

Understanding And Individuality In The Three Cities: An Interpretation Of Plato's *Laws*¹

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In the *Laws*, Plato asks, first of all, whether humanity, through reason and the political art, possesses some sovereignty in ordering human life to the divine good, and secondly, whether the human individual has the freedom to realize this good in and through his own private interests. Does humanity have any substantial meaning, or does it exist as a mere toy of the gods? Does the individual, in his human attachments, desires, and doubts, have a relation to the historical manifestation of divine objectivity (the state),² or is this connection to the whole only achieved through denying these aspects of life that differentiate us from our common identity as citizens?³ Guiding these political questions in the *Laws* is one of the most fundamental questions to the whole Platonic philosophy: does that which is many, different and particularizing have any existence and truth, or is it merely opposed to the truth of the complete, undivided whole? What is the relation between self-complete divinity and incomplete humanity?

In answering these questions, the *Laws* belies a fundamental tension between recognizing and repressing difference. There is, on the one hand, an emphasis in the dialogue upon the importance that the individual personally understand and internalize the rationality of the laws, and that he retain certain aspects of the private realm of human

¹ This interpretation arose out of a graduate seminar on Plato's *Laws* co-taught by Richard Kraut and Sarah Monson at Northwestern University. I express thanks to both of them for their helpful criticisms, and to all the other participants in the seminar for their contributions, many of which are undoubtedly reflected in my argument. I also thank Michael Naas for his helpful comments on this paper.

² Throughout the *Republic*, *Statesman*, and *Laws*, the relation between the common identity of the state (as promoted by the ruling principle of the city) and the various natural interests of individuals as separate from this political unity is intimately related to two important aspects of Plato's ontology. This political relation of ruler and ruled, of state and individual interests, corresponds to the structure of the first principle and its relation to everything that is other than this principle, as well as the relation between a form and the different and divided instantiations of its universal identity. I call the state, for this reason, the historical manifestation of divine objectivity. Because of this intimate connection in Plato's thought between ontology and politics, if he cannot show the logical connection between the united Good and its divided manifestation, or, in the language of the late dialogues, between the limit and the unlimited (peras and apeiron), he will remain unable to show the internal connection between the collective, common interest of the city and the particular, individual natural desires and happiness of individual citizens.

³ In contrast to this second option, Thucydides reports that Pericles commended the laws of Athens for their ability to "afford equal justice to all in their private differences." *The Landmark Thucydides: A Comprehensive Guide to the Peloponnesian War*, ed. Robert Strassler, trans. Victor Davis Hanson (New York: Free Press, 1996) 2.37, p. 112.

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life that differentiate citizens as individuals (property and family). Yet, on the other hand, the need for understanding the laws exists only in the highest ruling element of the state, and any desires that are not immediately related to the common good undermine that unity and can at best be tolerated as necessary evils.⁴ In this essay I will show how these questions are a primary concern for Plato in the *Laws*, and how he recognizes a need simultaneously to affirm and to negate the truth of individual human interests. The dialogue moves through three different types of cities: the Spartan/Cretan model which represses individual freedom and pleasures; the model which mixes freedom and right rule, internalized in every individual citizen; and finally, through the nocturnal council, a model which reintroduces stringent limits on the citizen, while requiring full understanding only in this governing body.⁵

Interpreting The *Laws*⁶

A great deal of the scholarship on Plato's *Laws* has not taken proper account of this tension between the Platonic ambition to incorporate the individual's natural freedom within the state, and the necessity of restricting this freedom in order to preserve the stability of the whole. For many years, an understanding of the *Laws* was inhibited by the prevalence of the opposed interpretations of Karl Popper's radical liberalism and Leo Strauss' anti-modernism.⁷ Both Popper,⁸ through his attack on Plato's totalitarian

⁴ This can also be seen as a tension between what André Laks calls "the 'reduction' of the law," and what I will call the 'magnification,' or 'proliferation' of the law. Laks writes: "a constitution is capable of overcoming tyranny, by extending the domain of persuasion. This state of affairs I suggest we call the 'reduction' of the law. The term 'reduction' means that while the law should be replaced by persuasion, in fact it will never be. While one should be careful as an interpreter not to conjure away either of these two aspects, according to one's own political or metaphysical credo, one should also recognize that the *Laws* tends as a whole and in all its parts to explore the second aspect, that is, the conditions of successful reduction" (André Laks, "Legislation and Demiurgy: On the Relationship Between Plato's *Republic* and *Laws*," *Classical Antiquity*, vol. 9, no. 2 (1990) 224-5).

⁵ I agree completely with André Laks' position that one's first focus in interpreting the *Laws* should be the internal relationship between the cities mentioned within the dialogue itself, rather than the relation between the city of the *Laws* and the city of the *Republic* (a relationship which is nevertheless important to understand). Laks writes that "ce n'est pas seulement par rapport à l'utopie de la *République* que la cité des *Lois* doit être située, mais aussi, et surtout, par rapport à celle qu'elles sécrètent elles-mêmes, en vertu d'une problématique qui leur est propre." See André Laks, "L'Utopie législative de Platon," *Revue philosophique* no. 4 (1991) 418.

