are these moral–political teachings in Plato not inseparable from what is called his metaphysics, which metaphysics lacks the evidence of his moral–political teaching? Must not therefore the moral–political teaching of Plato be reinterpreted from a non-Platonic point of view? And that is to say, it is of course no longer the Platonic doctrine.

Now if I limit myself to the example—that is, more than an example of the relation between the *polis* and philosophy—these, one can say, remaining relatively close to what Plato suggests, are the two fundamental possibilities of man, meaning, if there are men, as long as there are men, there is a fundamental tension between the *polis* and philosophy. But according to Plato there is no such "if" or "as long as." The human race is eternal, as we say. Sempiternal would be better. Now this [claim] regarding the sempiternity of the human race is not credible to us for reasons which seem to be good enough, and therefore the sempiternal beings, which Plato calls ideas, are replaced by sempiternal possibilities, traditionally called essences. And in this way of course one can maintain the Platonic assertions by speaking of the essence of the *polis*, the essence of philosophy, the essence of man—an essence not meaning "idea."

But are the essences not in need of support by beings, say, by the divine mind or, as we have heard it in our century, the pure consciousness as the absolute *be*-ing? Yet if there is no pure consciousness distinguished from the human consciousness, and if the human race is not sempiternal, and if, in addition, there is no eternal superhuman being, [then] the essential, eternal possibilities or necessities are based on or derivative from the noneternal, mortal human race. And there is a wholly un-Platonic cleavage between the highest and the sempiternal. The highest is essentially short-lived—absolutely against Plato.[6] Short life may be a few thousand years, that doesn't make any difference; the short-lived is as such changeable, and hence the alleged sempiternal is changeable. And that is the meaning of what we hear all the time of the term "history": that Plato's fundamental defect, and of course that of Aristotle too, is the unawareness of history in the radical sense of the term: that the highest principles themselves are[7] "historical." If this is so, philosophy changes its meaning radically. It can no longer be what it was from Plato's point of view, ascent from the cave to the sun, for the simple reason that there is nothing without the cave and therefore one cannot strictly speak of the cave. And in particular, the Platonic view of the tension between philosophy and the city, which is implied in the simile of the cave, becomes untenable.

This is the difficulty which I believe we must face: that it is very hard to discern a principle which would permit us to distinguish[8]—in an expression used by a famous philosopher of history—between the living and the dead in Plato, if we call the living his moral–political doctrine and the dead his metaphysical one. This is what I wanted to say last time.[9] I don't say that we must reach a decision about it, but we must be aware of it. I would be glad if we could have a discussion of that. Mr. Klein was very right last time when he referred to the *eidos*,[10] [or]

the *eide*, as *the* true being. But the question is: Can we accept that? And if we cannot accept that, we cannot leave it at picking out, as it were, some golden sentences from Plato which may serve us as a vehicle to sail through life because they are so evidently sound, like, "The unexamined life is not worth living," or "Death is not the greatest evil," and such other things which have been said also by other people but which were said by Plato probably with more effectiveness than by the other people.

That, I believe, is the difficulty which we should not completely conceal from ourselves, and especially not if one is impressed, as I am impressed, by the reasonableness of what Plato says about the political–moral problem. Mr. Berns?

**Mr. Berns:** I didn't quite follow the argument that led to the statement that the highest would be short-lived. Did you mean the highest is only in man?[11]

**LS:** Well, the starting-point is this. One can restate the main points I was trying to make in quite a few of these meetings by speaking of essential necessity, and ultimately of essences. But this is not a Platonic notion; it came out of Plato in a roundabout way, perhaps around 900 of the Christian era, but it doesn't exist in Plato. In Plato there are no essences, but ideas. The question is this. In Plato there are the ideas, and in particular the idea of man, and therefore the human race is always. But if this is not credible, what follows from that? If we speak of essences, must we not have some support for the essences as they were found traditionally in the divine mind, as the *top*, as a place of the idea? Or as the absolute consciousness in modern idealistic philosophy, which was then described as the absolute *be*-ing? If these things, [both ways of finding support for the essences], are not acceptable to us,[12] what do we have? Then their support must be the human mind, the human consciousness, which is as little eternal as the human race. And then[13] the highest is not sempiternal, contrary to what surely Plato and the biblical tradition always taught, and perhaps everyone with the exception of Lucretius.[14] And for us, I think we learn this from childhood, so therefore we don't see any difficulty. But[15] it forces a complete reinterpretation of philosophy. And therefore I like the sentence of Mr. Gary, because in a way [what he says there] is a consequence[16] [of this]. There was a word, perhaps I . . . "Reason comes *after* the fact of our dedication or commitment to a purpose." The primary fact is a human decision, as one may say. The human decision[17] lays the foundation for something else. That is also called, for a nonaccidental reason, [a] historical decision.

Well, how can I illustrate it best,[18] [since] these things[19] I believe are taught in the schools in all places except St. John's?[20] That this is all Greek, for example.[21] And it is essentially Greek. And of course, naturally we are not Greeks. We are human beings, but human beings somehow formed by the Greeks. And what we can do and must do to understand ourselves is to understand these, our *formers*, and they were especially Plato. But in doing so we are never understanding Plato as he understood himself, because of the fact that we have been formed by him. That is impossible.There is not in any relevant sense that which is common to all men. That is what these modern schools say. I can also illustrate it as follows: if there is something—in Kantian language, something like a system of categories, there is not *the* system of categories, there is a variety of systems of categories belonging to different epochs. And we are bound by that system of categories which determines our epoch, either the one which is already here, or which is in the process of becoming, and the Platonic ones are indispensable for our self-understanding but they

cannot possibly be ours. This is *a priori* certain.

**Mr. Gary:** Isn't there a difference between talking about understanding Plato the way he understood himself versus believing what Plato says the way he believed it?

**LS:** [22]You mean, say, we all agree that for Plato the ideas are the core?

**Mr. Gary:** We could understand it—

**LS:** [23]But that doesn't mean that we believe in it, yes, but the question is: If we do not believe in it, shall we not be forced to reinterpret it in order[24] that it makes sense to us? Must we not raise the question, which of course was raised in classical antiquity as well: How did Plato come to make this, also in antiquity, paradoxical assertion? But it is in a different way in which we raise this question.

**Mr. Gary:** You think that we would somehow modify his understanding in order to achieve an understanding like his if we didn't have the belief he had?

**LS:** Yes, in a way. Yes?

**Mr. Gary:** It seems to me it would be possible to understand him in the way he understood himself, and then to look at it very objectively—or very subjectively—and then to not believe it. I don't see why—

**LS:** Yes, I believe I understand you. [LS laughs] In my innermost heart I agree with you. But I try to understand the very powerful resistance to that with which we are confronted. I mean, I'm not speaking now of what some man who writes the history of Western civilization says, but what really serious men say. Yes?

**Mr. Gonda:** My question may be out of line, but does your account of *eidos*, the ideas, that you've given today agree with what you've written in places, that some of the ideas are permanent problems and . . .

**LS:** Yes, that is what one can say from Plato's point of view, so to speak, although Plato doesn't speak of problems there. But one can say that. But[25] no, what I meant now was not the same thing.

**Mr. Berns:** [26]That was almost what I was going to ask too. I don't see how even the possibility of the disappearance of man destroys the evidence—

**LS:** Yes, yes. Sure. Nor do I.

**Mr. Berns:** of his analysis.

**LS:** Nor do I. That is[27] [why] I say, *if* man vanished.[28] That is, however, not the way in which Plato understands it, because there is no such "if" there. That is, man is always; and therefore no

"if."

**Mr. Berns:** But if you interpret the ideas as fundamental problems—

**LS:** Yes, but problems are not the same as possibilities, necessarily. There is perhaps a certain danger of speaking of the ideas as problems if it leads to this consequence. It is good in one sense because it indicates that the Platonic ideas and his presumed knowledge of them does not have anything of a textual character, but is something which requires ever-renewed investigation. That is true, but if we mean by problem something which is not a *be*-ing, then we go away from that. And that is obscured by the expression "problem."

**Mr. Berns:** Okay, yes, sure. So then I think the position that I wanted to ask about was, let's say, the permanent possibilities.

**LS:** Yes, but[29] the ideas are not possibilities merely. That is an interpretation of the ideas as essences, which is not Platonic, which perhaps came out of the confluence of Plato and Aristotle in later times.

**Mr. Berns:** Yes. But what I don't see is[30] what is fundamentally flawed. Or why is it not the case that that reinterpretation can be taken as sound?

**LS:** Yes, well, I would be very happy [if it were], but the question is this: Does the question of the possibilities or the essences not lead to the question of *beings*? And therefore, as matters stand (which is an extremely abbreviating expression), would it not lead us to the mortal human race, so that these eternal verities are borne, supported by, the mortal human race? And[31] [this] is a kind of bringing everything upside down from the Platonic view, and the only way out is to give philosophy an entirely different meaning. That was being done in modern times, especially in the last hundred years. And that is the meaning of the historicization of philosophy.

**Mr. Berns:** Maybe,[32] if I reinterpret your answer perhaps in Aristotelian terms,[33] [a] potentiality is not an actuality—

**LS:** Yes, something of this kind.

**Mr. Berns:** So that if one wants to think of the *eide* as fundamental potentialities that can be realized when the material is there or not when the material is not there, there still has to be some support.

**LS:** Yes, yes. But that is, I think, a point which one has to consider. Yes?

**Dr. Kass:** . . . It seems to me that you've set up one opposition to the serious consideration of the truth of these books, namely, the opposition of historicism. The last time, towards the end of the discussion you talked about another change, perhaps a related change in the modern period, namely, the notion of knowledge for use or for power.

**LS:** Yes. That is on a much more simplistic level indeed the same.

**Dr. Kass:** But it seems to me there is, as I see it, perhaps a much more decisive problem having to do really with something I'm ignorant about: that the decisive problem really is the attack of modern science, not so much on the relativity of the truth to different ages, but that the truth about the nature of things is not, as before, not sought, and the rest is perhaps derivative from that—

**LS:** Yes, that would be in a way a confirmation of Plato and Aristotle insofar as the core is the *noetic*, the intellectual. But the question is whether science, modern science, can be understood sufficiently as a progress in understanding—what was also the object of Plato and Aristotle—whether that is so, or whether[34] modern science does not presuppose a certain transformation of that understanding and [one] that might lead to so-called "*moral* ingredients" in modern science. And then you have this great question: Ultimately is not all knowledge to speak of based on moral decision? "Moral" I mean now in a rather amoral sense, but you understand me—acts of the will. And then of course the meaning of philosophy is totally changed.

**Dr. Kass:** I think there are necessarily strains of that. But if I might add to Mr. Klein's comment from last week, I wonder if it necessarily follows from the foundations of modern science that it has a moral element?

**LS:** Yes. Well, I do not know. At any rate, I would say from the very beginning of modern science, there goes with it these promises of what this science will achieve—in Descartes very obvious[ly] in very well-known passages, and of course in Bacon.[ii] And since this has continued all the time up to the present time, [the question is] whether this is wholly extraneous to it, this practical intention to overcome, to vanquish nature or conquer nature or however it may be called. But even if that is really accidental, the question would still be: Can one understand modern science[35] as constituting simply a progress beyond Platonic–Aristotelian science? Or was there not a change of orientation? And then you would have the moral question in a more sophisticated sense, because that change of orientation[36] can no longer be understood as merely an intratheoretical or intra-*noetic* change. It would belong to the same thing. But I believe they are not accidental, these statements about the purpose of science which we find especially at the beginning of the modern era.

**Mr. Gonda:** Doesn't your analysis of the ideas as you gave them at the beginning of class presuppose an argument to the effect that the decisive evidence of the ideas is in the moral–political sphere?

**LS:** No. I don't believe so. I did not do that. I mean, it is[37] so easy for us to understand, say, what he says about ideas, when you think of justice or something of this kind[38]: that nothing which we find, no human being, no law, no constitution, or whatever have you, can ever be simply just. And since we mean something by speaking of justice and discover in all these cases, in the individual cases, they are imperfectly just, we are on our way towards justice itself. I mean, in the case of a dog, it is not so credible: Why should every dog be a defective dog? It is at least not

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[ii] E.g. Descartes, *Principles of Philosophy*, preface; Bacon, *Valerius Terminus*: *of the Interpretation of Nature*.

so simply clear as in the case of the virtues or, for that matter, of the mathematical things. And therefore these were generally used in an interpretation of Plato, that the coming-together of mathematics and the moral interest is underlying his teaching of the ideas. I believe that you find in every textbook.

**Mr. Berns:** But couldn't one say that if one considers how much we are left in the dark by Plato regarding the problem of the[39] way in which things participate in the *eide*, isn't this a rather strong indication that the skeptical interpretation of Plato[40] carries more weight?

**LS:** You can say that, but you cannot say Plato was a skeptic because then you would run counter to the fact that there are things which are more evident than that "Crete is an island," to use a phrase occurring somewhere in the *Laws*—like that the unexamined life is not worth living. I believe these difficulties must be faced. That is all I wanted to say. Therefore I am not satisfied. And of course you can say the only Platonic conclusion is then: begin again; nothing like having a look at it for one's own benefit: *Ouden oion to episkopeistha*. Sure. But Plato was not simply a skeptic. There were things of which he was, in his opinion at any rate, evidently certain.

**Mr. Berns:** Well, what—

**LS:** And one could say that these things are precisely the starting-points for all his ruminations, which led him deeper and deeper.[41] But these starting-points were firm.

**Mr. Berns:** But what I wonder is something like this: what does seem to be really evident is that some people know better than others about many important factors.

**LS:** But then[42] one has of course to know what is important and what is unimportant.

**Mr. Berns:** And then, for instance, at least the most recent thing that I've looked at in Plato that is connected with the *eide*, it seems to me that one report about the *eide* is[43] what he seems to be saying in a certain passage of the *Meno*,[44] [that there] must be something on account of which a thing is what it is, and looking to which we can understand.[iii] So it has a twofold character: both making a thing what it is, and making knowledge possible. Well, this would seem to be a presupposition of objective knowledge, what we now call objective knowledge.[45] In other words, it seems that the evidence of the fact that some people understand certain things better than other people, and the evidence that those who do understand seem to be understanding something that they have not made but which they have in some way perceived, those are facts that would seem to be more evident than what one has to assign as the presuppositions of those facts.

**LS:** All right. Something of this kind I believe I also said: that there are certain verities which impress themselves on Plato and which impress themselves on us when we read them. But they lead to *infinite* consequences, and there is where the difficulties come in—and not only in our understanding of Plato, but in particular also in our ability, and perhaps in our ability to go along with him, to follow him. But perhaps it is wiser [that] we turn now to the seventh book, if it is all right with you, unless you would like to continue that. I only thought one might make clear to

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[iii] Perhaps Plato *Meno* 70a-72b.

ourselves the limits of what we can possibly clear up.

So we have read book 6, and the second half of book 6 deals with the laws. And we can say it deals with[46] the marriage laws and everything connected with the marriage laws, and ending with the procreation of children, because that is . . . and then naturally after the children have been procreated, their upbringing or education, and that is the subject of book 7.[47] There is first a discussion of gymnastics, and then a discussion of music in the wide Greek sense of that word. And here in that connection he repeats what he had said formerly: one should find the right kinds of dances and songs and then consecrate them, and then they must never be changed again, omitting now what he had then said, namely, that one must first *examine* the things to be consecrated whether they are worth being consecrated. This is here dropped. Yes. Now I think we will turn right away to 803b. Do you have that? Yes[48]?

**Reader:**
ATH. And notwithstanding that human affairs are unworthy of earnest effort, necessity counsels us to be in earnest; and that is our misfortune. Yet, since we are where we are, it is no doubt becoming that we should show this earnestness in a suitable direction. But no doubt I may be faced—and rightly faced—with the question, "What do I mean by this?"
CLIN. Certainly.
ATH. What I assert is this,—that a man ought to be in serious earnest about serious things, and not about trifles; and that the object really worthy of all serious and blessed effort is God, while man is contrived, as we said above, to be a plaything of God, and the best part of him is really just that; and thus I say that every man and woman ought to pass through life in accordance with this character, playing at the noblest of pastimes, being otherwise minded than they now are. (803b-d)

**LS:** Let us stop here for a moment. So the human things are not worthy of seriousness, because man is not worthy of great seriousness. Only god is, because man is only a plaything of the god. Formerly he had said "a plaything of the gods"; now he says "a plaything of god," in the singular. Hence man's play (play is the opposite of seriousness) must be as noble as possible, because[49] the best he can do is to play and not to be serious—[not] to be serious because there is nothing in man worthy of seriousness. How does he go on?

**Reader:**
CLIN. How so?
ATH. Now they imagine that serious work should be done for the sake of play; for they think that it is for the sake of peace that the serious work of war needs to be well conducted. But as a matter of fact we, it would seem, do not find in war, either as existing or likely to exist, either real play or education worthy of the name, which is what we assert to be in our eyes the most serious thing. It is the life of peace that everyone should live as much and as well as he can. What then is the right way? We should live out our lives playing at certain pastimes— sacrificing, singing, and dancing—so as to be able to win heaven's favor and to repel our foes and vanquish them in fight. (803d-e)

**LS:** [50]Let us stop here just one moment. Now, the wrong common view is this: that the serious thing is war, and we wage war for the sake of peace. And peace is not serious. We don't expose

our lives there.[51] The life in peace is play.[52] But the truth which the Athenian opposes to this common view: war is not the serious thing; the serious thing is play. Now play in Greek is *paidia*, which is akin to *paideia,* education, and[53] that is a pun which Plato frequently makes. So[54] the serious thing is education, but [it is] understood nevertheless that play must not be forgotten. And what is this play? It consists in sacrificing, singing, and dancing. But do not sacrificing, singing, and dancing serve a purpose? Yes, they do. They serve the purpose of making the gods gracious and to defeat the enemies in war.

So[55] these seem to be the serious things for the sake of which we play. And that seems to be quite a turnabout which has taken place here, and the things which are in the highest sense serious from Plato's point of view are not here mentioned. Why he brings together this ability to make the gods gracious to oneself and to defeat the enemies, meaning of course the . . . that is a question. But there is obviously a connection between war and an intensified piety, as in the Second World War, they said, "There are no atheists in foxholes." And Xenophon says of a man who was a blasphemer, a terrible fellow, he says he never sacrificed and[56] divined, except when fighting—just as Xenophon himself, you know, who is famous for his description of sacrifices before battles. But that is a hard question. But it confirms somehow the view which is not immediately visible, that the human things are not serious, because those are the most serious purposes which man can have, it seems. Yes?

**Mr**. **Gonda:** This might be too fanciful, but is this relationship of peace and war confirmed by the relationship of the *Republic* and the *Critias*? To see the city at work you have to see it at war, somehow?

**LS:** Yes. Well, the subject peace and war[57] has quite a few facets, and Plato abstracts from these in this work and those in that work. We have to follow each argument by itself and then realizing the abstractness, i.e., the disregard of the whole thing, correct it, if I make myself clear. I think that happens in every Platonic dialogue, that Socrates or whoever the speaker is abstracts from very important things in order to bring into greater relief certain points. And then one must become aware of them.

**Mr. Gonda:** So as it stands you wouldn't accept that sort of parallel.

**LS:** No, one cannot play around in *this* way; that would be play in the bad sense. Now how do we go on from here?

**Reader:**
ATH. By means of what kinds of song and dance both these aims may be effected,—this has been, in part, stated in outline, and the paths of procedure have been marked out, in the belief that the poet is right when he says—

"Telemachus, thine own wit will in part
Instruct thee, and the rest will Heaven supply;
For to the will of Heaven thou owest birth

And all thy nurture, I would fain believe."[iv]

It behooves our nurslings also to be of this same mind, and to believe that what we have said is sufficient, and that the heavenly powers will suggest to them all else that concerns sacrifice and the dance,—in honor of what gods and at what seasons respectively they are to play and win their favour, and thus mould their lives according to the shape of their nature, inasmuch as they are puppets for the most part, yet share occasionally in truth.
MEG. You have a very mean opinion, Stranger, of the human race.
ATH. Marvel not, Megillus, but forgive me. For when I spoke thus, I had my mind set on God, and was feeling the emotion to which I gave utterance. Let us grant, however, if you wish, that the human race is not a mean thing, but worthy of serious attention. (804b-c)

**LS:** "Of *some* serious attention." That is the utmost he is going to grant, and I believe that is a very characteristic [opposition], given that you see here Megillus, who is ordinarily so silent, spontaneously come into the discussion because[58] not only can he not tolerate criticism of Sparta (that goes without saying) but he can also not tolerate criticism of the human race, because if that criticism is valid, Sparta is of course also affected.[59] It is one way in which Plato indicates the opposition between the philosopher and the political man. The political man must take the human race very seriously, and the philosopher can take it only somewhat seriously. And that, I suppose, is intelligible.

**Mr. Berns:** Mr. Strauss, do you think there might be any connection between Socrates saying *Me thaumaseis*, do not wonder, and the fact that philosophy begins in wonder?

**LS:** Not necessary.[60] One must not overdo this remark about *thaumazein* as the origin of philosophy, yes?

**Mr. Berns:** But it is almost the same thing in the *Laws* as what Socrates means—

**LS:** Yes,[61] sure. I have no doubt that it could be. But[62] Megillus is surprised, isn't he, that someone in his senses, a reasonable man like the Athenian Stranger, can say this is so? But you heard what he said. And then he says: Don't be surprised, Megillus, I looked *away* from man toward the God; then naturally men appeared to me rather negligible beings, but I will grant you this much: man is worthy of some seriousness. If he would not grant that, his whole conversation wouldn't make any sense, yes?

**Mr. Berns:** Yes, but[63] one's attention is called to the word *thaumazein* even from what comes earlier—[v64]

**Mrs. Kaplan:** Well, it seems to me very strange that after so much effort, such serious thinking about the *polis,* the state, how to—first of all, how it comes to be and how to make it this way, now suddenly we see here Plato, or Socrates, he sounds very pessimistic. Not skeptical, but pessimistic . . .

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[iv] Homer *Odyssey* 3.26-29.

[v] There is a pause in the discussion at this point.

**LS:** Yes, but if we assume for a moment that the Athenian Stranger is a philosopher, although he doesn't say that he is and no one says that he is, and philosophy consists essentially in going beyond the city, would this not follow? I mean, whether you call that "beyond the city" the god or have some other expression for it, you don't have to behave like Gratian[vi] and ask: What do you understand by that? But if that is so, then you question the seriousness of the whole political life, the whole political apparatus, so to speak.

**Mrs. Kaplan:** Yes, I understand because . . . But how can lawmaking be nothing to take in seriousness?

**LS:** Of *great* seriousness. He admits that it is worthy of some seriousness. I mean, how is it possible that[65] in another Platonic dialogue where Socrates himself speaks, there Socrates presents the views of someone else, and there the philosopher is described as a man who leads a purely theoretical life and doesn't even know the way to the marketplace, and doesn't even know whether his neighbor is a human being or some other creature? Then[66] you look at Socrates, who knows, so to speak, all the gossip of Athens. Yes? You know that? He knows the whole genealogy of these young men he meets and so on, so Socrates takes his fellow citizens, and especially the worthwhile ones among them, seriously enough. But[67] what he takes seriously in them is only some aspect or part of them, not the other things which he also knows but which are ultimately irrelevant and in a strict sense ridiculous. I mean, whether his grandmother was the daughter of Solon or not might be very—[vii]

**Mrs. Kaplan:** . . . to say here that he is thinking about gods, and not thinking about truth . . .

**LS:** Yes, but he didn't speak here of truth. We have seen that. The only thing he said here is sacrificing to the god and singing and dancing.

Now then there follows a section which is quite extensive, in which the question of the common meals of women is again taken up. You remember that from our discussion last time, where this subject was not brought to its completion. And we got the impression—at least I got the impression—that the rationale of the common meals of women is the restraint on sex, because he spoke there of three powerful needs, of which sex is the most powerful, the keenest, and the most dangerous. That seemed to refer, in a way which was in no way explained, to the rationale for common meals. But here we get a somewhat different picture in what follows.[68]

**Reader:**
ATH. In all these establishments there should reside teachers attracted by pay from abroad for each several subject, to instruct the pupils in all matters relating to war and to music; and no father shall either send his son as a pupil or keep him away from the training-school at his own sweet will, but every "man jack" of them all (as the saying goes) must, so far as possible, be compelled to be educated, inasmuch as they are children of the State even more than children of their parents. For females, too, my law will lay down the same regulations as for men, and

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[vi] A medieval scholar who wrote the *Decretum*.

[vii] The tape was changed at this point.

training of an identical kind. I will unhesitatingly affirm that neither riding nor gymnastics, which are proper for men, are improper for women. I believe the old tales I have heard, and I know now of my own observation, that there are practically countless myriads of women called Sauromatides, in the district of Pontus, upon whom equally with men is imposed the duty of handling bows and other weapons, as well as horses, and who practice it equally. In addition to this I allege the following argument. Since this state of things can exist, I affirm that the practice which at present prevails in our districts is a most irrational one—namely, that men and women should not all follow the same pursuits with one accord and with all their might. For thus from the same taxation and trouble there arises and exists half a State only instead of a whole one, in nearly every instance; yet surely this would be a surprising blunder for a lawgiver to commit. (804c-805b)

**LS:** Yes. These laws are of course familiar to you from the *Republic*; and in the sequel he[69] [says] that the example of these Sauromatians in the North, where the women participate in all these warlike exercises, shows the possibility of its being done—the possibility which was left hanging in the case of the common meals of women. And now there is only one step[70] from military exercises for the women to common meals. And therefore[71] the true rationale [now seems to be] the military activity of the women, [so] that the whole city is able to take care of itself, especially in an emergency.[72] The main point which he makes is this: what happened in such a city like Sparta or any other Greek city where the women, in case of great danger to the city, do not fight for their young as every hen would for her chicks, but they run into temples and pray, [this must be opposed]. So in other words, the common meals would here rather serve as an antidote to what one could call womanish piety. And you know he had spoken of the weakness of women, and this kind of piety could very well be called weakness; and we know some examples of that from our own time.

The common meals of women have nothing to do with sexual restraint. That is a strange and paradoxical point,[73] as far as I have seen hitherto. And sexual restraint will be taken up only in book 8, and that is a very complicated matter which I hope we can discuss next time, and where it is made clear by the example of incest that the legislator can impose the severest sexual morality if he gives it what we now would call a religious basis. Just as almost all people refrain from incest because it is regarded as a terrible sin, in the same way they can be held back from pederasty, adultery, and I believe also ordinary fornication, if this is impressed on them that it is a terrible sin. So[74] the common meals don't come in there. That, I believe, is one of the threads of these arguments. This passage I see now, in 813. If you will read 813, toward the end.

**Reader:**
ATH. We are establishing gymnasia and all physical exercises connected with military training,—the use of the bow and all kinds of missiles, light skirmishing and heavy-armed fighting of every description, tactical evolutions, company-marching, camp-formations, and all the details of cavalry training. In all these subjects, there should be public instructors, paid by the State; and their pupils should be not only the boys and men in the state, but also the girls and women who understand all these matters—being practiced in all military drill and fighting while still girls and, when grown to womanhood, taking part in evolutions and rank-forming and the piling and shouldering of arms,—and that, if for no other reason, at least for this reason, that, if ever the guards of the children and of the rest of the city should be obliged to leave the city and

march out in full force, these women should be able at least to take their place; while, if on the other hand—and this is quite a possible contingency—an invading army of foreigners, fierce and strong, should force a battle round the city itself, then it would be a sore disgrace to the State if its women were so ill brought up as not even to be willing to do as do the mother-birds, which fight the strongest beasts in defence of their broods, but, instead of facing all risks, even death itself, to run straight to the temples and crowd all the shrines and holy places, and drown mankind in the disgrace of being the most craven of living creatures. (813d-14b)

**LS:** What does Clinias say?

**Reader:**
CLIN. By Heaven, Stranger—

**LS:** Yes, "by Zeus."

**Reader:**
CLIN. By Zeus, Stranger, if ever this took place in a city, it would be a most unseemly thing, apart from the mischief of it. (814b-c)

**LS:** Yes, so this oath is the first oath since 720e, that is to say for ninety-four of the Stephanus pages. Not a single oath: that is quite remarkable. And I think the oath is appropriate, because in this context it would make sense, wouldn't it, to discourage[75] this kind of misplaced piety?[76] And then there is a passage which[77] has often been quoted and is surely very beautiful. Will you give it?[78] 816d. So he is still speaking about education, music education, and in this context he naturally touches upon comedy and tragedy.

**Reader:**
ATH. What concerns the actions of fair and noble souls in the matter of that kind of choristry which we have approved as right has now been fully discussed. The actions of ugly bodies and ugly ideas and of the men engaged in ludicrous comicacting, in regard to both speech and dance, and the representations given by all these comedians—all this subject we must necessarily consider and estimate. For it is impossible to learn the serious without the comic, or any one of a pair of contraries without the other, if one is to be a wise man; but to put both into practice is equally impossible, if one is to share in even a small measure of virtue; in fact, it is precisely for this reason that one should learn them,—in order to avoid ever doing or saying anything ludicrous, through ignorance, when one ought not; we will impose such mimicry on slaves and foreign hirelings, and no serious attention shall ever be paid to it, nor shall any free man or free woman be seen learning it, and there must always be some novel feature in their mimic shows. Let such, then, be the regulations for all those laughable amusements which we all call 'comedy,' as laid down both by law and by argument. (816d-17a)

**LS:** What is the crucial part of the law? Is comedy simply forbidden?

**Mr. Gary:** No, it's just not given permanent form.

**LS:** Yes, but is it forbidden?

**Mr. Gary:** No.

**LS:** No. Of course, no self-respecting man will be a comic actor; that is to be done by slaves and resident aliens. But these are of course necessary, so that people see what is ludicrous and what they must not do.

**Mr. Gary:** Why isn't it given forms, like the music of the flute[79] and the poetry and the dancing are all given? All [are] consecrated in certain forms, and this is specifically said to not be given forms. It's always different, always a novelty.

**LS:** That belongs, because it is such a low thing that in these matters the poets and the producers may follow their natural bent. I can give you a better reason. Did you ever hear the expression "stale joke"?

**Mr. Gary:** Yes.

**LS:** So if the same joke is repeated always, it is no longer a joke; we don't laugh at it any more. But if it is a *grave* thing which is presented, say, *Hamlet*, it can be always the same. That has to do with the good-for-nothingness of comedy, that changes are here permitted. That has two sides, but we limit ourselves to that. And now we come to tragedy. Yes?

**Reader:**
ATH. Now as to what are called our "serious" poets, the tragedians,—suppose that some of them were to approach us and put some such question as this,—"O strangers, are we, or are we not, to pay visits to your city and country, and traffic in poetry? Or what have you decided to do about this?" What would be the right answer to make to these inspired persons regarding the matter? In my judgement, this should be the answer,—"Most excellent of Strangers, we ourselves, to the best of our ability, are the authors of a tragedy at once superlatively fair and good; at least, all our polity is framed as a representation of the fairest and best life, which—"

**LS:** It is an imitation of the most beautiful and best life. Yes?

**Reader:**
"which is in reality, as we assert, the truest tragedy. Thus we are composers of the same things as yourselves, rivals of yours as artists and actors of the fairest drama, which, as our hope is, true law, and it alone, is by nature competent to complete. Do not imagine, then, that we will ever thus lightly allow you, to set up your stage beside us in the market-place, and give permission to those imported actors of yours, with their dulcet tones and their voices louder than ours, to harangue women and children and the whole populace, and to say not the same things as we say about the same institutions, but, on the contrary, things that are, for the most part, just the opposite. In truth, both we ourselves and the whole State would be absolutely mad, were it to allow you to do as I have said, before the magistrates had decided whether or not your compositions are deserving of utterance and suited for publication. So now, ye children and offspring of the muses mild—"

**LS:** "Of soft muses," as distinguished from the severe muse, philosophy.

**Reader:**
"do ye first display your chants side by side with ours before the rulers; and if your utterances seem to be the same as ours or better, then we will grant you a chorus, but if not, my friends, we can never do so." (817a-d)

**LS:** Yes, so that is the point. So what is the law regarding tragedy? Is tragedy permitted?

**Mr. Gary:** On approval.

**LS:** Yes, very much so. [It is] very qualified, but the primary decision of the legislator is against tragedy. In addition, you have seen these tragic poets, very respectable, called strangers. The citizens cannot be tragic poets; they are strangers. Then perhaps, if the magistrates feel after proper examination that what the tragic poet says does no harm to the citizens and might even do some good, then they may be admitted. But surely the decision regarding comedy is much more straightforward than the decision regarding tragedy.

**Mr. Gary:** I have a simple question about this.

**LS:** Yes?

**Mr. Gary:** What's indicated here is that the extra tragedians are superfluous because the lawgivers are in a certain sense the tragedians.

**LS:** Yes, sure. *We* are the best tragedy—we, the makers of the city; in a way, the city. And why are we the poets and makers of the most beautiful and best tragedy?[80] One must beware of any modern sentimentalisms, of course. Tragedy is imitation of the noble and good life as distinguished from the low-class and ludicrous life imitated by comedy. Now what does the legislator do? He imitates the best life, say, the life of the divinity, on the political plane. So he does the same as what the tragic poet does and he claims, of course, to do it much better, if he is a good legislator.

**Mr. Gary:** Can the same poet write tragedy and comedy?

**LS:** Nothing is said about this here.

**Mr. Gary:** Well, I realize that—

**LS:** But we cannot forget that.

**Mr. Gary:** Well, there is certainly the question raised. If the extra tragedians are superfluous to the city, why are the comedians not superfluous?