⁶ The *Laws* is one of the most neglected works of Plato's corpus. For a complete bibliography of secondary literature on the dialogue, see Trevor J. Saunders' *Bibliography on Plato's Laws: Revised and completed with an additional bibliography on the Epinomis by Luc Brisson* (Sieburg: Sankt Augustine, 2000). For a good account of why philosophers have neglected the *Laws*, see André Laks' excellent overview of the dialogue in *The Cambridge History of Greek and Roman Political Thought*, eds. C. Gill and G. McCabe (Cambridge: Cambridge University Press, 2000) 258-292 (see especially on this point pp. 258-260).

⁷ On the tension between these two poles of interpretation of Plato's *Laws*, see John R. Wallach, *The Platonic Political Art: A Study of Critical Reason and Democracy* (Pennsylvania: Pennsylvania University Press, 2001) 354-7.

⁸ See Karl Popper, *The Open Society and Its Enemies - Vol. I: The Spell of Plato* (Princeton: Princeton University Press, 1965). Popper writes that "Plato's political program, far from being morally superior to totalitarianism, is fundamentally identical with it" (87).

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repression of the individual by limiting his critical powers, and Leo Strauss,⁹ through his recovery of Plato as a theorist of natural law and theological politics as a response to the destructive individualism of modernity, emphasize the side of theocratic limitation of individual freedom at the expense of the other tendency equally present in Plato's thought.¹⁰ Where Popper attacks Plato's theocratic ideal in the *Laws* on behalf of our modern, "open" society, Strauss learns from Plato's political thought that the city must be "closed." Whether constructing a prosecution or an apology for Plato's political reflections in the *Laws*, neither Popper nor Strauss accord adequate emphasis to the sense in which Plato's preservation of the city as a whole through control over the individual's natural freedom belies an opposed desire to accommodate the individual and allow him to limit the endlessness of his desires for himself. For years, almost all scholarship on Plato's *Laws* was determined by these poles of liberalism and anti-liberalism, though subsequent interpretations have served to gradually soften the extreme distinctions underlying these positions, thus opening the possibility of more balanced and fair reading of Plato's last political work.¹¹

Much of the recent scholarship has significantly moved beyond these limiting interpretations, and has come to acknowledge the fundamental tension within the *Laws* between Plato's aspiration to bring the individual citizen, in and through his particular, natural desires, to a self-conscious and reflective grasp of the divine truth of the laws, and his recognition that this individual self-consciousness is destructive of civic unity and must be limited and controlled for the sake of preserving the stability of the city.¹²

⁹ Strauss affirms the conclusion of the *Laws*, in which the knowledge and opinions of the citizenry must be strongly limited in order to preserve stability and loyalty to the laws, whereas only philosophers should be permitted to reflect upon the whole. For all its problems, Strauss' reading of the *Laws* is of course far more helpful than Popper's. For Strauss' interpretation of the *Laws*, see especially his book *The Argument and Action of the Laws* (Chicago: University of Chicago Press, 1975). Also relevant are his section on Plato in his *History of Political Philosophy*, eds. Leo Strauss and Joseph Cropsey (Chicago: University of Chicago Press, 1963) 33-89; *The City and Man* (Chicago: University of Chicago press, 1964); *Studies in Platonic Philosophy*, ed. Thomas Pangle (Chicago: University of Chicago Press, 1983). For a very helpful analysis and critique of Strauss' interpretation of Plato, see Neil Robertson, "Leo Strauss' Platonism," *Animus* 4 (1999), <http://www.swgc.mun.ca/animus/1999vol4/roberts4.htm> (especially p. 10).

¹⁰ Strauss sees the *Laws* as both "the most political work of Plato" and "Plato's most pious work." See *The Argument and the Action of Plato's "Laws,"* pp. 1-2.

¹¹ After Popper, liberal interpreters of the *Laws* such as R.F. Stalley have been generally in agreement with Popper's attack on Plato's "erroneous" argument that "the good life demands conformity to establish patterns of thought and behaviour" and that "to give [individuals] freedom is simply to allow them to do the wrong thing." See R.F. Stalley, *An Introduction to Plato's Laws* (Oxford: Basil Blackwell, 1983) 184. At the same time, Stalley softens Popper's critique precisely through pointing towards the parts of the *Laws* in which Plato seeks to redeem individual freedom in a manner more conducive to liberal ideals, through reconciling 'collectivism' and 'individualism' in a way that they do not have to be ultimately opposed. While still occasionally focusing on the *Laws* with a view to criticize "the liberal republicanism fueled by forces of modern technology" [Pangle, 375], later Straussian interpreters of the *Laws*, such as Thomas Pangle, Zdravko Planinc, and Seth Bernadete, also temper Strauss' contemporary interest in recovering the natural law tradition as a corrective of modernity's excesses. See Thomas Pangle, *The Laws of Plato, translated with notes and interpretative essay* (New York: Basic Books, 1980) ; Zdravko Planinc, *Plato's Political Philosophy: Prudence in the Republic and the Laws* (Columbia: University of Missouri Press, 1991); Seth Bernadete, *Plato's "Laws": The Discovery of Being* (Chicago: University of Chicago Press, 2000).

¹² Trevor Saunders writes that "there is in the *Laws* a clear tension between what Plato would like to prescribe and what he feels he can achieve in practical terms" (Trevor Saunders, "Plato's later political

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Understanding this tension has directed many contemporary interpreters to question whether or not Plato prescribes persuasion or compulsion (or a mixture of both) in order to bring about loyalty and obedience to the laws, and whether or not Plato conceived persuasion in the *Laws* as rational persuasion, or merely the manipulation characteristic of a 'noble lie.'¹³ Yet neither answer to these questions is satisfactory, without a more systematic explanation of why both positions seem to be present in the dialogue. The relation between these two tendencies in Plato's thought remains in most accounts largely unexplained.

The other issue dominating secondary literature on the *Laws* is the question of its relation to Plato's earlier dialogues, particularly the *Republic*. It has been almost universally accepted that the relationship between the *Republic* and the *Laws* is one of an ideal as opposed to a practical politics, and that the *Laws*, having no real philosophical import of its own, is merely the empirical manifestation of the philosophical ideal of the *Republic*. Yet the differences¹⁴ between the two dialogues are incoherent on this view, and the whole philosophical significance of the *Laws* is concealed by this framework of interpretation.

thought," in *The Cambridge Companion to Plato*, ed. Richard Kraut (Cambridge: Cambridge University Press, 1992) 482). Christopher Bobonich points to "the genuine tension in Plato's views between guaranteeing stability and encouraging reflection...between encouraging citizens to develop good grounds for their ethical beliefs and guaranteeing that they arrive at, and retain, true ethical beliefs." He criticizes those interpretations which "dismiss one side of the tension...or reading away those aspects of the *Laws* which point to ethical reflection as a goal for the citizens" [see Bobonich's "Reading the Laws," in *Form and Argument in Late Plato*, eds. C. Gill and M. McCabe (Oxford: Clarendon Press, 1996)]. André Laks gives a more precise formulation to this tension between the necessity of giving political power to those with knowledge of divine truth, and of having a constitution with "the agreement of all the constitutive parts of the city." Laks rightly observes that, for Plato, "not only do the two criteria of knowledge and consensus not overlap; potentially they conflict. The normative meaning of the concept implies that its extension be limited. The result is a tension that pervades all of Plato's political thought" (Laks, "Legislation and Demiurgy," 218). Plato seeks a universal inclusive of all otherness which does not lose its self-identity in this dispersion. See my footnote 52 below on the reason for the potential conflict indicated by Laks.

¹³ See the debate between Christopher Bobonich and R.F. Stalley. In his article "Persuasion, Compulsion and Freedom in Plato's *Laws*" (*Classical Quarterly* 41 (1991) pp. 365-388), Bobonich argues that persuasion is essentially rational argument made to convince free citizens. Stalley replied with his article "Persuasion in Plato's *Laws*" (*History of Political Thought*, Vol. XV, No. 2, Summer 1994, pp. 157-177), in which he argued that persuasion in the prelude involves any means necessary of moving the irrational element of the individual's soul into accord with the divine reason of the state.

¹⁴ The most significant changes from the *Republic* to the *Laws*, which are always noticed by scholars but rarely explained, are the following: 1) the political involvement not only of an elite guardian class, but the city as a whole; 2) the establishment of a restricted right to private property and private family life, and a less polemical relation to personal pleasures in general; 3) the mixed constitution; 4) the rule of law replacing the unreliability of individual rulers. All of these can be explained in relation to the ontological reformulations of the late dialogues, as I outline these changes in paragraphs 6 -14. They can be generally explained by the *Laws*' "prise en compte des formes fondamentales d'irrationalité que sont, en l'homme réel, le plaisir et l'égoïsme, que la *République* tendait à négliger" (Laks, "L'Utopie législative de Platon," 417). This concern for the irrational is intimately connected with Plato's later understanding of the forms and the first principle, which are now inclusive of otherness, or what is different than the rational identity.

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Some recent interpretations have rightly noted that the *Laws*, far from being a merely empirical appendage to the *Republic*, presents a philosophical viewpoint of its own.¹⁵ André Laks, by far the best interpreter to date of Plato's *Laws*, rightly acknowledges that the *Laws* is simultaneously a completion, revision, and implementation of the political project outlined in the *Republic*.¹⁶ Laks, building upon the important work of Glenn Morrow on the dialogue, calls for "an interpretation at a systematical level" of how Plato's "general metaphysical scheme... could explain some fundamental features of Plato's political philosophy."¹⁷ Noting the analogy between the demiurge of Timaeus and the legislator of the *Laws*, Laks seeks to investigate "the structural similarity between the political and cosmic processes."¹⁸

While Laks sees the relation between *Republic* and *Laws* as analogous to the relationship between a form and its empirical manifestation, the difference between the *Republic*, *Statesman*, and *Laws* is rather based upon Plato's different understanding of the forms and of the relation between identity and difference in each of these dialogues. To clarify the difference between Laks' interpretation and that of the present argument, it is necessary briefly to consider the development from Plato's 'middle' to 'late' dialogues. Each dialogue has its own distinctive yet related account of the relationship between form and empirical manifestation. In the middle dialogue ontology, the Good and its determinations, the ideas, are wholly self-identical and beyond division, in order that they exist beyond the power of the sophistic dialectic and its manipulation of every contradiction. Having a principle that is beyond all division means that the particulars that it comprehends must be stripped of their particularity in order to be truly comprehended by the self-identical unifying form. It is because the Good and each idea are absolutely beyond distinction that citizens are stripped of all their natural individuality in the three waves. Differences of private property, gender, and family, as features that distinguish the individual from the common identity of the whole, must be wholly eliminated by the logic of the *Republic*. It is only in the move to the late dialogues, in which it is shown that what is other than being is not wholly non-existent, but merely different than what is (*Sophist* 257b-c, *Statesman* 284a8-b2), that those aspects of reality through which one exists as an individual as apart from the community (property, family) can be cautiously allowed to co-exist alongside the common identity of the state.