**LS:** We have been told. These are such high and respectable gentlemen that they would never know the improper and ludicrous if it were not pointed out to them.

**Mr. Gary:** So then we are told definitely that the same poet cannot write both tragedy and comedy, because clearly—

**LS:** That is not said,[81] but one could answer you on a few levels, for example, that this is not Socrates[82] but the Athenian Stranger, and that he is not talking at a banquet in Athens but a purely vicarious banquet—you know, in the first two books when they talk about wine without drinking it, with two old Dorians. And in this perspective the whole question of tragedy and comedy looks different than when Socrates in a very advanced stage of the debauchery says this to a tragic and comic poet.[viii]

**Mr. Gary:** Isn't he right then and wrong now?

**LS:** That I wouldn't say!

**Student:** [to Mr. Gary] Who is he?

**LS:** [LS laughs] Yes, he of course identifies the two. That is, I think, a venial sin.

**Mr. Gary:** They're both philosophers. Now wouldn't we say that Socrates the philosopher then is right, and that this man, the Stranger, the philosopher, is wrong here?

**LS:** Yes, but we would first have to understand what Socrates meant in the *Banquet*. The mere proposition, impressive as it is, does not give us a reason why that is necessarily so.

**Mr. Gary:** Because a man knows about life, and so he—

**LS:** Look what terrible things would follow if you take the facts to which he alludes here: that even the finest and most respectable members of the community, think the law guardians—

**Mr. Gary:** Those should be the ones—

**LS:** That they would also be, from a certain perspective, absolutely ludicrous—

**Mr. Gary:** No,[83] not that they would be that, but that they would know it, and they would know what's funny and they would know what's absurd—

**LS:** Yes, that is what is said here, but then there can be a strict separation. There will be presentation of the ludicrous and, if we can help it, no presentation of the solemn, because we are the most solemn thing in the world, our regime.

**Mr. Gary:** Yes, but the lawgivers should be joke writers, so that they cannot have foreign tragedians, and not have foreign comedians. They will provide the people with tragedy—

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[viii] Plato *Symposium* 223d.

**LS:** Oh, no! These are only strangers. No self-respecting man, and least of all the high officials, will be tragedians—

**Mr. Gary:** He doesn't have to be on stage, acting, but he could be the writer of that. He should know enough to be the writer.

**LS:** No no,[84] for a man like Sophocles, who was a *strategos*, general, and at the same time a tragic poet, there is no place here. Only . . . could produce it. Well, he may also have thought of the fact that Crete is not Athens.

**Mr. Gary:** I'm thinking now, what happens if we have one of the lawgivers who, because he knew life, could write like Aristophanes but not say the same things that Aristophanes was saying, but say things that were better for the people so that while they were laughing, they were learning? Maybe there is as much force in comedy for the lawgivers as in the tragedy—

**LS:** Yes, he admits that. Therefore there should be, for example,[85] the presentation, say, of drunken slaves or of a miser who is trying to marry a rich girl. You know these are[86] worthy comedic subjects, and that is desirable that there be such comedies.

**Mr. Gary:** And it's not a dishonor for even a lawgiver to write such comedies—maybe to act in them, yes.

**LS:** Yes, well, one can say that, but it is also important that the Athenian Stranger does not go into that question, who writes the comedies.

**Mr. Gary:** Oh, I see.

**LS:** Yes, I think[87] that would be impractical, to have the grave statesmen write comedies.

**Mr. Klein:** Apart from that, we are sure they would have no time to do it.

**LS:** You must not forget, you have to be a statesman like Machiavelli to write at the same time a comedy. Yes? And you see what kind of a statesman he was and what politics he taught. So a really hundred percent respectable statesman would not write a comedy, although he would tolerate a mild sort of comedy. Yes? Drunken slaves and the misers and I don't know what else might be—

**Mr. Gary:** Wouldn't he censor the comedies just as he censored the tragedies? I have a feeling that although *he* regards them as perfectly ridiculous, not everyone does. Most people can't tell the difference between a comedy and a tragedy, and something that is meant to be funny—

**LS:** Well, I believe that today it is probably hard to distinguish. [Laughter] Is . . . more comical or tragic? And that is, I think, is a high piece. But in former times one could distinguish them quite clearly.[88] Is it not very amusing, without going into any details, that in this book so much characterized by gravity, comedy is permitted and tragedy is almost forbidden? That, I think,[89] shows the cloven hoof of the same man who wrote the other books.

**Mrs. Kaplan:** Comedy leads to peace and tragedy leads to war.

**LS:** Comedy leads to peace?

**Mrs. Kaplan:** Yes, people are much better disposed when laughing together.

**LS:** Yes, but how strictly does he disapprove of laughter, especially of excessive laughter! He also disapproves of excessive weeping, so that is not . . . But it is a very characteristic passage here. Now we cannot read any further. Therefore I must only say this: there is a long discussion of schooling, especially in arithmetic, geometry, and astronomy. And these are higher than gymnastic and music, of course. And then the last subject discussed—which in the *Republic*, you remember, is dialectic—is here hunting. Obvious quid pro quo: dialectics being a kind of the hunting *par excellence*. And there are detailed discussions of which kinds of hunting are permitted and which are forbidden: only those which keep you on your toes all the time and are dangerous [are permitted]; impossible is such a thing as fishing because that can go with absolute laziness—you don't do anything and then wait until[90] [the fish] gets the bait.

And then there is another point, this is an earlier one which I found wonderful and reminded me of the good old times, about sleep in general. Sleep is absolutely to be kept to the minimum.[91] The difference between the mistress and the maids is that the mistress has to be up first and has to wake the maids, and not the other way around. And that leads naturally to the interesting question having to do with the limits of legislation: How can this be enforced? Because neither the maids nor the mistress would denounce each other to the authorities if they would stay in bed indefinitely. [Laughter] And so one has to leave it at exhortation. No, that is a very beautiful passage about sleeping, and in glaring contrast to what Socrates says in the *Apology*,[92] [that if death were a dreamless sleep, then] death would be infinitely preferable to life.[ix] And here we hear the true voice of Plato, which we hear also elsewhere.

[end of session]

[1] Deleted "got."

[2] Deleted "of Kant."

[3] Deleted "for Plato—."

[4] Deleted "of the same kind."

[5] Deleted "Are we, must we not—are there not—."

[6] Deleted "But the short-lived—."

[7] Deleted "quote."

[9] Deleted "and I think we must be—."

[ix] Plato *Apology* 40b-d.

[10] Deleted “to.”

[11] Deleted “**LS**: I beg your pardon? **Berns**: Was it the assumption that the highest exists only in man? It was just that you went too fast.”

[12] Moved “both ways of finding support for the essences.”

[13] Deleted “the highest.”

[14] Deleted “And.”

[15] Deleted “it leads to a complete—.”

[16] Moved “what he says there.”

[17] Deleted “and that.”

[18] Deleted “Thank you. How can I illustrate it best? Because.”

[19] Deleted “I believe.”

[20] Deleted “that.”

[21] Deleted “Greek, Greek.”

[22] Deleted “Yes, well—.”

[23] Deleted “And then—.”

[24] Deleted “so.”

[25] Deleted “the question is, goes—.”

[26] Deleted “I want to know—.”

[27] Deleted “what.”

[28] Deleted “—yes, but.”

[29] Deleted “that is not—.”

[30] Deleted “how that re-interpretation—or, rather.”

[31] Deleted “everything.”

[32] Deleted “I guess what I'm really asking is—to answer this in Aristotelian—I think.”

[33] Deleted “no.”

[34] Deleted “this understanding—.”

[35] Deleted “as simply.”

[36] Deleted “is then no longer—.”

[37] Changed from “I mean, that is very plausible.”

[38] Deleted “But this is.”

[39] Deleted “participation, in what.”

[40] Deleted “is—well.”

[41] Deleted “but without these starting points—.”

[42] Deleted “you have to—.”

[43] Deleted “that.”

[44] Deleted “is that it.”

[45] Deleted “And that there seems—.”

[46] Deleted “the laws—.”

[47] Deleted “Of book seven, yes. Perhaps we read that there is—let us see, at the beginning.”

[48] Deleted “here, at this passage. Can you tell them at which passage? 54. Yes?”

[49] Deleted “it is.”

[50] Deleted “Now.”

[51] Deleted “And peace—.”

[52] Deleted “And—.”

[53] Deleted “Plato—.”

[54] Deleted “that.”

[55] Deleted “that seems to be—.”

[56] Deleted “went to—.”

[57] Deleted “has more than one—.”

[58] Deleted “he can—.”

[59] Deleted “It is the—.”

[60] Deleted “That is, I mean—that is.”

[61] Deleted “yes.”

[62] Deleted “no.”

[63] Deleted “even the fact that there seems—.”

[64] Deleted “the puppets—the word is somewhat—.”

[65] Deleted “you have.”

[66] Deleted “if.”

[67] Deleted “only—.”

[68] Deleted “Now let me see**,** 804D6**,** perhaps we begin in 804D6. Give me your book and I will [inaudible words].”

[69] Deleted “speaks.”

[70] Deleted “from here.”

[71] Deleted “this seems to be now.”

[72] Deleted “Now I do not know where this other passage is. At any rate, the point which he makes here—I cannot find it at the moment—I am very sorry for that. But.”

[73] Deleted “which at least.”

[74] Deleted “that it has nothing to do—.”

[75] Changed from “that would make sense, doesn’t it, that when he discourages.”

[76] Deleted “And yes, I had forgotten.”

[77] Deleted “is—.”

[78] Deleted “I cannot find it.”

[79] Deleted “and the music—.”

[80] Deleted “Why is that so? What is—.”

[81] Deleted “We can infer this. Well.”

[82] Deleted “for example.”

[83] Deleted “that they would know about that—.”

[84] Deleted “they will do—.”

[85] Deleted “—in.”

[86] Changed from “You know, and these can—are.”

[87] Deleted “he could not—.”

[88] Deleted “Yes; no, but I believe—.”

[89] Deleted “—that.”

[90] Deleted “he.”

[91] Deleted “and the first—and.”

[92] Deleted “that if life were a sleepless dream then—death, I’m sorry. If death, were a sleepless dream— **Klein**: Dreamless sleep. **LS**: Dreamless sleep, then nothing would be preferable—.”

**Session 25: no date**

**Leo Strauss:** I am sorry that Mr. Bloom can't be here today. After his very profound and meaty lecture last Thursday, the question which I raised last time becomes only more urgent for me. This fact, of which we have spoken last time, that ideas, the species, are not eternal would render questionable the whole edifice as it was presented by Mr. Klein. And[1] [it] would follow that one must address to Plato questions which Plato did not raise. Now which questions? To begin with, one could ask how he could disregard[2] the possibility of the noneternity of the species, especially since that possibility was discussed by other thinkers, and in fact by Plato himself, as we will see later on in the *Laws*. Now of course he did consider it.[3] Did he know that his whole edifice was questionable? And this is a point which Mr. Klein as well as I would agree, and that is indicated by the word skepticism, namely, that Plato's successors became skeptics, which is an extremely crude version of what Plato himself did.

Now if the whole edifice is questionable, what then was there which was not questionable for Plato? We must here make of course a distinction [between] the things which were not questionable to him and the things which were reasonably not questionable to him and which are as evident to us[4] as they were to Plato. To begin with, it could look as if this distinction is the same as that between Plato's moral–political teaching and his cosmological or metaphysical teaching. Now I think we must keep this in mind, but[5] [unless you have a very urgent desire to discuss it], I would say we should turn to the eighth book. We have only two more meetings, and in some way we must go through the *Laws*, however difficult it may be. Yes?

**Mr. Gonda:** Just one point. The way that you[6] announced the position last week led you to suggest that the distinction between the cosmological teaching and the moral–political teaching could not finally be made if one considers that the complete account of the moral–political teaching means to understand the relationship between philosophy and politics. Philosophy as Plato understands it requires some kind of cosmological thinking—

**LS:** Yes. Well, let me put it this way, that it makes sense to say the *polis* is a cave and everything that entails. And philosophy is the attempt to[7] [rise] from the cave to the light of the sun. Now what we find in leaving the cave: there may be great variety of possibilities which are not settled by the fact that one must leave the cave. Do you see that point? And there are certain views about the whole which are incompatible with the moral life of man, say, unqualified hedonism, the denial of a distinction between the noble and the pleasant, and some other things. [8]But one can of course say, and I believe I said this last time, if one follows the modern view, and not merely as stated by Darwin or so, then one may indeed be compelled to abandon the notion of philosophy as leaving the cave. If philosophy is, as it is according to many people, a part of culture and the culture of course belongs essentially to the *polis*, then it is impossible to leave the cave. And then what becomes of truth, and what becomes of philosophy? That is a great question. And I think that Nietzsche, in the first place, and others have been wrestling with this question: how to find an intelligible substitute for Plato's view, while abandoning the ideas. I think we have to leave it at that now.

Now let us[9] turn to book 8. Book 7 dealt with education, and book 8 turns to festivals, quite naturally, and festivals are inseparable from sacrifices. And there are a few passages which we

should read, beginning in 828c.[10]

**Reader:**
ATH. Further, they must determine, in conformity with the law, the rites proper to the nether gods, and how many of the celestial gods should be invoked—

**LS:** That is, the heavenly gods. Now whether the heavenly gods are the Olympian gods or the cosmic gods—sun, moon, and stars—that is not easy to decide and is not able to be decided on the basis of this passage alone.

**Reader:**
and how many of the heavenly gods should be invoked, and what of the rites connected with them should not be mingled but kept apart, and put them in the twelfth month, which is sacred to Pluto; and this god should not be disliked by men who are warriors, but honoured as one who is always most good to the human race; for, as I would assert in all seriousness, union is in no way better for soul and body than dissolution.

**LS:** Pluto is of course Hades, and that would seem to mean that life is by no means better than death, and that death is of course not to be feared. And then from that, courage would follow. But whether this is the way in which Plato means it, is hard to say.

**Reader:**
Moreover, if they are to arrange these matters adequately, these persons must believe that no other State exists which can compare with ours in respect of the degree in which it possesses leisure and control over the necessities of life; and believe also that it, like an individual, ought to lead a good life. But for a good and blessed life, the first requisite is neither to do wrong oneself nor to suffer wrong from others. Of these, the former is not very hard, but it is very hard to secure immunity from suffering wrong; indeed, it is impossible to gain this perfectly, except by becoming perfectly good. So likewise a State may obtain a life of peace if it becomes good, but if bad, a life of war both abroad and at home. This being so, all men must train for war— (828c-29a)

**LS:** And so on. Now the perfectly good man suffers no injustice. That is a remarkable statement. Most other statements of this sort say, of course: he will suffer injustice, he will never inflict injustice, but that will not deter him from following the course of justice. It is in conformity with an earlier statement according to which he who has the divine goods will necessarily have the human goods as well. That is in 631b. And the divine goods mean the virtues, and the human goods being health, wealth, and beauty, and so on. That thought is not pursued here any further, but I suppose there is a connection between the statement that the perfectly good man suffers no injustice and the assertion that life is not preferable to death.[11] [After this], he pursues the subject of festivals: war, preparation for war, festivals, sacrifices,[12] gymnastics, and very briefly[13] music. And there we have to consider a few passages. 835c.

**Reader:**
ATH. But the things which do make no small difference, and of which it is hard to persuade men—these form a task especially for God (were it possible that orders should come from him):

as it is—

**LS:** [14]That is interesting. Maybe God cannot give commands. At the end of Aristotle's *Eudemian Ethics*, it is said: God does not rule *epitaktikos*, by commands.[i] Aristotle means God rules by being what He is, and by being the center of attraction for everything else.[15] Plato seems also here to exclude the possibility of divine commands, properly understood. Yes?

**Reader:**
ATH. as it is, they are likely to require a bold man who, valuing candor above all else, will declare what he deems best for city and citizens, and in the midst of corrupted souls will enjoin what is fitting and in keeping with all the constitution, and gainsay the mightiest lusts, acting alone by himself with no man to help him save, as his solitary leader, Reason.

**LS:** We cannot hope for divine commands, so we have to rely on what we hear from the right kind of human beings. And they require an unusual *parresia*, willingness to say everything, frankness. Clinias doesn't quite understand. Yes?

**Reader:**
CLIN. What is it we are reasoning about now, Stranger? For we are still in the dark.
ATH. Naturally: but I will try to explain myself more clearly. When in my discourse I came to the subject of education, I saw young men and maidens consorting with one another affectionately: and naturally a feeling of alarm came upon me, as I asked myself how is one to manage a State like this in which young men and maidens are well-nourished but exempt from those severe and menial labors which are the surest means of quenching wantonness, and where the chief occupation of everyone all through life consists in sacrifices, feasts, and dances. In a State such as this, how will the young abstain from those desires which frequently plunge many into ruin,—all those desires from which reason, in its endeavor to be law, enjoins abstinence? (835c-e)

**LS:** Literally, reason, *logos*, trying or attempting to become law. You remember this complex relation between *logos* and *nomos*, across which we have come more than once. That is stated here in a new way, that the *logos* has in itself the tendency [that] it wishes to become law, which means of course that most of the time it will not achieve it. Therefore the law ordinarily is not the *logos*. The subject at hand is clear[ly] education, and more particularly how to counteract sexual desires. Yes?