¹⁵ While acknowledging Glenn Morrow's point that the city has a definite location in time and space that shapes its character, P.A. Brunt denies that one can conceive the *Laws* as empirical and historical as opposed to the ideality of the *Republic*. He sees the city in the *Laws*, like the one in the *Republic*, as a "theoretical model." See P.A. Brunt, "The Model City of Plato's *Laws*," in *Studies in Greek History and Thought* (Oxford: Clarendon Press, 1993) 247. Yet Brunt, despite the importance of this insight, goes on to account for the differences between *Republic* and *Laws* non-theoretically, arguing that Plato gives up certain important ideas in the *Republic* in the *Laws* because they prove "impractical" (247). Along with Laks, I argue for a much more systematic explanation of these differences.

¹⁶ Laks writes that while these three functions of the laws within Plato's political thought are in a tension, "this tension does not threaten the coherence of the overall project. For the *Laws* itself aims at articulating a certain tension, one which mirrors the radical and irreducible polarity between the human and divine." See Laks, in *Cambridge History of Greek and Roman Political Thought*, 267.

¹⁷ Laks, "Legislation and Demiurgy: On the Relationship Between Plato's *Republic* and *Laws*," 210.

¹⁸ Laks, "Legislation and Demiurgy," 209. Paragraphs 6 - 14 seeks to substantiate and further develop Laks' view.

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One can no longer merely look to the ideas in their pure positivity, having no distinction or relation to other ideas. In *Parmenides*, Parmenides describes the negativity that the new dialectic brings into view: "you must not merely make the supposition that such and such a thing is and then consider the consequences; you must also take the supposition that the same thing is not" (*Parmenides* 135e-136a). While this passage in its immediate context describes the method of the hypothetical section of the dialogue, it also characterizes the new approach to the First Principle and the ideas in the late dialogues. Gadamer describes the result of the tortuous argument of Parmenides in the following way: "The Parmenides proof... shows that the idea of unity does not exclude, but posits together with itself, the idea of multiplicity. So this is the positive intention of the dialectic, which seemed so lacking in direction: to show that the Ideas, as things in regard to which there is unity, do not need to be absolutely one but can embrace a multiplicity of things in regard to which there is unity. This possibility is the positive expression of the impossibility, which is demonstrated in the *Parmenides* of being able to think multiplicity without unity or unity without multiplicity."¹⁹ It is with this notion of the co-relative, mutual necessity of unity and plurality, being and not-being, rest and motion, sameness and otherness, that the Platonic logic is revised in the *Sophist*. All reality is composed from the most basic principles, the One and the Dyad. The ideas, no longer merely positive, unmixed unities, are composed out of the five greatest kinds. The eidetic realm is a mixture of the logical contraries of sameness and otherness (*Philebus* 26b-c), while the sensible realm is a mixture of these principles as rest and motion (*Timaeus* 49a-53a). The fifth of the greatest kinds, being, exists "in the soul" (*Sophist* 250b) as a power, "a being affected or a doing arising from some power whose source is the coming together of all things, one against the other" (*Sophist* 248b, 247d-e). The soul, being neither of the contraries, comprehends them both, as the agent causing their combination and separation. Significantly, there now emerges one logic that comprehends the structure of both intelligible and sensible realities, whereas in the Middle Dialogues, the intelligible, eidetic realm was a world of static atoms unrelated and eternally at rest, while the sensible was a pure mobility that had no existence of its own. In the late dialogues, everything from the First Principle to each sensible instantiation is a mixture of sameness/rest and otherness/motion. Because the relationship between form and empirical instance is analogical to the political relation of ruler to ruled, this common structure between form and sensible instances in turn accords a new kind of substantial truth to the citizenry, who are in the *Laws* included in the governance of the city. What I call the second city of the *Laws* thus attempts to grant a free dialectical relationship to truth in each individual. This means that he is granted a degree of individuality through property and family, and that he should be persuaded of the laws' rationality through preambles, rather than being forcefully compelled to obey them.

Plato initially sees this ontological revision as having overcome sophistry. The soul of the divine maker constitutes all ideas as a fixed ratio of sameness and otherness. The difference between the philosopher and the sophist is that the philosophic soul heeds the given articulations divinely established in the nature of things, and attempts to produce a

¹⁹ Hans-Georg Gadamer, *Plato's Dialectical Ethics: Phenomenological Interpretations Relating to the Philebus*, trans. Robert M. Wallace (New Haven: Yale University Press, 1991) 97

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logos, or definition, expressive of this given structure. The sophistic soul ignores the divine as the measure of being and not-being, taking himself to be absolutely creative of meaning. Yet this given ratio of sameness and otherness is the objective measure of all truth and falsity beyond the opinion of any particular measuring subject.