**Reader:**
ATH. That the laws previously ordained serve to repress the majority of desires is not surprising; thus, for example, the proscription of excessive wealth is of no small benefit for promoting temperance, and the whole of our education-system contains laws useful for the same purpose; in addition to this, there is the watchful eye of the magistrates, trained to fix its gaze always on this point and to keep constant watch on the young people. These means, then, are sufficient (so far as any human means suffice) to deal with the other desires. But when we come to the amorous

[i] Aristotle *Eudemian Ethics* 1249b.

passions of children of both sexes and of men for women and women for men,—passions which have been the cause of countless woes both to individuals and to whole States—how is one to guard against these, or what remedy can one apply so as to find a way of escape in all such cases from a danger such as this? It is extremely difficult, Clinias. For whereas in regards to other matters not a few, Crete generally and Lacedaemon furnish us (and rightly) with no little assistance in the framing of laws which differ from those in common use,—in regard to the passions of sex (for we are alone by ourselves), they contradict us absolutely. (835e-36c)

**LS:** He had referred to that. Is it not clear?

**Mr. Gary:** No, I can't understand it at all.

**LS:** In many other respects, the laws of Crete and Sparta are models, but in this crucial point they fail us, and we can speak about it quite frankly, for we are alone. We are among ourselves. You know he had spoken before of homosexuality in Crete,[16] supported by the myth of Ganymede. In the first book he spoke of that. And he had also referred to this when speaking of Sparta. Now he comes back to that, and[17] the time for excuses and politeness has gone a long time ago. Now he can speak with perfect frankness about the defects of the Dorian laws. Yes?

**Mr. Gonda:** Is this example the *parresia*? This craze for—

**LS:** No, I don't think so.[18] Maybe you are right, but I don't see the connection.

**Mr. Gary:** Should I read this again?

**LS:** Yes.[19] Do you want to?

**Reader:**
ATH. Crete generally and Lacedaemon furnish us (and rightly) with no little assistance in the framing of laws which differ from those in common use,—in regard to the passions of sex (for we are alone by ourselves), they contradict us absolutely. If we were to follow in nature's steps and enact that law which held good before the days of Laius—

**LS:** Laius[20] is of course the father of Oedipus, and he was supposed to have originated pederasty.[21]

**Reader:**
ATH. declaring that it is right to refrain from indulging in the same kind of intercourse with men and boys as with women, and adducing as evidence thereof the nature of wild beasts, and pointing out how male does not touch male for this purpose, since it is unnatural,—in all this we would probably be using an argument neither convincing nor in any way consonant with your States. Moreover—

**LS:** Namely, with Sparta and Crete.[22] This is a first reason: homosexuality is against nature. Secondly?

**Reader:**
Moreover, that object, which, as we affirm, the lawgiver ought always to have in view does not agree with these practices. For the enquiry we always make is this—which of the proposed laws tends toward virtue and which not. Come, then, suppose we grant that this practice is now legalized, and that it is noble and in no way ignoble, how far would it promote virtue? Will it engender in the soul of him who is seduced a courageous character, or in the soul of the seducer a quality of temperance? Nobody would ever believe this; on the contrary, as all men will blame the cowardice of the man who always yields to pleasures and is never able to hold out against them, will they not likewise reproach that man who plays the woman's part with the resemblance he bears to his model? Is there any man, then, who will ordain by law a practice like that? Not one, I should say, if he has a notion of what true law is.

**LS:** "If he has in his intellect the true law," *nomos alethes*. Yes?

**Reader:**
ATH. What then do we declare to be the truth about this matter? It is necessary to discern the real nature of friendship and desire and love (so-called) if we are to determine them rightly; for what causes the utmost confusion and obscurity is the fact that this single term embraces these two things, and also a third kind compounded of them both.
CLIN. How so? (836c-37a)

**LS:** [23]This is clear: pederasty is both against nature and[24] is not conducive to virtue, but rather to the opposite.[25] By the way, you[ii] are a specialist in biology: what about the statement about the other animals? I have only a limited, extremely limited observation regarding dogs, and that is not entirely conclusive in agreement with what Plato says.

**Dr. Kass:** I really don't know; I was just thinking about that. I was just thinking about the other species . . .

**LS:** You have no knowledge.

**Dr. Kass:** May I ask two questions on this passage?

**LS:** Yes, sure.

**Dr. Kass:** When he says that it is "against nature," is that to be distinguished from the argument that conduces to vice and not to virtue?

**LS:** Well, I believe the distinction is this: the physical consideration refers to all animals, that regarding virtue and vice refers to man only. That does not contradict the fact that there is not a nature of man, but the first is based on consideration of all animals, and the second of man in particular. And thus this very striking remark: How can you imagine that the virtue of a seduced boy would be increased if he were made the witness of the lack of self-control of someone who

[ii] That is, Dr. Kass.

allegedly loves him?[26]

**Dr. Kass:** I'm sorry. Can I ask another thing? It seems to me that the discussion ought to be whether homosexuality might be encouraged by law, rather than whether it ought to be prohibited. That is,[27] he seems to couch whether the law really ought to ordain these practices now in practice, and the answer is no. But[28] [he] doesn't deal with the question of whether the law should take a more permissive attitude and tolerate but not encourage—

**LS:** I believe it is clear: it should be forbidden, against the precedent of these otherwise wonderful cities, Crete and Sparta. But[29] here [the discussion] is not completed,[30] because he will speak first of the ambiguity of friendship or love. This [it] is to which he comes now, so perhaps we should read that first.

**Reader:**
ATH. Friendship is the name we give to the affection of like for like, in point of goodness, and of equal for equal; and also to that of the needy for the rich, which is of the opposite kind; and when either of these feelings is intense we call it "love."
CLIN. True.
ATH. The friendship which occurs between opposites is terrible and fierce and seldom reciprocal amongst men, while that based on similarity is gentle and reciprocal throughout life. The kind which arises from a blend of these presents difficulties,—first, to discover what the man affected by this third kind of love really desires to obtain, and, in the next place, because the man himself is at a loss, being dragged in opposite directions by the two tendencies,—of which the one bids him to enjoy the bloom of his beloved, while the other forbids him. For he that is in love with the body and hungering after its bloom, as it were that of a ripening peach, urges himself on to take his fill of it, paying no respect to the disposition of the beloved; whereas he that counts bodily desire as but secondary, and puts longing looks in place of love, with soul lusting really for soul, regards the bodily satisfaction of the body as an outrage, and, reverently worshipping temperance, courage, nobility and wisdom, will desire to live always chastely in company with the chaste object of his love. But the love which is blended of these two kinds is that which we have described just now as third. Since, then, love has so many varieties, ought the law to prohibit them all and prevent them from existing in our midst, or shall we not plainly wish that the kind of love which belongs to virtue and desires the young to be as good as possible should exist within our state, while we shall prohibit if possible, the other two kinds? Or what is our view, my dear Megillus?
MEG. Your description of the subject, Stranger, is perfectly correct.
ATH. It seems that, as I expected, I have gained your assent; so there is no need for me to investigate your law, and its attitude towards such matters, but simply to accept your agreement to my statement. Later on I will try to charm Clinias also into agreeing with me on this subject. So let your joint admission stand at that, and let us by all means proceed with our laws.
MEG. Quite right. (837a-e)

**LS:** So in other words, there is a difference between Megillus and Clinias on this point. Megillus is satisfied with his argument, and Clinias still needs some further prodding because, I suppose,[31]

this unnatural custom has much deeper roots in Crete than in Sparta. Yes?

**Mr. Gary:** But here this paragraph is talking much more generally[32] about bodily love, as opposed to the love that belongs to virtue or somehow—

**LS:** Well, think of Socrates himself. He obviously was attracted by beautiful youth[33]—so that he regarded this *eros* as all right—but not when it led to homosexual deeds. Yes? He makes here a distinction between *seeing* and enjoying.[34] He would regard the desire for the body as looking, seeing, rather than desiring—looking at the beautiful individual, and not desiring to have in any way intercourse.

**Mr. Gary:** Like[35] a sculptor would look?[36]

**LS:** Yes, perhaps. Perhaps. At any rate, there is a mixture which makes it complicated. [There are two poles]:[37] the attractiveness of beautiful and gifted young men, that kind of love [in which love] for the body doesn't enter at all; and on the other hand, where there is only loveless sex at the other pole. Yes? That complicates matters.

**Mr. Gary:** So the middle type is more like Socrates and Alcibiades.

**LS:** [38]Yes, you can say that.

**Mr. Gary:** That would be one of the types outlawed.

**LS:** Not quite.

**Mr. Gary:** He said that they would throw away the two of them and would only keep the one—

**LS:** Yes, the ultimate result is that.

**Mr. Gary:** So they would outlaw the love between Socrates and Alcibiades.

**LS:** Yes. This is a book of a legislator. I always found that Plato as a legislator doesn't speak differently about this kind of abomination than Moses. But Plato does make a distinction between the legislator and the nonlegislator, which Moses does not make, and therefore he could write the *Banquet*.

**Mr. Gary:** So perhaps even if Socrates hadn't been tried for his impiety, he wouldn't last very long in this state because he would be tried for his relationship with the young men that came to him.

**LS:** Well, you mustn't forget that Socrates here is a very old man now and will not live very long, and his relations will be limited to the most venerable old men with whom he will help in elaborating the laws.[39] Now let us go on. We must read this section, because I have some other points of some interest.

**Reader:**

ATH. I know of a device at present—

**LS:** The word which he uses is *techne*. You cannot say this "device."[40] It is an art. Device would be[41] *mechane*, which he does not use here.

**Reader:**
ATH. I know of an art at present for enacting this law, which is in one way easy, but in another quite the hardest possible.
MEG. Explain your meaning.
ATH. Even at present, as we are aware, most men, however lawless they are, are effectively and strictly precluded from sexual commerce with beautiful persons—and that not against their will, but with their own most willing consent.
MEG. On what occasions do you mean?
ATH. Whenever any man has a brother or sister who is beautiful. So too in the case of a son or daughter, the same unwritten law is most effective in guarding men from sleeping with them, either openly or secretly, or wishing to have any connexion with them—nay, most men never so much as feel any desire for such connexion.
MEG. That is true.

**LS:** What does this mean in the argument?[42] While pederasty is against nature and against the *nomos alethes*, the true *nomos*, this is very insufficient. We need in addition an art, a *techne*. And now he will speak of that *techne*. And he will make this clear by speaking of incest, the clearest case where sexual restraint is successful. Yes?

**Reader:**
ATH. Is it not, then, by a brief sentence that all such pleasures are quenched?
MEG. What sentence do you mean? (837e-38b)

**LS:** "A little word," you could almost say.

**Reader:**
ATH. The word that these acts are by no means holy, but hated of God and most shamefully shameful. And does not the reason lie in this, that nobody speaks of them otherwise, but every one of us, from the day of his birth, hears this opinion expressed always and everywhere, not only in comic speech, but often also in serious tragedy—as when there is brought on to the stage a Thyestes—

**LS:** Thyestes.[iii] Or some Oedipus.

**Reader:**
ATH. or an Oedipus, or a Macareus having secret intercourse with a sister, and all these are seen inflicting death upon themselves willingly as a punishment for their sins?
MEG. Thus much at least you are quite right in saying—that public opinion has a—

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[iii] A tragic character who slept with his brother Atreus's wife. In revenge, Atreus invited him to a banquet and served him the flesh of his own children.

**LS:** Public opinion is bad translation; *pheme*, that means rumored tradition, and a tradition of claiming sacred origin. Yes?

**Reader:**
MEG. that sacred tradition has a surprising influence, when there is no attempt by anybody ever to breathe a word that contradicts the law. (838b-d)

**LS:** Yes. That is very important because if there is criticism of that, then its force is weakened, naturally. So[43] it is a revered tradition which is not contradicted by anyone. Yes?

**Reader:**
ATH. Then is it not true, as I said just now, that when a lawgiver wishes to subdue one of those lusts which especially subdue men, it is easy for him at least to learn the method of mastering them,—that it is by consecrating this public opinion in the eyes of all alike—bond and free, women and children, and the whole State—that he will effect the firmest security for this law.
MEG. Certainly; but how will it ever be possible for him to bring it about that all are willing to say such a thing—
ATH. A very proper observation. That was precisely the reason why I stated that in reference to this law I know of a device for making a natural use of reproductive intercourse,—on the one hand, by abstaining from the male and not slaying of set purpose the human stock, nor sowing seed on rocks and stones where it can never take root and have fruitful increase; and, on the other hand, by abstaining from every female field in which you would not desire the seed to spring up. This law, when it has become permanent and prevails—if it has rightly become dominant in the other cases, just as it prevails now regarding intercourse with parents—is the cause of countless blessings. For in the first place, it follows the dictates of nature, and it serves to keep men from sexual rage and frenzy and all kinds of fornication, and from all excess in meats and drinks, and it ensures in husbands fondness for their own wives: other blessings also would ensue, in infinite number, if one could make sure of this law. (838d-39b)

**LS:** [44]Here the prohibition of incest shows, through an unwritten law,[45] how sexual desire could be restrained. There is nothing said of incest being against nature.[46] Pederasty of course, but never incest. And that is in agreement with the *Republic*—there you have in fact incest [permitted] between brothers and sisters.[47] People don't know who their brothers and sisters are, and intercourse is permitted under strict governmental supervision between members of the same age group. But if you figure that out a little bit more precisely, you see that this makes possible even intercourse between parents and children.[48] Let us assume the age group is, say, fifteen and thirty, and then the next from thirty to fifty.[49] If, say, a woman is twenty-nine[50] or twenty-five and a man is forty-five, they may be father and daughter. It can happen.[iv] But the clearest example of which I know of such a discussion prior to the *Laws* occurs in Aristophanes's *Assembly of Women*,[51] [where] there is laid down a law [for a] community of wives and children, so no one knows his parents and the parents don't know their children. And secondly, no one is

[iv] Plato *Republic* 457d-461e.

permitted to cohabit with someone of his age if he has not cohabited earlier with an older man or an older woman. And that means that since no one knows his parents, incest is even commanded by the law. At any rate, the *Republic* is of course milder, but it is also very far from agreeing with Plato. What Plato wants is a very severe sexual morality,[52] and not even what the moral theologians call "simple fornication" should be permitted and should be[53] regarded as heinous a crime as incest. Now whether there is any such sacred addition which can bring that about as it brings about restraint from incest, that is a long question. And there are some remarks to that effect in the sequel, namely, that this is not altogether easy to achieve. Yes?

**Mr. Gary:** It seems that here in his speech the Athenian[54] proposes[55] two parts to a law: one, not killing the children when they are born—

**LS:** No,[56] he means simply not sowing into the proper land, that is to say, having intercourse not with a woman.

**Mr. Gary:** He says, "By abstaining from the male and not slaying of set purpose the human stock—"

**LS:** Yes, yes. That is the sin of Onan in the Bible.[v]

**Mr. Gary:** But he said that men should only—

**LS:** Yes, should only have intercourse with women, that is clear. And in addition, with women who are not his near relatives. And in addition, she must be a woman[57] from whom he wants to have a child, that is to say, not just a slavegirl who attracts him.

**Mr. Gary:** So that is a kind of[58] birth control, then.

**LS:** Well, birth control you cannot call it, but strict control of manners.[59] What he would like to have is a society in which there is only intercourse between married couples—which was, after all, until a short while ago regarded as the proper thing by most people. I do not know whether [it was] in fact—[for that],[60] you would have to ask a sociologist. But surely according to what was said to be.

**Mr. Gary:** The pope still feels that way.

**LS:** I think not only the pope, I think other people also. [Laughter][61] Now this is, at any rate, the main point, if I may come back to this. The restraint of sexual desire is fundamentally brought about through piety. That is the main point here. That is a thought which has been stated later, much later, by a very unlikely man to say that—by Rousseau. In Rousseau's *Emile*, Emile is brought up by his tutor in strict ignorance of God [and] has to become instructed in natural theology in the moment when he reaches puberty—that is to say, when he is confronted with the kind of difficulty with which[62] natural reason by itself is itself unable to cope. Regarding food and drink, he has learned that if he overeats, it is impractical; and if he gets drunk, it is also

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[v] *Genesis* 38.

impractical, but[63] in this respect this wise rule is not strong enough and therefore he needs the profession of faith of the Savoyard Vicar. But as Mr. Bloom pointed out in his lecture, Rousseau follows Plato in very important points, and this is surely one of them. Now let us then turn to book 9, 857c. [64]

**Reader:**
ATH. Well said, Clinias! You have collided with me when I was going, as it were, full steam ahead, and so have woken me up. You have reminded me of a previous reflection of mine, how that none of the attempts hitherto made at legislation have ever been carried out rightly—as in fact we may refer from the instance before us. What do I mean to imply by this remark? It was no bad comparison we made when we compared all existing legislation to the doctoring of slaves by slaves. For one should carefully notice this—

**LS:** You remember the comparison, yes? The two ingredients of law: the one is the slave doctor's treatment of slaves, and the other the free men's treatment by free doctors. Yes?