The *Sophist* and *Statesman* share this same ontology in which the soul in possession of *techne* creates mixtures without reference to any external measure. In the *Sophist*, God is described as spontaneously generating the various mixtures without reference to any measure outside of himself. Analogously, the statesman is simultaneously law-maker and ruler, governing without laws and generating the constitution through his possession of the political art: "the political ideal is not full authority for laws, but rather full authority for a man who understands the art of kingship and has kingly ability" (*Statesman* 294a, 297a5-b3, 300d9-e2). Written laws are used only as a second best method in the absence of an individual possessing intelligence and the art of government. Thus God is the measure of being and not-being ontologically, and the statesman is the measure of right and wrong politically. The limiting form exists in the mind of the one producing the mixture, which he imposes upon an unlimited principle to produce a mixture.

Yet in the last stage of Plato's ontology (*Philebus*, *Timaeus*, *Laws*), there is a concern that this location of the limit and measure within the spontaneous activity of the soul of an individual is merely a divine sophistry. For it is the sophist who makes himself measure of a world whose nature is in itself indeterminate without his measuring judgment. In response to this, Plato moves the measure beyond the subject, and so both God and the statesman are demoted to the role of demiurgic imitation of a pre-existent measure.

This shift first appears in the *Philebus*. The dialogue begins with the earlier ontology of the *Sophist* and the *Statesman*. The four kinds (*Philebus* 27b7-c1) are listed as the unlimited (the dyad), the limit (the One), the mixture (the idea) and the cause of the combination (the subjective power: it is stated that there is "no more than a verbal difference between a cause and a maker" at 26e). Yet by the end of the dialogue, the Good emerges as the conjunction of beauty, reason and measure, and this "determines the qualities of the mixture" (*Philebus* 65a). In the new hierarchy of goods, the three aspects of the Good, measure, beauty, and reason, have the three highest places. The knowledge and *dunamis* of the soul is lowered to the fourth position, above only the unlimited principle itself (*Philebus* 66b8-c6). Thus the soul looks to the Good as measure, beauty and truth, and brings this limit into combination with the dyad, producing a mixture.

This lowered status of the agent who causes the interaction between the One and the Dyad is developed politically in the *Laws* in the form of the status of law as ultimate measure of right and wrong. The laws must all be established in extensive detail in order to allow as little room as possible for human tinkering (*Laws* 898a-b). The lawmaker and the ruler are different positions in this society, and the ruler becomes a mere custodian of the pre-given laws. Yet having a measure existing independently of the subjective measure of the ruler opens the political structure of the *Laws* to a criticism of this model in favour of the dynamic measure of a knowing legislator-ruler made throughout the

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Statesman: a static law as absolute measure of right and wrong has no ability to conform itself to the particular requirement of individuals and their unique situations (*Statesman* 294-296). The nocturnal council is granted this dialectical relation to the whole divine truth, while the perspective of individual citizens must be dramatically limited in relation to this complete view in order for the good of the whole community to remain stable.

One can see how the question of whether the citizenry can adhere to the laws through being freely persuaded to an agreement coming from themselves, or whether this adherence must come from external, uncomprehending compulsion, is in fact directly related to the question of the ontological relation between cause and caused. Just as Socrates in *Phaedo* professed disappointment with Anaxagoras' *Nous*, for the reason that this principle, due to the lack of internal relation between the cause and the caused,²⁰ was imposed upon the principled through appeal to ancillary, or external causes, Plato seeks a political principle which can draw together the law and the individual obeying the law through an internal agreement between the two sides that requires no external compulsion to unite the will and the law. By looking at the *Laws* in this light, Laks has produced several articles that better capture its philosophical essence than any previous commentary on the dialogue. Yet Laks does not sufficiently recognize the way in which the conclusion of the dialogue conflicts with its promotion of individual pleasures and freedom and a personal, self-conscious understanding of the laws in all its citizens.²¹

The following interpretation is distinct from all previous accounts of the *Laws*, including that of Laks, in seeing the tension between an individual's freedom and self-consciousness with the stability of the state as a whole as unfolding in three fairly distinct logical steps, which I take to correspond to the three cities the Athenian mentions at 739c.²² While I do not agree with those who argue that the introduction of the nocturnal

²⁰ See *Phaedo*, 92-98.

²¹ In other words, Laks does not properly account for how his excellent statement regarding the *Laws*, "that the *Laws* tends as a whole and in all its parts to explore the...reduction [of the law]," applies neither to the late introduction of the Nocturnal Council, nor to the severe limitations of the individual freedoms and pleasures of the citizenry. See Laks, "Legislation and Demiurgy," 225.