**Reader:**
ATH. For one should carefully notice this, that if any of the doctors who practice medicine by purely empirical methods, devoid of theory, were to come upon a free-born doctor conversing with a free-born patient, and using arguments, much as a philosopher would, dealing with the course of the ailment from its origin and surveying the natural constitution of the human body, he would at once break out into— (857c-d)

**LS:** And so on. That is the first time that the word *philosophia* occurs in the *Laws*; and it may be the only time, but surely the first time. And it is used in connection with the subject of the whole *physis* of bodies. Of course it would also mean the whole *physis* of souls. This is a thought worth mentioning. Now there is one difficulty to which he comes soon.[65] It is generally admitted that the just things are noble; and if this is so, he concludes, then just, degrading punishment is noble. But this is not demanded by the many because they would say degrading punishment for a man who deserves it is just but is not noble. Nothing to be proud of, nothing to admire.[66] [The act of punishment] may be noble; it may be noble to punish him,[67] but the receiving of punishment, that cannot be noble. That is the common view, and it is also stated by Aristotle, I believe in his *Rhetoric*.[vi] Now this leads to a broader discussion in 860c to which we should turn now.[68]

**Reader:**
ATH. Then let us look again at our own view, and see how far it is consistent in this respect.
CLIN. What kind of consistency, and in respect of what, do you mean?
ATH. I believe that I expressly stated in our previous discourse—or, if I did not do it before, please assume that I now assert—
CLIN. What?
ATH. That all bad men are in all respects unwillingly bad; and, this being so, our next statement must agree therewith.
CLIN. What statement do you mean?

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[vi] Aristotle *Rhetoric* 1366b.

ATH. This,—that the unjust man is, indeed, bad, but the bad man is unwillingly bad. But it is illogical to suppose that a willing deed is done unwillingly; therefore he that commits an unjust act does so unwillingly in the opinion of him who assumes that injustice is involuntary—a conclusion which I also must now allow—for I agree that all men do unjust acts unwillingly; so, since I hold this view—and do not share the opinion of those who, through contentiousness or arrogance, assert that, while there are some who are unjust against their will, yet there are also many who are unjust willingly,—how am I to prove consistent with my own statements? Suppose you two, Megillus and Clinias, put this question to me—"If this is the state of the case, stranger, what counsel do you give us in regard to legislating for the Magnesian State? Shall we legislate—" (860c-e)

**LS:** The Magneseian city is the city which they will found. *Magnetes*,[69] the future colony.

**Reader:**
ATH. "Shall we legislate or shall we not?" "Legislate by all means," I shall reply. "Will you make a distinction, then, between voluntary and involuntary wrong-doings, and are we to enact heavier penalties for the crimes and wrongdoings that are voluntary, and lighter penalties for the others? Or shall we enact equal penalties for all, on the view that there is no such thing as a voluntary act of injustice?"
CLIN. What you say, Stranger, is quite right: so what use are we to make of our present arguments?
ATH. A very proper question! The use we shall make of them, to begin with, is this—
CLIN. What?
ATH. Let us recall how, a moment ago, we rightly stated that in regard to justice, we are suffering from the greatest confusion and inconsistency. Grasping this fact, let us again question ourselves,—"As to our perplexity about these matters, since we have neither got it clear nor defined the point of difference between those two kinds of wrongdoing, voluntary and involuntary, which are treated as legally distinct in every State by every legislator who has ever yet appeared,—as to this, is the statement we recently made to stand, like a divine oracle, as a mere *ex cathedra* statement, unsupported by any proof, and to serve as a kind of master-enactment?" That is impossible; and before we legislate we are bound first to make it clear somehow that these wrongdoings are twofold, and wherein their difference consists, in order that when we impose the penalty on either kind, everyone may follow our rules, and be able to form some judgment regarding the suitability or otherwise of our enactments.
CLIN. What you say, Stranger, appears to us to be excellent: we ought to do one of two things,—either not assert that all unjust acts are involuntary, or else make our distinctions first, then prove the correctness of that assertion.
ATH. Of these alternatives the first is to me quite intolerable—namely, not to assert what I hold to be the truth,—for that would be neither a lawful thing to do nor a pious—

**LS:** Yes. Here to say something different than what he thinks.

**Reader:**
ATH. namely, not to assert what I hold to be the truth,—for that would be neither a lawful thing to do nor a pious. But as to the question how such acts are two-fold—if the

difference does not lie in that between the voluntary and the involuntary, then we must try to explain it by means of some other distinction.
CLIN. Well, certainly, Stranger, about this matter there is no other plan we can possibly adopt. (860e-61d)

**LS:** Now let us think for a moment what this means. How can the Athenian say that all unjust actions, all injustice, all vice, is involuntary? Now if he holds with Socrates that virtue is knowledge, then[70] all vice is ignorance. And what you do from ignorance you do involuntarily, ultimately.[71] But on the other hand, it is clear, even if this argument is correct, in one way or the other we have to make a distinction between voluntary crimes and involuntary crimes, meaning, say, between voluntary homicide and involuntary homicide. That is the difficulty. And as for this point which he mentions here, that it would be neither lawful nor pious for him not to say the truth which he knows,[72] this of course leads to the question: Does not the Athenian Stranger, does not Socrates from time to time, say things which he does not believe? Is there not such a thing as a noble lie? And is there not even a discussion of this question: What is worse, the involuntary or the voluntary, say, liar? That is [discussed] in one of the dialogues, *Hippias*[73]— and the answer given is that the voluntary liar, I mean the man who knows that he lies, is better than the involuntary one, just as the man who voluntarily makes mistakes in writing is a better *writer*, a better knower of letters, than the man who makes involuntary slips in writing.[vii] So this is only an indication that the problem remains on the Socratic basis here. How does he get out of this difficulty? Very simply.[74] All unjust actions are a kind of damage done to others. But not all damages done to others are unjust acts. For example, if somebody, say—[viii] —but the just character of either doing harm or doing good. At any rate, damage as such is not punishable; it must have the peculiar character of being which is hard to define. Now we turn to 863a, the first speech of Clinias.

**Reader:**
CLIN. What you have said seems very reasonable; but we should be glad to hear a still clearer statement respecting the difference between injury and injustice, and how the distinction between the voluntary and the involuntary applies in these cases.
ATH. I must endeavor to do as you bid me, and explain the matter. No doubt in conversing with one another you say and hear said at least thus much about the soul, that one element in its nature (be it affection or part) is "passion"— (863a-b)

**LS:** "*Thumos*." You know that from the *Republic*.

**Reader:**
ATH. is *thumos*, which is an inbred quality of a contentious and pugnacious kind, and one that overturns many things by its irrational force.
CLIN. Of course.
ATH. Moreover, we distinguish "pleasure" from passion, and we assert that its mastering power is of an opposite kind, since it effects all that its intention desires by a mixture of persuasion and deceit.

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[vii] Plato *Lesser Hippias* 371e-376.

[viii] The tape was changed at this point.

CLIN. Exactly.
ATH. Nor would it be untrue to say that the third cause of sins is ignorance. This cause, however, the lawgiver would do well to subdivide into two, counting ignorance in its simple form to be the cause of minor sins, and in its double form—where the folly is due to the man being gripped not by ignorance only, but also by a conceit of wisdom, as though he had full knowledge of things he knows nothing at all about,—counting this to be the cause of great and brutal sins when it is joined with strength and might, but the cause of childish and senile sins when it is joined with weakness; and these last he will count as sins and he will ordain laws, as for sinners, but laws that will be, above all others, of the most mild and merciful kind.
CLIN. That is reasonable.
ATH. And pretty well everyone speaks of one man being "superior," and another "inferior" to pleasure or to *thumos*.[ix] And they are so.
CLIN. Most certainly.
ATH. But we have never heard it said that one man is "superior," and another "inferior," to ignorance.
CLIN. Quite true.
ATH. And we assert that all these things urge each man often to go counter to the actual bent of his own inclination.
CLIN. Very frequently.
ATH. Now I will define for you, clearly and without complication, my notion of justice and injustice. The domination of *thumos* and fear and pleasure and pain and envies and desires in the soul, whether they do any injury or not, I term—

**LS:** "Whether they do inflict damage or not," because injury might remind us of injustice. Yes?

**Reader:**
ATH. I term generally "injustice." (863b-e)

**LS:** So that we have the distinction made now: the tyranny of passions, that is injustice. And this tyranny, in what sense is this? It is not the same as ignorance, it seems, but it is something involuntary. You remember the comparison[75] of most men most of the time to puppets, to playthings of the gods. You know[76] they are dragged and pulled in certain directions, and they cannot be held responsible to that extent. But of course the law, simply by being *there* and by being enforced, acts also as such a dragging or pulling agency. And therefore there is no difficulty regarding the law. Yes?

**Reader:**
ATH. But the belief in the highest good—

**LS:** [77]No. "The opinion of the best." Yes?

**Reader:**

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[ix] The reader substitutes "thumos for "passion" again here and at the end of the passage.

ATH. in whatsoever way either states or individuals think they can attain to it,—if this prevails in their souls and regulates every man, even if some damage be done, we must assert that everything thus done is just, and that in each man the part subject to this governance is also just, and best for the whole life of mankind, although most men suppose that such damage is an involuntary injustice. But we are not now concerned with a verbal dispute. Since, however, it has been shown that there are three kinds of sinning, we must first of all recall these still more clearly to mind. (863e-64b)

**LS:** So let us stop here.[78] If a man is guided by opinion of the best and yet makes a mistake, makes a false judgment, this is not, as the many say, an *involuntary* act, an involuntary injustice, but it is just. But one wonders: Is this not a clear case of ignorance of the true *logos*, if he makes a mistake? That is dark. Now we do not have to read the sequel. The point which he makes later on is a distinction very common up to the present day, that crimes committed through anger are involuntary, and crimes committed through desire or lust are voluntary. The simple example is this. If a man has killed another man and then if he pleads, "I did it in anger," and perhaps he can even show it, then this is an extenuating circumstance. But if someone rapes a woman and says, "I did it from lust," that is *not* an extenuating circumstance. This is the view which Plato and of course also Aristotle maintain about these matters. You see how little one gets out of this book except a general edification if one does not read it much more carefully than we can do it now.

I would like to say a few words about the tenth book, which we have to read much more closely next time, at least a few of these passages.[79] [The Athenian Stranger] had spoken at the beginning of book 9—the first word of book 9[80], if you will; this will appear of course only in the Greek[81]: *Dikai*, which means lawsuits, trials, punishments. This[82] beginning of book 9 is the only beginning which is meaningful, by which I mean not such expressions as "thereafter," or "after having said this." And the first book is the only other book which has a meaningful beginning, the word "God." There is a connection between God or gods and punishments of crimes.

So he speaks first of crimes consisting in actions [in] book 9, and then he turns to verbal injuries in book 10. And in this connection he comes quite naturally to blasphemy, and more particularly to people who say there are no gods, or if there are gods, they don't care for human beings, or if they care for human beings, they can be easily persuaded or bribed. And this is the chief content of book 10. It is the first extensive demonstration of the existence of God which has come down to us. Xenophon's *Memorabilia* of course has also two chapters dealing with that, but they are much briefer than the statement here.[x]

Now let me see.[83] [What] are a few passages we could at least read today? Yes, now. Of course Clinias and Megillus never knew that there are such terrible people who say these kind of things because such people do not exist in Crete and Sparta. But the Athenian knows them all too well. And now, what do they say [at 888d]?[84]

**Reader:**
ATH. Very true, O Megillus and Clinias; but we have plunged unawares into a wondrous

[x] Xenophon *Memorabilia* 1.4, 4.3.

argument.
CLIN. What is it you mean?
ATH. That which most people account to be the most scientific of all arguments. (888d-e)

**LS:** Yes, not "most people," "the many."

**Reader:**
ATH. the most scientific of all arguments.

**LS:** Not "scientific": "the wisest of all speeches."

**Reader:**
CLIN. Explain more clearly.
ATH. It is stated by some that all things which are coming into existence, or have or will come into existence, do so partly by nature, partly by art, and partly owing to chance.
CLIN. Is it not a right statement?
ATH. It is likely, to be sure, that what men of science—

**LS:** "Wise men."

**Reader:**
ATH. that what the wise men say is true. Anyhow, let us follow them up, and consider what it is that the people in their camp really intend.
CLIN. By all means let us do so.
ATH. It is evident, they assert, that the greatest and most beautiful things are the work of nature and of chance, and the lesser things that of art,—for art receives from nature the great and primary products as existing, and itself moulds and shapes all the smaller ones, which we commonly call "artificial."
CLIN. How do you mean?
ATH. I will explain it more clearly. Fire and water and earth and air, they say, all exist by nature and chance, and none of them by art; and by means of these, which are wholly inanimate, the bodies which come next, those, namely of the earth, sun, moon, and stars—have been brought into existence. It is by chance all these elements move, by the interplay of their respective forces, and according as they meet together and combine fittingly—hot with cold, dry with moist, soft with hard, and all such necessary mixtures as result from the chance combination of these opposites—in this way and by these means they have brought into being the whole Heaven and all that is in the Heaven, and all animals too, and plants—after that all the seasons had arisen from these elements; and all this, as they assert, not owing to reason—

**LS:** "to intellect." *Nous*.

**Reader:**
not owing to intellect, nor to any god or art, but owing, as we have said, to nature and chance.

**LS:** Yes, chance means here that there is no intention involved; chance is not used in contradistinction to necessity, as you may have seen. Necessity is[85] bringing these elements together.

**Reader:**
As a later product of these, art comes later; and it, being mortal itself and of mortal birth, begets later playthings which share but little in truth, being images of a sort akin to the arts themselves—images such as painting begets, and music, and the arts which accompany these. Those arts which really produce something serious are such as share their effect with nature—like medicine, agriculture, and gymnastic. (888e-89d)

**LS:** You see, all these arts [that] have to do with the body—like medicine, obviously, and agriculture—simply follow the directions of nature, depending on rain and so forth. And gymnastics, also the body. Yes?

**Reader:**
ATH. Politics, too, as they say, shares to a small extent in nature, but mostly in art; and in like manner all legislation which is based on untrue assumptions is due, not to nature, but to art.
CLIN. What do you mean?
ATH. The first statement, my dear sir, which these people make about the gods is that they exist by art and not by nature,—by certain legal conventions—

**LS:** "by some laws."

**Reader:**
by some laws which differ from place to place, according as each tribe agreed when forming their laws. They assert, moreover, that there is one class of things beautiful by nature, and another class beautiful by convention; while as to things just, they do not exist at all by nature, but men are constantly in dispute about them and continually altering them, and whatever alteration they make at any time is at that time authoritative, though it owes its existence to art and the laws, and not in any way to nature. All these, my friends, are views which young people imbibe from men of science, both prose-writers and poets, who maintain that the height of justice is to succeed by force; whence it comes that the young people are afflicted with a plague of impiety, as though the gods were not such as the law commands us to conceive them; and, because of this, factions also arise, when these teachers attract them towards the life that is right "according to nature," which consists in being master over the rest in reality, instead of being a slave to others according to legal convention. (889d-90b)

**LS:** That is a sketch of *the* anti-Socratic view. The first things are the lifeless bodies out of which living bodies somehow come into being, and then human beings and the products of human beings, the arts and the conventions. The arts as arts have a higher status than the conventions; and one convention is particularly important: these are the gods; they have no status whatever, they are merely by convention. And as for human life, we might distinguish the life corrected

according to nature, and that is to be superior to others by successfully asserting this superiority, in contradistinction to being a slave to others according to law. That is the conventional view, that one should be a slave to others, that one should serve others. That is a clear opposition, and it is of course interesting to note that the Cretan at least and the Spartan too spoke very highly of being superior to others in battle. You remember that, being superior in war as a chief content of virtue. Naturally they do not have these theoretical premises, but that is their business, how they can get to their lawabiding view from their premises.[86] Now the Athenian must now prove the existence of gods. That is his first task.

We can perhaps read a few more passages. Clinias's speech in 890d[87]—the Athenian needs encouragement all the time to engage in his task.

**Reader:**
CLIN. Certainly not, Stranger; on the contrary, if persuasion can be applied in such matters in even the smallest degree, no lawgiver who is of the slightest account must ever grow weary, but must (as they say) "leave no stone unturned" to reinforce the ancient saying that gods exist—

**LS:** No no no. One "must become an assistant to the ancient law." That is of some difficulty, but that is what we read here.[88] The author must come to the assistance of the old law by the speech that there are gods. Yes?