²² The passing reference to the third city is generally left unexplained in most interpretations of the *Laws*. P.A. Brunt writes that "Plato makes a half promise to sketch a third best city, which he never does." See Brunt, "The Model City of Plato's *Laws*," 245. Laks offers a plausible alternate interpretation of the third city. On his account, the universal truths offered in the description of the city in the second-best method of the *Laws* would have to be adapted to the circumstances of the particular location and people and the contingencies that distinguish them. To bring these universal truths properly into the particular circumstances would require a third discussion, the third city. Laks writes: "while the world itself is one, there are numerous cities on earth. It is in this context that one must understand the mention, alongside the first two cities (the best and the second-best), of a 'third city' (739e5), to which Plato never reverts and which has occasioned much puzzlement. There are good reasons to think this third city is identical with the city of Magnesia that will be established by the Cretan legislative body once the discussion in the *Laws* is completed. But at the same time, this third city stands for the open series of all cities that would be willing to engage in self-reform, whether they are colonies or not. These cities, of course, would differ greatly from one another, depending on a variety of circumstances which Plato does not spell out." (Laks, in *The Cambridge History of Greek and Roman Political Thought*, 274.) This does not seem to give sufficient attention to the extent to which the city is already directly concerned with the particularities of the Cretan city. While the mention of the third city is left thoroughly underdetermined by Plato in the dialogue, I argue that my interpretation helps better understand this passage as well as the movement of the dialogue as a

council into the state is merely an inexplicable appendage to the dialogue foreign to the spirit of the work as a whole, I do argue, against Morrow and Laks, that this stage of the argument expresses the collectivist and theocratic pole of the tension central to the dialogue, and that it constitutes a separate stage from the second-best city discussed throughout most of the *Laws*.²³ Far from being a mere appendix, however, the necessity of introducing the Nocturnal Council to preserve the stability of the state reveals the logical impasse confronted by Plato due to the Platonic relation of Limit and Unlimited, or identity and difference, that manifests itself politically through the irreconcilable antagonism of individual freedom and civic stability, natural desires and rational truth.²⁴ I argue that Plato himself gives many indications within the dialogue of his disappointment with this resolution, which nevertheless presses itself upon him as necessary if one is to control the destructive sophistic spirit that threatens the state to its very foundations. This interpretation helps make sense of many important passages in the *Laws* that have proved incomprehensible within other interpretations, such as the Athenian's comments on comedy and tragedy, and his mention of an unexplained 'third city.'

The Task Of The *Laws*

That Plato sought to show that human interests are not merely inconsequential and opposed to the primacy of divine interests is evident through Socrates' argument at the end of the *Symposium*, that "the same man might be capable of writing both comedy and tragedy - that the tragic poet might be a comedian as well."²⁵ In that dialogue, there is a demand that the truth of tragedy and comedy be reconciled in one perspective, or, in other words, that humanity manifest a kind of completeness, though at best a kind of relative, or incomplete, completeness. From the tragic perspective, expressed by Agathon, God (in the dialogue, *eros*) is wholly separate and independent of humanity and finitude.²⁶ The divine completeness is only experienced by humanity as destructive and

whole, although the plausibility of seeing the dialogue in the three stages I outline does not depend completely on accepting this interpretation of this passing reference.

²³ Laks writes: "Interpretation of the dialogue has long suffered from the belief that this dawn assembly is an 'appendix' that is badly integrated into a constitution already complete without it (it is not even mentioned until Book XII). Some even declared the Nocturnal Council an instance of human authority set 'above' the law" (Laks, *The Cambridge History of Greek and Roman Political Thought*, 282-3. Yet Laks underplays the powers given to the council, especially in relation to executing punishment for unacceptable religious beliefs. See also Glenn R. Morrow's analysis of the Nocturnal Council in his excellent book *Plato's Cretan City: A Historical Interpretation of the Laws* (Princeton: Princeton University Press, 1960) 500-515.

²⁴ See note 52 below

²⁵ *Symposium* 223d.

²⁶ See, for example, Sophocles' *Trachiniae*: "And in all this action there is nothing that is not Zeus." (1278). As cited in James Doull, "The Christian Origin of Contemporary Institutions," *Dionysius* VI (1982) 131. I am greatly indebted to this piece and other writings of James Doull for my understanding of Platonism and the ancient world in general. For Doull's brief yet extremely instructive comments on the *Laws*, see "The Christian Origins of Contemporary Institutions Part One," especially 121-125; "Findlay and Plato" in *Studies in the Philosophy of J.N. Findlay*, edited by R.S. Cohen, R.M. Martin, and M. Westphal (Albany, 1985), especially 258-260; and "The Hypotheses of Plato's Parmenides," in *Philosophy and Freedom: The Legacy of James Doull*, eds. David Peddle and Neil Robertson (Toronto: University of Toronto Press, 2003), especially the last section of the article entitled "After Parmenides."

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limiting of its own will and partial understanding. From the comic perspective, expressed through Aristophanes' mythological account of eros' origin, there is a lost completeness within the human that can be regained through finite, human interests: the human seeks a lover to regain its lost unity. Through eros, there is a divine element in the natural desires and inclinations of the human, who has an implicit possession of this Good recoverable through practical activity²⁷ (in the *Laws*, this implicit possession of the Good is located in understanding). Yet this wholeness found in the relation of human to human is not a complete completeness: "the fact is that both their souls are longing for something else."²⁸ In fact, their initial natural completeness was forsaken through a desire for the total identification with the divine beyond nature. Plato takes it to be both possible and desirable for our "comic" self-realization to be, at one and the same time, a "tragic" assimilation to the divine as primary. The divisions of human life must be reconciled both 'objectively' in the state, and 'subjectively' for the individual. This legitimacy of the desire for this incomplete completeness, a human freedom in finite, practical affairs, is the central question of the *Laws*. Can the human truly satisfy the "desire... which is universal in all men... that events shall fall out in accord with the bidding of a man's own soul, all of them, if possible, but if not, at least those which depend on human agency?"²⁹ Is the human "a puppet made by gods... as a plaything, or perhaps with some more serious purpose?" (644e).