**Reader:**
CLIN. and all else that you recounted just now, and the law itself he must also defend and art, as things which exist by nature or by a cause not inferior to nature, since according to right reason they are the offspring of mind, even as you are now, as I think, asserting; and I agree with you.
ATH. What now, my most ardent Clinias? Are not statements thus made to the masses difficult for us to keep up with in argument, and do they not also involve us in arguments portentously long? (890d-e)

**LS:** Let us see. In 891b, let us read only the beginning of this.

**Reader:**
ATH. Most certainly it is, Megillus; and we must do as he says. For if the assertions mentioned had not been sown broadcast well-nigh over the whole world of men, there would have been no need of counter-arguments to defend the existence of the gods; but as it is, they are necessary. For when the greatest laws are being destroyed by wicked men, who is more bound to come to their rescue than the lawgiver?
MEG. No one.
ATH. Come now, Clinias, do you also answer me again, for you too must take a hand in the argument; it appears that the person who makes these statements holds fire, water, earth and air to be the first of all things, and that it is precisely to these things that he gives the name of "nature," while soul he asserts to be a later product therefrom. Probably, indeed, he does not merely "appear" to do this, but actually makes it clear to us in his account.
CLIN. Certainly.
ATH. Can it be, then, in Heaven's name, that now we have discovered as it were, a very

fountain-head of irrational opinion in all the men who have ever yet handled physical investigations? (891b-c)

**LS:** That is a very strong statement, is it not, that all people who have touched investigations regarding nature held this view, that there are no gods? That is contrary to the wording of many traditions regarding the so-called pre-Socratics. But this is the way in which the Athenian presents it here.

**Reader:**
ATH. Consider, and examine each statement. For it is a matter of no small importance if it can be shown that those who handle impious arguments, and lead others after them, employ their arguments not only ill, but erroneously. And this seems to me to be the state of affairs.
CLIN. Well said; but try to explain wherein the error lies. (891c-d)

**LS:** Now we must stop here. At least the argument which the Athenian uses is to show—of course, as was suggested by Clinias—that the soul is prior to the body. And[89] this primacy of the soul is shown especially with regard to the heavenly bodies, sun, moon and stars, these beings which [appear to have] what is characteristic of the soul,[90] self-motion. Now when you look at the heavenly bodies, you don't see anyone or anything pushing or pulling them: they move on their own; they are living beings, they are gods. By the way, the same view is underlying of course and contradicted[91] in the account of creation in the first chapter of Genesis. When you see the order of created things, the living beings which we would also regard as living beings, come after the sun, moon, and stars. And why? Because the living beings—even the smallest louse is superior in dignity to sun, moon, and stars, which are lifeless bodies. And so Plato naturally takes up this argument. But in the context of the argument, he doesn't prove of course that there are gods of the *polis*—Zeus, Athena, Hera, and so on—but the cosmic gods.

But even this is complicated by the fact that he asserts—we will see this next time, if we can do that—that there must be two souls, two kinds of souls: good ones, responsible for order; and bad ones, responsible for disorder, because there is also disorder in the world. So[92] the primacy of the soul is endangered by the bad souls. Or rather, there might be a way in which the nonsoul is coeval with the soul and brings in the X responsible for disorder. Well, we must read that next time.

[1] Deleted "this."

[2] Changed from "how could he disregard, one could say to begin with."

[3] Deleted "or."

[4] Deleted "than."

[5] Deleted "Let us not—-." Moved "unless." Deleted "there is a—-." Moved "you have a very urgent desire to discuss it."

[6] Deleted "sort of."

[7] Deleted "raise."

[8] Deleted “But generally speaking, it seems even necessary to make such a distinction.”

[9] Changed from “But now if we.”

[10] Deleted “Page 125, bottom. (p.125, Loeb) Yes?”

[11] Changed from “That thought is not pursued here any further, but I suppose there is a connection between this—although what he says does not suffice to make it clear—between the statement about the perfectly good man, that he suffers no injustice, and the assertion that death—that life is not preferable to death.” Deleted “This is said right at the beginning of this book. And then.”

[12] Deleted “in the first place.”

[13] Deleted “here touches on.”

[14] Deleted “In other words.”

[15] Deleted “not by—.”

[16] Deleted “and.”

[17] Deleted “now.”

[18] Deleted “At least, I don't see the connection—.”

[19] Deleted “Yes.”

[20] Deleted “that.”

[21] Deleted “That is—yes?”

[22] Deleted “Moreover.”

[23] Deleted “First.”

[24] Deleted “it.”

[25] Deleted “There are two different considerations here. And now the position will ultimately depend—.”

[26] Changed from “And here where these very striking remarks come—how can you imagine would the virtue of a seduced boy to be increased, if he were made the witness of the lack of self-control of someone who allegedly loves him?” Deleted “and so.”

[27] Deleted “it seems not to be—.”

[28] Deleted “it.”

[29] Deleted “he will—.”

[30] Deleted “the discussion.”

[31] Deleted “because.”

[32] Deleted “—it's talking.”

[33] Deleted “but.”

[34] Deleted “I mean.”

[35] Deleted “a sculpture—like.”

[36] Deleted “**LS**: Sculpture is not living. **Gary**: No, I mean a *sculptor*, the man who makes the sculptures.”

[37] Deleted “The mixture.”

[38] Deleted “Yes but it—.”

[39] Deleted “Yes.”

[40] Deleted “but.”

[41] Deleted “more.”

[42] Deleted “So.”

[43] Deleted “if.”

[44] Deleted “Yes. So.”

[45] Deleted “—shows.”

[46] Deleted “That, here—.”

[47] Moved “permitted.”

[48] Deleted “Because.”

[49] Deleted “you know.”

[50] Deleted “and.”

[51] Deleted “because.”

[52] Deleted “that you can see.”

[53] Deleted “as—.”

[54] Deleted “he.”

[55] Deleted “two ways to bring about—or.”

[56] Deleted “no.”

[57] Changed from “they must be women—a woman.”

[58] Deleted “control—.”

[59] Deleted “And the—.”

[60] Deleted “then.”

[61] Deleted “Yes—.”

[62] Deleted “the former.”

[63] Deleted “in this.”

[64] Changed from “book nine, in 857 C4. Yes, begin here. Page 211?”

[65] Deleted “and that is.”

[66] Deleted “it.”

[67] Moved “—the act of punishment—.”

[68] Deleted “We may begin here. Page 223, top.”

[69] Deleted “where the people—who.”

[70] Deleted “all ignorance is—.”

[71] Deleted “And therefore, that follows.”

[72] Deleted “that.”

[73] Moved “discussed.”

[74] Deleted “He—.”

[75] Deleted “of men—.”

[76] Deleted “they are—that is to say.”

[77] Deleted “Yes, what?”

[78] Deleted “So.”

[79] Deleted “He.”

[80] Deleted “can.”

[81] Deleted “is.”

[82] Deleted “—the.”

[83] Deleted “Which is the first—.”

[84] Deleted “So let us turn to 888D7.”

[85] Deleted “working in—.”

[86] Deleted “So, and.”

[87] Deleted “because.”

[88] Deleted “By the speech.”

[89] Deleted “that means especially.”

[90] Deleted “is.”

[91] Deleted “there.”

[92] Deleted “that.”

**Session 26: no date**

**Leo Strauss:** We looked last time at a few selected passages from books 8 and 9, and we should read today a few passages which at first glance appear to be the most important passages, in books 10 and 12, so that we complete, in a way, the reading of the *Laws*. I stress the words "in a way." Now book 10 is surely a high point of the work, and this for two reasons. The first word of the *Laws* is "god," and book 10 contains a demonstration of the existence of gods; something [that] has hitherto been presupposed is now in a way demonstrated. And the second reason why book 10 is so especially important is this: the character in the *Laws* is the Athenian Stranger, taking the place of Socrates. Now book 10 deals with the subject of God or gods in the context of punishment for impiety, and Socrates was condemned to death on the ground of impiety. So the whole question of Socrates's guilt or innocence comes up in the mind of the reader and surely also in the mind of the writer in book 10. So we will read a few passages from book 10 about that.

Now there are three impious assertions which are discussed: the first, that there are no gods at all; the second, that there are gods but they don't care for human beings; and the third, that there are gods and they care for human beings, but they are not just—they can be bribed by prayers or sacrifices to reward the unjust and to punish the just. Of these three impious assertions, the first is obviously the most important, the proof of the existence of gods altogether. Naturally we must know in a way what a god is; otherwise it is hard to prove the existence [of it]. But we can leave it at saying—the question is not explicitly raised here—that by a god is understood a living being, and more specifically, a deathless being. Now as for the proof, which appears in the form of a refutation of the atheists, they say the primary things are bodies, lifeless bodies, and that by chance or necessity,[1] which two words have here the same meaning, heaven and earth come into being, and so also animals and plants. Still more derivative than animals and plants[2] are the arts, human inventions. Even more derivative, even weaker are laws. Now the gods, who are not, *are* in a manner by virtue of laws, by virtue of agreements or conventions. And these laws or conventions differ from tribe to tribe. But everywhere there is this convention to the effect that there are gods, but the conventions differ as to the qualities and attributes of the gods. Now this much I think we have even read last time, and let us now turn to the sequel at 891b.[3]

**Reader:**
ATH. Most certainly it is, Megillus; and we must do as he says. For if the assertions mentioned had not been sown broadcast well-nigh over the whole world of men, there would have been no need of counterarguments to defend the existence of the gods; but as it is, they are necessary. For when the greatest laws are being destroyed by wicked men, who is more bound to come to their rescue than the lawgiver? (891b)

**LS:** So you see here obviously a difference: the lawgiver comes to the defense of the greatest laws. These greatest laws antedate the actions of the lawgiver, and these greatest laws are the laws implying that the gods exist.

**Reader:**

MEG. No one.

ATH. Come now, Clinias, do you also answer me again, for you too must take a hand in the argument: it appears that the person who makes these statements holds fire, water, earth, and air to be the first of all things, and that it is precisely to these things that he gives the name of "nature," while soul he asserts to be a later product therefrom. Probably, indeed, he does not merely "appear" to do this, but actually makes it clear to us in his account.
CLIN. Certainly.
ATH. Can it be then, in heaven's name—

**LS:** "by Zeus."

**Reader:**
by Zeus, that now we have discovered, as it were, a very fountain-head of irrational opinion in all the men who have ever yet handled physical investigations?

**LS:** You see, that is a very important statement: *all* men who have hitherto[4] made inquiries regarding nature have held this most impious view. In the language of today, all pre-Socratic philosophers were atheists. Of course, that is what the Athenian Stranger says to the Cretan and Spartan, and to what extent Plato himself would say that is another question. Yes?

**Reader:**
ATH. Consider, and examine each statement. For it is a matter of no small importance if it can be shown that those who handle impious arguments, and lead others after them, employ their arguments, not only ill, but erroneously. And this seems to me to be the state of affairs.
CLIN. Well said; but try to explain wherein the error lies.
ATH. We shall probably have to handle rather an unusual argument.
CLIN. We must not shrink, Stranger. You think, I perceive, that we shall be traversing alien ground, outside legislation, if we handle such arguments. But if there is no other way in which it is possible for us to speak in concert with the truth, as now legally declared, except this way, then in this way, my good sir, we must speak.
ATH. It appears, then, that I may at once proceed with an argument that is somewhat unusual; it is this. That which is the first cause of becoming and perishing in all things, this is declared by the arguments which have produced the soul of the impious to be not first, but generated later, and that which is the later to be the earlier; and because of this they have fallen into error regarding the real nature of divine existence. (891b-e)

**LS:** That is clear, yes? If bodies are simply first then the gods are very low rank, in the best case. In the best case they could be products, say, of the elements, of course then also perishable naturally.

**Reader:**
CLIN. I do not yet understand.
ATH. As regards the soul, my comrade, nearly all men appear to be ignorant of its real nature and its potency, and ignorant not only of other facts about it, but of its origin especially—how that it is one of the first existences, and prior to all bodies, and that it more than anything else is what governs all the changes and modifications of bodies. And

if this is really the state of the case, must not things which are akin to soul be necessarily prior in origin to things which belong to body, seeing that soul is older than body? (892a-b)

**LS:** In other words, he wishes to turn around the argument against these atheists: the primary is not body, but soul. And that is fundamentally the demonstration of the existence of gods. What further premises are implied by this, we shall see soon.

**Reader:**
CLIN. Necessarily.
ATH. Then opinion and reflection and thought and art and law will be prior to things hard and soft and heavy and light; and further, the works and actions that are great and primary will be those of art, while those that are natural, and nature itself,—which they wrongly call by this name—will be secondary, and will derive their origin from art and reason.
CLIN. How are they wrong?
ATH. By "nature" they intend to indicate production of things primary—

**LS:** I don't understand.

**Reader:**
By nature, that is *phusin*,[i] they intend to indicate production of things primary—

**LS:** No, [I believe he means] the *genesis*, the coming-into-being *connected* with the first things.[56]

**Reader:**
but if soul shall be shown to have been produced first (not fire or air), but soul first and foremost,—it would most truly be described as a superlatively "natural" existence. (892b-c)

**Mr. Klein:** Born first?

**LS:** I beg your pardon?

**Mr. Klein**: The translation says, "if soul shall have been shown to be produced first," but that is not what the text says.

**Reader:**
ATH. "if soul shall have been shown to have come into being first, not fire or air, but soul first and foremost,—it would most truly be described as a superlatively natural existence." (892c)

**LS:** Namely, because what is primary is superlatively natural; and then the soul rather than elements or bodies would be natural.

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[i] "That is *phusin*" is not in the Loeb.

**Reader:**
ATH. Such is the state of the case, provided that one can prove that soul is older than body, but not otherwise.
CLIN. Most true.
ATH. Shall we then, in the next place, address ourselves to the task of proving this?
CLIN. Certainly.
ATH. Let us guard against a wholly deceitful argument, lest haply it seduce us who are old with its specious youthfulness, and then elude us and make us a laughing-stock, and so we get the reputation of missing even little things while aiming at big things. Consider then. Suppose that we three had to cross a river that was in violent flood, and that I, being the youngest of the party and having often had experience of currents, were to suggest that the proper course is for me to make an attempt first by myself—leaving you two in safety—to see whether it is possible for you older men also to cross, or how the matter stands, and then, if the river proved to be clearly fordable, I were to call you, and, by my experience, help you across, while if it proved impassable for such as you, in that case the risk should be wholly mine,—such a suggestion on my part would have sounded reasonable. So too in the present instance; the argument now in front of us is too violent, and probably impassable, for such strength as you possess; so, lest it make you faint and dizzy as it rushes past and poses you with questions you are unused to answering, and thus causes an unpleasing lack of shapeliness and seemliness, I think that I ought now to act in the way described—question myself first, while you remain listening in safety, and then return answer to myself, and in this way proceed through the whole argument until it has discussed in full the subject of soul, and demonstrated that soul is prior to body.
CLIN. Your suggestion, Stranger, we think excellent**;** so do as you suggest. (892c-93a)

**LS:** So in other words, what we will hear now is a dialogue, but a dialogue between the Athenian and an absent atheist, not with Clinias or Megillus, of course. And in this dialogue he proves the primacy of the soul by an argument along these lines: the soul is the principle of life and is self-moving. Bodily motions are as such caused by others.[7] The self-moving is prior to the other kinds of motions, and in this sense the soul is primary.[8] The soul is, as it is put, the *arche*, the initiating beginning of every motion; and it is the most venerable, the oldest, and best of all changes. Soul is the first coming-to-being and motion of everything that is, that has been, and that will be. And the conclusion from all this is: the soul has come into being prior to the body. That we find in 896c. Perhaps if you read this speech of the Athenian which begins before 896c.

**Reader:**
ATH. Truly and finally, then, it would be a most veracious and complete statement to say that we find soul to be prior to body, and body secondary and posterior, soul governing and body being governed according to the ordinance of nature.

**LS:** According to the ordinance of nature, meaning it may very well happen against nature, say, in a human being, that the body rules the soul, but that is an unnatural, a violent condition. And now let us see the sequel, which is of great importance for the argument as a whole, also for the later argument in book 10.

**Reader:**

CLIN. Yes, most veracious.
ATH. We recollect, of course, that we previously agreed that if soul could be shown to be older than body, then the things of soul also will be older than those of body.
CLIN. Certainly we do.
ATH. Moods and dispositions and wishes and calculations and true opinions and considerations and memories will be prior to bodily length, breadth, depth, and strength, if soul is prior to body.
CLIN. Necessarily.
ATH. Must we then necessarily agree, in the next place, that soul is the cause of all things good and bad, fair and foul, just and unjust, and all the opposites, if we are to assume it to be the cause of all things?
CLIN. Of course we must.
ATH. And as soul thus controls and indwells in all things everywhere that are moved, must we not necessarily affirm that it controls Heaven also?
CLIN. Yes.
ATH. One soul is it, or several? I will answer for you—"several." Anyhow, let us assume not less than two—the beneficent soul and that which is capable of effecting results of the opposite kind.