The *Laws* opens with a prologue which introduces the political interest in this question. The opening question as to whether the laws of Sparta and Crete are instituted by a god or a man establishes the objective (theocratic³⁰ and subjective (secular) poles of the human relation to the Good (624a). Are the laws derived wholly from the divine, without any human creative element, or are the laws totally conventional, having their source in human decisions that have no correspondence to what is right by nature? Importantly, the middle ground between theocratic and secular rule is foreshadowed in Clinias' initial reply to the Athenian: the law in Crete was both transmitted directly from Zeus to Minos, while Minos' brother, Rhadamanthus, co-administered the state through his inherent sense of justice (624a-625a).

Plato chooses the Athenian, Cretan and Lacedaemonian interlocutors of his dialogue to illustrate this middle ground between divine theocracy with no human freedom and secular freedom with no divine limit. In addressing the question of whether human sovereignty is merely destructive, or whether it is able serve the common good when properly directed, one would be misled by thinking that Plato wishes to move the Spartan and Cretan to an Athenian way of life. While the philosophical depth of the Athenian guides the discussion throughout the dialogue, the pleasures, freedom and individual sovereignty of Athenian life are not discussed uncritically. Athenian political life has been undermined by a sophistic subjectivity, such that one could no longer say with

²⁷ See Aristophanes' *Birds*: "All that was Zeus' of old now is our hero's alone; Sovereignty, partner of Zeus on his throne, now is forever his own." (1752-3). As cited in Doull, "The Christian Origins," 131.

²⁸ *Symposium* 192c.

²⁹ *Laws* 687c. All subsequent references to the *Laws* will appear in parenthetical references in the text.

³⁰ For a defence of the somewhat anachronistic use of "theocracy" in relation to Plato's *Laws*, see André Laks, *The Cambridge History of Greek and Roman Political Thought*, 260-1.

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Pericles that "all this ease in our private relations does not make us lawless as citizens."³¹ The sophist, designating himself the measure of truth beyond all authority or tradition, makes the demand that the individual know his own relation to and difference from the Good. Unless there is some way to make the city, and not merely the individual, the measure of what is just and unjust, the basis for a common political life disappears. It is not clear that Athenian freedom, having produced from within itself this sceptical subjectivity, is ultimately compatible with a lasting, ordered society.

In contrast to this free Athenian society are the militaristic, legalistic societies of Sparta and Crete, which cut off this individual scepticism and freedom at its root. The "venerable legal institutions" (625b) of Crete and Sparta are as much a corrective to Athenian sophistry as the Athenian model is a corrective to their restrictive legalism. Yet Crete is alternately discussed in its present form, which resembles Sparta's repressive regime on most points, and the new Cretan city which emerges throughout the discussion (foreshadowed by its divine/human origins). The dialogue thus presents Athenian freedom and Spartan/Cretan restrictions as extremes that are mediated and drawn together through the new Cretan city.³² The purpose of the dialogue is thus to move from both the repressive regimes of Sparta and Crete and the permissiveness of Athens to the newly founded city that combines strong rule with some degree of individual freedom. While "the distance from Cnossus to the cave and chapel of Zeus is...quite considerable" (625b), the dialogue must surmount this distance between an abstract legalism and the wisdom of Zeus, which is comprehensive of the division between public and private.³³

My interpretation of the *Laws* depends upon recognizing that there is for Plato an analogy both between complete divine rule (with no human involvement) and autocratic human rule (with no individual freedom), and between secularized human rule (with no divine involvement) and unlimited, democratic freedom (with no unifying principle of rule).³⁴ Answering the question of whether the laws have a divine or human source involves considering the proper relation of divinity to humanity, while answering the question of whether rule should be autocratic or democratic involves considering the proper relation of the ruling to the ruled elements within the city.

If the human has no role in making laws, then only the divine has true self-consciousness and freedom, since self-consciousness and freedom within the human realm can only serve to undermine absolute divine authority (the perspective of tragedy,

³¹ *The Landmark Thucydides*, 2.37 (p. 112).

³² This is also foreshadowed through the patron gods of the three interlocutors. The Spartan Megillus is associated with Apollo, the tragic god of Fate that rules human life beyond human control (theocracy), and the God associated with taming barbarism and excessive pleasures. The Athenian is associated with Athena (626d), who reconciles disputed claims through pacific means, weaves together disparate elements, and institutes a human court to provide self-determination and sovereignty to man in everyday affairs. The Cretan is associated with Zeus, who, in bringing together these two positions (the political wisdom and the subjection of the masses), foreshadows the relation between the nocturnal council and the citizenry.

³³ See Laks' account in *The Cambridge History of Greek and Roman Political Thought* (260-261) for a fine literary interpretation of this walk described in the dialogue's opening scene.