**LS:** Namely, a nonbeneficent soul.

**Mr. Gary:** No, a maleficent soul.

**LS:** Maleficent, yes.

**Reader:**
CLIN. You are perfectly right. (896c-e)

**LS:** Yes. Now let us stop here for a moment. That is a passage which is very famous and has been brought together with . . . and other kinds of things. Perhaps it has something to do with that, because Xenophon in his *Education of Cyrus* mentions such a doctrine of two souls, a good and a bad soul.[ii] That plays in perfect[ly]. But the main point is, it occurs nowhere else in this form in Plato. But Plato cannot have written it for nothing; there must be a reason. Now if the soul is the cause of everything, there must be two souls, a good one and a bad one.[9] This conclusion is tacitly dropped in the sequel. And that means perhaps also that the premise is tacitly dropped, namely, that the soul is the cause of everything. There must be *two* causes of everything, the soul and x. What that x is is not determined here. This is discussed in the Platonic works elsewhere but not in the *Laws*. But why does he make this discussion here? Now I believe we have to consider the following disjunction: if the soul is the cause of everything, there[10] is a bad soul; there are bad souls, and there may therefore be bad gods. That is one possibility. The alternative is the soul is not the cause of all things. There is also a nondivine cause of disorder of various kinds, of which human injustice is one and perhaps the most important part. But then if there is such another cause, then the gods surely lack omnipotence; they cannot control these other causes. So now the argument regarding providence which follows[11] book 10 is based on

[ii] Xenophon *Education of Cyrus* 6.1.41.

this argument that the gods are good and omnipotent. And this argument I believe is called into question by this brief discussion of, or allusion to, the bad soul. Now let us read next 899b.[12]

**Reader:**
ATH. Concerning all the stars and the moon, and concerning the years and months and all seasons, what other account shall we give than this very same,—namely, that, inasmuch as it has been shown that they are all caused by one or more souls, which are good also with all goodness, we shall declare these souls to be gods, whether it be that they order the whole heaven by residing in bodies, as living creatures, or whatever the mode and method? Is there any man that agrees with this view who will stand hearing it denied that "all things are full of gods"?
CLIN. There is not a man, Stranger, so wrongheaded as that. (899b-c)

**LS:** So in other words, gods, whose existence has been proven in one way or another, are cosmic gods, not the gods of Olympus, the gods worshipped by the city. Yes, that is the Athenian's argument to keep in mind. That is of course of crucial importance for what the law prescribes. If someone would question the existence of Zeus or Hera, this is not forbidden by this[13] implied law, because what we have proven is only the existence of the cosmic gods. Accordingly, Socrates, if he has not believed in Zeus or Hera, would not be guilty of the crime of impiety. Yes?

**Mr. Gonda:** If the disjunction you stated between the souls, the two kinds of soul, soul as a motor principle has to do with . . . doesn't that affect the possibility of punitive justice? . . .

**LS:** I see. What was the second point? I understood the first.

**Mr. Gonda:** Does it do away with the possibility of punitive justice, that is, the possibility of punishing men for wrong and voluntary actions?

**LS:** Well, since retributive justice is a part of divine providence, if divine providence becomes questionable, retributive justice becomes perhaps [questionable]—unless[14] retributive justice is so to speak automatic, meaning that evil deeds[15] will have their consequences on the doer in infinitum. That of course is not excluded.

**Mrs. Kaplan:** He talks here of cosmic gods, and the Olympian gods are also cosmic.

**LS:** That is not explicitly said.

**Mrs. Kaplan:** But what about the so-called domestic gods?[16]

**LS:** What do you mean? Private shrines,[17] this kind of thing?

**Mrs. Kaplan:** Yes, they were in the houses . . .

**LS:** No, [this] is forbidden, that will be made clear. There will be no private sectarianism, so to speak. There will be only the worship sanctioned by the city. Surely the city will not explicitly

say [that] only the cosmic gods can be worshipped and the traditional Olympian gods may not be. It will not say that, but for criminal prosecution, which lies in the hands not of the indiscriminate *demos* but of the cream of the population, they will of course consider that. We must for this purpose read the law regarding impiety which comes very soon.

**Mr. Berns:** I was wondering what you make of the slight inconsistency between having the younger man speak to the older men about these things. It's clear that the proof depends on the principle that the older is more venerable.

**LS:** Yes, the word "older" occurs quite frequently in this section. The soul is older than the body; but this older is obviously somewhat different than that Megillus and Clinias are older than the Athenian. It underlines this, you know: that old age as such has here no particular privilege.

**Mr. Berns:** It seems somehow that the less venerable becomes the leader.

**LS:** Yes, but in another sense[18] he is the more venerable because he is the wiser. There are other things here, but surely it is striking what you all accept at once, that the dialogue is conducted in the presence of Clinias and Megillus, but not with them because they would be wholly unable to be part of it. And therefore what kind of knowledge of the gods they have or acquire, that you can easily see.

**Mr. Berns:** Yes, and what is that dangerous stream they are crossing?

**LS:** Unbelief, I suppose. It would be the simplest explanation.

**Mr. Berns:** Well, I'm not so sure. You mean that somehow the Athenian Stranger is more immune to unbelief than Megillus and Clinias?

**LS:** Yes, because he understands Clinias and Megillus believe in gods, just as their fathers and grandfathers and so on before them may have believed,[19] and they have never seriously thought about that. And now outside of Crete and Sparta, in such places as Athens, there were people like Anaxagoras[20] who questioned their beliefs. And therefore the Athenian is familiar with that; he has given thought to these difficulties and therefore his belief can be *more* rational than the belief of Clinias and Megillus. And he, as it were, carries them on his back into the higher regions of rational belief. Whether that is in fact possible, to carry people in this way, that is a question which is perhaps not even a question. Now let us perhaps consider the law, which throws light on the whole thing, in 907d.[21]

**Reader:**
ATH. After the prelude—

**LS:** The prelude is the whole argument proving the existence of the gods, the prelude to the law regarding impiety.

**Reader:**
After the prelude it will be proper for us to have a statement of a kind suitable to serve as the

laws' interpreter, forewarning all the impious to quit their ways for those of piety. For those who disobey, this shall be the law concerning impiety: If anyone commits impiety either by word or deed, he that meets with him shall defend the law by informing the magistrates, and the first magistrates who hear of it shall bring the man before the court appointed to decide such cases as the laws direct; and if any magistrate on hearing of the matter fail to do this, he himself shall be liable to a charge of impiety at the hands of him who wishes to punish him on behalf of the laws. And if a man be convicted, the court shall assess one penalty for each separate act of impiety. Imprisonment shall be imposed in every case; and since there are three prisons in the State (namely, one public prison near the market for most cases, to secure the persons of the average criminals; a second, situated near the assembly-room of the officials who hold nightly assemblies—

**LS:** So this is the nocturnal council, the highest magistracy in the city, whose function is described more fully later.

**Reader:**
and named the "reformatory"; and a third, situated in the middle of the country, in the wildest and loneliest spot possible, and named after "retribution"), and since men are involved in impiety from the three causes which we have described— (907d-908b)

**LS:** Namely, atheism, denying of providence, denying of the gods being just in retributing justice and injustice.

**Reader:**
and from each such cause two forms of impiety result—consequently those who sin in respect of religion fall into six classes which require to be distinguished, as needing penalties that are neither equal nor similar. For while those who, though they utterly disbelieve in the existence of the gods, possess by nature a just character, both hate the evil, and, because of their dislike of injustice, are incapable of being induced to commit unjust actions, and flee from unjust men and love the just; on the other hand, those—

**LS:** This is one kind. The atheists, but just men.

**Reader:**
on the other hand, those who, besides holding that the world is empty of gods, are afflicted by incontinence in respect of pleasures and pains, and possess also powerful memories and sharp wits—though both these classes share alike in the disease of atheism, yet in respect of the amount of ruin they bring on other people, the latter class would work more and the former less of evil. (908b-c)

**LS:** So the same [distinction] could also apply[22] to the other two heretics, say, those who deny providence but are honest men, and those who deny divine justice but are honest men. Yes?

**Reader:**
ATH. For whereas the one class will be quite frank in its language about the gods and

about sacrifices and oaths, and by ridiculing other people will probably convert others to its views, unless it meets with punishment, the other class, while holding the same opinions as the former, yet being specially "gifted by nature" and being full of craft and guile, is the class out of which are manufactured many diviners and experts in all manner of jugglery; and from it, too, there spring sometimes tyrants and demagogues and generals, and those who plot by means of peculiar mystic rites of their own, and the devices of those who are called "sophists." Of these there may be many kinds; but those which call for legislation are two, of which the "ironic" kind commits sins that deserve not one death only or two, while the other kind requires both admonition and imprisonment. Likewise also the belief that the gods are neglectful breeds two other kinds of impiety; and the belief in their being open to bribes, other two. These kinds being thus distinguished, those criminals who suffer from folly, being devoid of evil disposition and character, shall be placed by the judge according to law in the reformatory for a period of not less than five years, during which time no other of the citizens shall hold intercourse with them, save only those who take part in the nocturnal assembly, and they shall company with them to minister to their souls' salvation by admonition; and when the period of their incarceration has expired, if any of them seems to be reformed, he shall dwell with those who are reformed, but if not, and if he be convicted again on a like charge, he shall be punished by death. But as to all those who have become like ravening beasts, and who, besides holding that the gods are negligent or open to bribes, despise men, charming the souls of many of the living, and claiming that they charm the souls of the dead, and promising to persuade the gods by bewitching them, as it were, with sacrifices, prayers, and incantations, and who try thus to wreck utterly not only individuals, but whole families and States for the sake of money,—if any of these men be pronounced guilty, the court shall order him to be imprisoned according to law in the mid-country gaol, and shall order that no free man shall approach such criminals at any time, and that they shall receive from the servants a ration of food as fixed by the Law-wardens. And he that dies shall be cast outside the borders without burial; and if any free man assist in burying him, he shall be liable to a charge of impiety at the hands of anyone who chooses to prosecute. And if the dead man leaves children fit for citizenship, the guardians of orphans shall take them also under their charge from the day of their father's conviction, just as much as any other orphans. (908c-909d)

**LS:** Let us stop here. So that is the law regarding impiety. Now under which category could Socrates possibly fall?[23] He of course would belong, in the first case, to the just people. That is clear.[24] Would he be full of *parrhesia*, the willingness to say everything, and ridicule other people who sacrifice and swear oaths?[25] This is one group that is full of such frankness and ridicules people who sacrifice and pray. We have an example of that in Xenophon's *Memorabilia*: Aristodemus, in book 1, chapter 4. He was a pupil of Socrates, and he did not sacrifice and pray and ridiculed people who did, and Socrates tried to change him. Some of you may remember that. That is one class. And the other class are those gifted crooks like Alcibiades, and sophists and demagogues, and so on. Socrates surely didn't belong to the second class, but would he belong to the first class, to those who ridicule other people for their piety? I think one can say no.

And then[26] later, remember he makes this distinction: one class is ironical, and they deserve not

only one and not only two deaths—it is not further developed[27] [but apparently this means they deserve] infinitely many deaths—and the others deserve admonition and prison. Now to which class would Socrates belong, assuming that he did not believe in the gods? It is very hard to say. The ironic man would be the man who dissembles; and the dissembler would precisely *not* ridicule other people and therefore make them unwilling to continue with the ritual. Yes?

**Mr. Gonda:** As the law begins it is not concerning the dissembler . . .

**LS:** Yes, but still that is a difficulty in all penal law which the legislator can never state. If he would state: he who steals must pay ten times the amount of the worth of the stolen thing *will* pay that, then he has said an untruth. He would have to add, if he is caught, which the legislator cannot do for sheer shame.

**Mr. Gonda:** . . .

**LS:** Yes, but perhaps this is meant when he speaks of the ironical type, which[28] is worthy of not one and not two deaths, but will not be executed because of lack of evidence. So at any rate, the law is there much milder:[29] even in the worst case he would get five years' prison and not death . . . [30][Imagine] a lawyer who accepts cases, the defense of people whom he knows to be criminals: he will be punished much more severely in the Cretan city than the just atheist. That is amazing. It is a remarkable statement. People called this "inquisition," but it is very different from inquisition. And the conversation with this nocturnal council, that would be friendly conversations in this *sophronisterion*, it is called, the place for making people more moderate, more reasonable, more sensible. [LS laughs] You can say it is a reformatory if you do not think of the actual reformatories but of what a reformatory could or should be. And that would be not the worst that could happen to a man.

**Mr. Goldwin:** It sounds like a compulsory graduate school of theology.

**LS:** But "theology" is an ambiguous term. Does it mean rational or revealed theology?

**Mr. Goldwin:** Here it would be rational.

**LS:** Revealed theology is by definition not rational. Why don't you call it then philosophy?

**Mr. Goldwin:** Because I don't want to be impious. [Laughter]

**L**S: Well, you have a better reason, because the term philosophy occurs as far as I can see only twice in this very lengthy work, and surely not in book 10.

**Student:** What is divine providence? Or what would it mean to talk about a man who believed in the gods but did not believe in divine providence?

**LS:** The Epicureans are a famous example. You know, the gods live in some places in between the worlds, *intermundia*; they live in perfect bliss and don't care for men. In a certain way, [they are] like the Olympian gods.

**Student:** Yes, I guess that would be like the gods.[31]

**LS:** Yes, Dr. Kass?

**Dr. Kass:** Couldn't one say that the distinction has to do not with piety at all but with other virtues: the more severely punished are in a way the unjust? In fact, in the very first class, the man who is just but impious, suggests the connection alluded to between the gods and certain virtues doesn't obtain.

**LS:** Yes. So you mean, in other words, impiety would seem to mean primarily criminality in every respect. And that is tacitly questioned here. Yes, that is true.[32] Of course, in that modern movement in the seventeenth and eighteenth century,[33] morality was regarded as the highest tribunal, before which even religion would have to justify itself. Something of this is already here, something like this.[34] The classic example in modern times was Spinoza, you know, who was regarded as an absolutely terrible unbeliever but at the same time a virtuous man: didn't steal silver spoons, paid his taxes and whatever else. And so if you have done any reading in the seventeenth and eighteenth centuries, you must have come across this kind of thing. It is still effective today, I believe.

**Mr. Kaplan:** Nietszche says that when one abandons the gods, one breathes morality.[35]

**LS:** Yes, that is a long question. And one could, just for the sake of argument, say that Nietzsche himself refutes this thesis:[36] he asserts God is dead, and for this reason morality is dead.[iii] So that is a long question. But to come back to the Athenian Stranger, I think it is clear how amazingly liberal he is. And the ambiguity here is that on the one hand we have here the mocker, in the sense of the second psalm, where it speaks of the "seat of the scornful"; and on the other hand the ironic man, who, in the original sense of "ironical," would of course not mock but be a dissembler.[37] This ambiguity is here, I think, a key for the whole thing. But we have to consider one more passage in book 12, in the last book, and beginning in 963 at the very beginning. And here the Athenian Stranger leads up to the demand for a firm anchor for the whole edifice, and this can only be a group of men of the greatest possible knowledge—citizens . . . but still men of the greatest possible knowledge. And this is what he calls the nocturnal council, to which he had already referred in book 10, in the passage which we have read. Now what are these men of the nocturnal council supposed to do, apart from their practical, judicial and legislative functions? If you will read that, please.

**Reader:**
CLIN. Then, Stranger, was not the view we stated long ago the right one? We said that all our laws must always aim at one single object, which, as we agreed, is quite rightly named "virtue."
ATH. Yes.
CLIN. And we stated that virtue consists of four things.
ATH. Certainly.
CLIN. And that the chief of all four is reason—

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[iii] Nietzsche, e.g. *The Gay Science*, §108, 125, and *Thus Spoke Zarathustra,* prologue.

**LS:** *Hegemona*, yes.

**Reader:**
CLIN. at which the other three, as well as everything else, should aim.
ATH. You follow us admirably, Clinias; and now follow us in what comes next. In the case of the pilot, the doctor, and the general, reason is directed, as we said, towards the one object of aim which is proper in each case; and now we are at the point of examining reason in the case of a statesman, and, addressing it as a man, we shall question it thus:—"O admirable sir, what is your aim? Medical reason is able to state clearly the one single object at which it aims; so will you be unable to state your one object, you who are superior, as perhaps you will say, to all the wise?" Can you two, Megillus and Clinias, define that object on his behalf, and tell me what you say it is, just as I, on behalf of many others, defined their objects for you?
CLIN. We are totally unable to do so.
ATH. Well, then, can you declare that we need zeal in discerning both the object itself as a whole and the forms it assumes?
CLIN. Illustrate what you mean by "the forms" you speak of.
ATH. For example, when we said that there are four forms of virtue, obviously, since there are four, we must assert that each is a separate one.
CLIN. Certainly.
ATH. And yet we call them all by one name: we assert that courage is virtue, and wisdom virtue, and the other two likewise, as though they were really not a plurality, but solely this one thing—virtue. (963a-d)
CLIN. Very true.
ATH. Now it is not hard to explain wherein these two (and the rest) differ from one another, and how they have got two names; but to explain why we have given the one name "virtue" to both of them (and to the rest) is no longer an easy matter.
CLIN. How do you mean?
ATH. It is not hard to make clear my meaning. Let one of us adopt the role of questioner, the other of answerer.
CLIN. In what way?
ATH. Do you ask me this question—why, when calling both the two by the single name of "virtue," did we again speak of them as two—courage and wisdom? Then I shall tell you the reason,—which is, that the one of them has to do with fear, namely courage, in which beasts also share, and the characters of very young children; for a courageous soul comes into existence naturally and without reasoning, but without reasoning there never yet came into existence, and there does not nor ever will exist, a soul that is wise and rational, it being a distinct kind.
CLIN. That is true.
ATH. Wherein they differ and are two you have now learnt from my reply. So do you, in turn, inform me how it is that they are one and identical. Imagine you are also going to tell me how it is that, though four, they are yet one; and then, after you have shown me how they are one, do you again ask me how they are four. And after that, let us enquire regarding the person who has full knowledge of any objects which possess both a name and a definition, whether he ought to know the name only, and not know the definition,

or whether it is not a shameful thing for a man worth anything to be ignorant of all these points in regard to matters of surpassing beauty and importance.
CLIN. It would certainly seem to be so.
ATH. For the lawgiver and the Law-warden, and for him who thinks he surpasses all men in virtue and who has won prizes for just such qualities, is there anything more important than these very qualities with which we are now dealing—courage, temperance, justice, and wisdom?
CLIN. Impossible.
ATH. In regard to these matters, is it not right that the interpreters, the teachers, the lawgivers, as the wardens of the rest, in dealing with him that requires knowledge and information, or with him that requires punishment and reproof for his sin, should excel all others in the art of instructing him in the quality of vice and virtue and exhibiting it fully? Or is some poet who comes into the State, or one who calls himself a trainer of youth, to be accounted evidently superior to him that has won prizes for all the virtues? In a State like that, where there are no wardens who are competent both in word and deed, and possessed of a competent knowledge of virtue—is it surprising, I ask, if such a state, all unwarded as it is, suffers the same fate as do many of the States which exist today?
CLIN. Not at all, I should say.
ATH. Well, then, must we do what we now propose, or what? Must we contrive how our wardens shall have a more accurate grasp of virtue, both in word and deed, than the majority of men? For otherwise, how shall our state resemble a wise man's head and senses, on the ground that it possesses within itself a similar kind of wardenship?
CLIN. What is this resemblance we speak of, and wherein does it consist?
ATH. Evidently we are comparing the State itself to the skull; and, of the wardens, the younger ones, who are selected as the most intelligent and nimble in every part of their souls, are set, as it were, like the eyes, in the top of the head, and survey the state all round; and as they watch, they pass on their perceptions to the organs of memory,—that is, they report to the elder wardens all that goes on in the State,—while the old men, who are likened to the reason because of their eminent wisdom in many matters of importance, act as counselors, and make use of the young men as ministers and colleagues also in their counsels, so that both these classes by their cooperation really effect the salvation of the whole State. Is this the way, or ought we to contrive some other? Should the State, do you think, have all its members equal, instead of having some more highly trained and educated?
CLIN. Nay, my good sir, that were impossible.
ATH. We must proceed, then, to expound a type of education that is higher than the one previously described.
CLIN. I suppose so. (963d-65b)

**LS:** [38]Here philosophy raises its ugly head in a slightly disguised way, this question which is so familiar to you from the *Protagoras* and other dialogues, of the oneness and the manyness of the virtues. This is now entrusted to the highest magistracies in the city, the nocturnal council; and a much higher education than was hitherto explicitly discussed is needed in order to save the city. Now the way in which the manyness of the virtues is discussed here is somewhat different from what is said in the other dialogues, insofar as courage is taken here simply as[39] wholly nonrational, as something which also beasts can have, contrary to what has been said by Socrates

so often. And therefore the problem of virtue becomes very striking, that it consists of[40] [such] radically different things: the intellect on the one hand, and irrational "courage" on the other. And one would have to consider why the Athenian Stranger uses this extreme formulation which is not elsewhere used by Plato. So this is the first great subject with which the nocturnal council must concern itself: virtue with a view to the fact that it is one and many. And then there is another subject which comes up a little bit later[41] at 966C.

**Reader:**
ATH. And is not one of the fairest things the doctrine about the gods, which we expounded earnestly,—to know both that they exist, and what power they manifestly possess, so far as a man is capable of learning these matters; so that while one should pardon the mass of the citizens if they merely follow the letter of the law, one must exclude from office those who are eligible for wardenship, unless they labour to grasp all the proofs there are about the existence of gods? Such exclusion from office consists in refusing ever to choose as a Law-warden, or to number among those approved for excellence, a man who is not divine himself, nor has spent any labour over things divine.
CLIN. It is certainly just, as you say, that the man who is idle or incapable in respect of this subject should be strictly debarred from the ranks of the noble.
ATH. Are we assured, then, that there are two causes, amongst those we previously discussed, which lead to faith in the gods?
CLIN. What two?
ATH. One is our dogma about the soul,—that it is the most ancient and divine of all the things whose motion, when developed into "becoming," provides an ever-flowing fount of "being"; and the other is our dogma concerning the ordering of the motion of the stars and all the other bodies under the control of reason, which has made a "cosmos" of the All. For no man that views these objects in no careless or amateurish way has ever proved so godless as not to be affected by them in a way just the opposite of that which most people expect. (966c-e)

**LS:** Most people expect that the study of astronomy would lead to atheism, but just the opposite is true, as he will explain in the sequel. But let us for one moment consider the two subjects in connection: the virtues (the oneness and manyness), the gods (which means the primacy of the soul compared to the body); and secondly, that the heavenly bodies are *living* beings, and therefore gods guided by *nous*. What is the connection between these two subject matters, these highest subject matters, according to the *Laws*?

**Mr. Kaplan:** The manyness, there are many gods and many virtues . . .

**LS:** Yes,[42] all right, that one can say. But would not the question of the virtues as stated before lead to what is generally known[43] as the doctrine of ideas? The word *eide* occurs, but not necessarily in the precise[44] [or] technical sense; and here[45] the virtues are either directed to or culminating in the *nous*, the intellect. And therefore the highest theme should not be the virtues but the intellect, and that means the theology of the *Laws*. That I believe is the connection, so that the theology would be the highest subject intimated here. What do you say about that?

**Mr. Klein:** I am really not clear about that. Now I think that, as you said before, this is the first

time that philosophy raises its head. And I think it does point to the problem of one and many among the ideas. But I don't quite see directly the relation to virtue.

**LS:** The relation to virtue of what?

**Mr. Klein:** [46]Of this philosophical reflection.

**LS:** Well, starting very simply, we must know the *telos*, the *skopos* [the end, the goal], with a view to which the statesman has to order the city. And this is[47] indicated with the word "virtue," human excellence.[48] And now here we are confronted with a difficulty, because virtue on reflection proves to consist of heterogeneous and perhaps even incompatible parts, and[49] this is a tremendous difficulty. Of virtue we hear in this context only that the highest of the virtues, or the leader of the virtues is *nous*, and so it is necessary to consider not merely the virtues but also *nous*.

**Mr. Klein:** *Nous* appears here in two ways. In one way it appears as a virtue, and in a second way it appears as the ruler of the cosmic order.

**LS:** Yes, sure, but let us assume for one moment that there is a *nous* as the cosmic ruler. Would this not[50] throw light on the human *nous*? Would this not be very important for the human *nous*?

**Mr. Klein:** For the human *nous*, yes.

**LS:** Good. So what is here assumed is that there is a cosmic *nous*, and therefore the argument seems to run thus:[51] we are being led from reflection on the virtues to the *nous* in the cosmic sense. And this is not possible to do clearly or rationally without reflecting on the soul, i.e., its primacy compared to the body, and[52] on the rationality of the heavenly motions and the *nous* guiding them. But the overall result, as it seems to me, is that in the context of the *Laws* the *nous,* and therefore the gods, are the highest.

**Mr. Klein:** Yes.

**LS**: I think that is one great difference between the *Laws* and the *Republic*, where one could say that the theology in books 2 and 3 is there but[53] is superseded somehow by what is said in books 6 and 7 about the ideas. So there is a movement from the gods to the ideas, and here just the opposite, which would make perfect sense in the different contexts of the two dialogues and would leave entirely open the question as to what Plato himself thought.

**Mr. Klein:** It would leave open the question about *nous*.

**LS:** Yes, that is, the question of what Plato himself thought about that.

**Mr. Berns:** In what sense can we say that here is a movement from ideas to the gods?

**LS:** Well,[54] that needs a justification, you're quite right. But let us[55] [discuss] the virtues. And when analyzing the virtues here, we find not only that they are many but that they culminate in,

are guided by the *nous*. And therefore the highest consideration, higher than that of the virtues in general, is that of the *nous*. And this is practically identical with the theology, in the sense in which there is a theology in the tenth book of the *Laws*.

**Mrs. Kaplan:** In this theology the *nous* would be the highest god, wouldn't it? . . .

**LS:** Yes, but then the question comes up on the basis not of the *Laws*, but of Plato's work in general, what is the relation of the *nous* to the ideas?

**Mrs. Kaplan:** . . . I don't say it is the only immortal thing, but it is *always,* according to this.

**LS:** Yes, that is all right; but the question is nevertheless, since the *Laws* is only one work of Plato among many and one would be compelled to raise the question, since it is not discussed in the *Laws*: What is the relation of the *nous* and the ideas? And the solution that the *nous* is the *place* of the ideas, that is the Aristotelian solution. That one cannot ascribe to Plato without a long argument. So I don't know.

**Mr. Klein:** By the way, it is interesting that when he enumerates the four virtues, he doesn't use the word *sophia*, but *phronesis*.

**LS:** *Phronesis.* Yes, sure. But formerly he had used *nous.*

**Mr. Klein:** So that there is a deliberate, oncarrying relation to *nous*.

**LS:** Yes, but I believe it would make sense if in the *Laws* the supremacy of the *nous*, as distinguished from the ideas, were observed. The ideas are somehow there, as the very questions regarding the virtues show, but they are not the theme in any way. That would be most unsuitable.

**Mrs. Kaplan:** From the beginning, starting with statutes and not mentioning philosophy until the very end, the book is finished by pointing to the most philosophical considerations. Not a philosophical book, it just starts by being rational.

**LS:** Yes, well that would not be too surprising in the case of Plato, who does all kinds of—

**Mrs. Kaplan:** I meant to say that when we started, there was nothing about philosophy. And the questions were drinking, and war, and so forth, until finally they turn to questions of philosophy . . .

**LS:** Yes, but they are not called "philosophic" here, of course. The word "philosophic" or "philosophizing" occurs just twice in the whole *Laws*. I think the first place we discussed it was somewhere in the ninth book, where he speaks only of what one would call a philosophizing physician as distinguished from the merely empirical, who would consider the whole nature of the body. And it is clear that the philosopher would consider the whole nature not only of the body but also of the soul. That is implied, but[56] the conclusion is not explicitly drawn. Yes?

**Mr. Gonda:** It's hard to see what principle guides that lack of explicitness. It can't be something that demands a political situation as the foundations, because then one could say why is piety not among the virtues?

**LS:** Why piety? Yes, but piety[57] consists in knowing that the gods are, that they are just, and acting accordingly.[58] [But] you mean because he mentions four virtues and there are five? Yes, that is true, and especially here in this work where so much had been said about piety, it is particularly striking.[59] But I think Plato is speaking seriously. Piety would be identical with philosophy, just as for Aristotle. And the other things which belong to piety—sacrificing and prayers, that is—belong to the *polis*. And therefore *eusebeia* is not a virtue in Aristotle's *Ethics*, as you know. And piety is knowledge of God, and knowledge of God is the highest knowledge, and what that means is a long question. But this is at least a formally sufficient question. There is one passage which we might perhaps read, it has something to do with what you say, in 967d. Yes?

**Reader:**
CLIN. How so?
ATH. It is impossible for any mortal man to become permanently god-fearing if he does not grasp the two truths now stated,—namely, how that the soul is the oldest of all things that partake of generation, and is immortal, and rules—

**LS:** Yes. You see: "Of all things which partake of generation." That could be thought to mean there are things which do not partake of generation, and the soul is younger than they.

**Reader:**
and rules over all bodies,—and in addition to this, as we have often affirmed, he must also grasp that reason which controls what exists among the stars, together with the necessary preliminary sciences; and he must observe also the connection therewith of musical theory, and apply it harmoniously to the institutions and rules of ethics—

**LS:** All right, all right. "Of characters."

**Reader:**
of characters, and he must be able to give a rational explanation of all that admits of rational explanation. He that is unable to master these sciences, in addition to the popular virtues—

**LS:** "the vulgar virtues," in order to make it perhaps a bit more expressive.

**Reader:**
in addition to the vulgar virtues, will never make a competent magistrate of the whole state, but only a minister to other magistrates. (967d-68a)

**LS:** Let us stop here. So[60] these vulgar virtues he must also possess; but the core of his being is these other virtues which consist primarily in knowledge, and[61] which repeats in a way what he had said about the soul and the heavenly bodies before. Is there any other point you would like to

raise? Dr. Kass?

**Dr. Kass:** With respect to the argument before, I don't see how the *nous* is here the highest. It seems that unless one identifies it somehow with god or the divine, it seems that the discussion points ultimately to gods out there. Even in the passage here, *nous* is talked about as that which rules the motions of the heavenly bodies, and on the other hand points toward the soul and the virtues. I guess I don't see the identification of the two.

**LS:** You do not see which identification?

**Dr. Kass:** That of *nous* with the divine . . .

**LS:** Yes, but that was meant to be the demonstration of the existence of gods: a) the primacy of the soul compared with the body, and b) the order of the heavenly bodies, of course in addition to their being animated. And their being animated is, I think, evident because without being pushed or pulled, they move. Hence they must have the principle of motion in themselves; hence, they are living beings. I believe this is the argument[62] which is tacitly used and tacitly rejected in the first chapter of Genesis. The heavenly body is lower in rank than any louse, which is so contrary to what the Greeks thought about that.

Well, then, I wish you a happy summer and a good vacation.

[1] Deleted "which has here the same meaning—."

[2] Deleted "much more derivative."

[3] Changed from "—that is 891 B1. Do you have it? The speech of the Athenian."

[4] Deleted "investigated—."

[5] Moved "I believe he means."

[6] Deleted "The connection going on—going on in connection with the first things."

[7] Deleted "Now there is—."

[8] Deleted "It is—."

[9] Deleted "the conclusion."

[10] Deleted "are."

[11] Deleted "this book."

[12] Changed from "Now let us see what we read next. In 899 B, at the beginning, there is the speech of the Athenian."

[13] Deleted "law, by the."

[14] Deleted "justice—."

[15] Deleted "what they do to the doer."

[16] Deleted "These gods, they were more [inaudible words], gods of domestic [inaudible words] in almost in every

house?”

[17] Deleted “or.”

[18] Deleted “of course.”

[19] Deleted “that.”

[20] Deleted “and so on, you know.”

[21] Changed from “—that comes later, in 907D 4.”

[22] Deleted “the same distinction.”

[23] Deleted “There is—.”

[24] Deleted “The just people. he second.”

[25] Deleted “This is one group, yes.”

[26] Moved “he.”

[27] Deleted “meaning.”

[28] Deleted “deserves—deserves—.”

[29] Deleted “in.”

[30] Deleted “Say.”

[31] Deleted “in the, yes.”

[32] Deleted “But that was, Plato—.”

[33] Deleted “in the course of which.”

[34] Deleted “Well.”

[35] Deleted “**LS**: One? **Kaplan**: When one abandons the gods— **LS**: The gods, yes. **Kaplan**: —one breathes morality.

[36] Deleted “you know, that.”

[37] Changed from “in the sense of the second psalm—if mocking the term used in the English translation, which I don't know? Is “mocker” the term? No, in the second psalm, the "seat of the scornful”? At any rate, the mockers, and on the other hand, the ironic man, who in the original sense of ironical, who of course would not mock, but a dissembler.”

[38] Deleted “Perhaps [inaudible words].”

[39] Deleted “a.”

[40] Deleted “radically—so.”

[41] Deleted “We may begin.”

[42] Deleted “but.”

[43] Deleted “for—.”

[44] Deleted “sense, in the.”

[45] Deleted “but.”

[46] Deleted “Of this reflection.”

[47] Deleted “called with the word—.”

[48] Deleted “that is the thing.”

[49] Deleted “so one has—.”

[50] Deleted “be—.”

[51] Deleted “that.”

[52] Deleted “b).”

[53] Deleted “that.”

[54] Deleted “that is—.”

[55] Deleted “say, the virtues.”

[56] Deleted “it is not—.”

[57] Deleted “is—.”

[58] Deleted “And therefore it is not—.”

[59] Deleted “you are quite right.”

[60] Deleted “that—.”

[61] Deleted “of which it—.”

[62] Changed from “I believe the argument—I think I mentioned, the argument.”