³⁴ At this point in the essay I will merely lay down the correspondence, substantiating it throughout the course of the argument.

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in which self-consciousness only emerges through carrying out one's fated self-destruction). In complete divine rule, there is no human consciousness of the negativity of the law, and the human submits his passions immediately to this end (by negativity, I simply mean what is not identical to the command, what Plato calls not-being [*me on*], or *apophasis*. This negativity can either take the form of what is merely different than the law, or the form of what is contrary and opposed to it).³⁵ What is legislated becomes the total horizon of our consciousness, as the truth of the law is the only relation to the Good of which we are conscious. Likewise, if one concedes that humans play some role in legislation, yet theocratically limits the scope of who can understand and interpret the divine basis of this law to the ruling class, the citizenry must relate to this ruling principle with the same uncomprehending obedience that humanity as a whole exhibits in a divinely ruled state.

The correspondence between human laws with no relation to the divine and the radical democracy described in the *Laws* is more immediately evident. In respect to the relation between God and human, in purely human rule there is no principle above the human that limits or measures the truth and falsity of its laws. Similarly, in relation to the ruler and ruled, there is in radical, anarchic democracy no rule above the individuals that would be ruled.

For Plato, in the *Laws*, the two extremes of theocracy and secular human rule share a common presupposition: that the realm of humanity and the realm of causes and first principles are qualitatively different and absolutely unconnected. In each case, the unity of the two worlds is revealed through the mediation of understanding and law. We must examine Plato's exposition of the logic behind the extremes of purely divine laws and purely human laws. Ultimately, these extremes drop from view in the dialogue in its focus upon the best human rule, but remain in the background through their human versions: absolute monarchy vs. radical democracy.

The Athenian makes a passing reference to the logic by which theocracy is necessary and human freedom impossible. In a discussion of how conditions that are beyond the legislator's control undermine the power of human legislation, the Athenian considers the possibility that God controls everything, and that "man never legislates at all...no law is ever made by a man, and...human history is all an affair of chance" (709a-b). On this view, there is absolutely no human knowledge, since our reality is devoid of the regularities and intelligible patterns necessary to learn universal truths. Our discovery of divine truth occurs only through experiencing the consequences of fate, since there is no knowledge of the causes of why events happen the way they do. There is a world of divine, rational necessity and a world of human contingency, and humanity has absolutely no access to the rationality of this divine realm. In a formula that evokes the

³⁵ For example, if there is a law that one's primary devotion must be to the state, devotion to one's family is the negativity of this law, and can either co-exist beside it as different than the command, or can become one's primary concern, thus assuming a relation of contrariety to the edict. The law's negativity can refer to a realm of private interest that is not identical to the public interest, or even customs, laws and traditions from foreign countries.

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logic of tragedy, the Athenian outlines this possibility "that God is all, while chance and circumstance, under God, set the whole course of life for us" (709b).

In direct contrast to this view that God is the only legislator, the Athenian later describes the atheistic, sophistic view that all laws and institutions are entirely human conventions. Here, the separation of the two worlds is preserved, but they are completely inverted.³⁶ Rather than a world of causes that is wholly rational and necessary, and a caused world that is wholly contingent, it is the world of causes that is wholly arbitrary, and the derivative, caused realm that is the source of all thought and meaning in the world. Based upon a cosmology in which the world, prior to human agency, is produced "not by agency or mind, or any god, or art, but, as I tell you, by nature and chance" (889c), this secular account denies the world any meaning of its own. As a result, the human is the measure of all things, and law has its legitimacy in the mere fact that someone is able to enforce it: "every change thus made, once made, is from that moment valid, though it owes its being to artifice and legislation, not to anything you could call nature...indefeasible right means whatever a man can carry with the high hand" (890a). Although laws do not capture the true nature and order of the world, they have no source outside the human will.

The Athenian dismisses both the theocratic and secular logics by establishing a way in which the human can mediate between the realm of reason and the realm of chance. In the first case, while acknowledging the difference between the realm of God and the realm of human contingency, he recognizes that "we must allow for the presence of a third and more amenable partner, skill" (709d-e). Through our understanding, we can bring some of the divine order into the realm of human affairs, creating laws based upon a knowledge of causes. In the second case, the two worlds are bridged by demonstrating that mind is a universal cause that orders and explains both natural being and human action: "he should defend the claim of law itself and art to be natural, or no less real than nature, seeing that they are products of mind by a sound argument" (890d). Through the same principles which govern human art (wisdom, foresight, law, judgment), soul is responsible for all change and transformations in nature (892a-c). In both the theocratic and secular refutations, human legislation ordered to a divine end is possible because reason is not restricted to either divine or human worlds, but is the true nature of both.

At 739c, the Athenian refers to a threefold, hierarchical division of cities. I suggest that the first-best city refers to the divine theocracy in which no human individuality has emerged within the undifferentiated unity of the state (and in a subordinate way, the Spartan/Cretan society in which individual pleasures and freedom have not emerged); the second-best city refers to the mixture of autocracy and democracy which combines freedom and order through understanding of the law; and the third-best, mentioned only in passing, refers to the final configuration of the emerging Cretan city, in which the nocturnal council relates to the good self-consciously, while the citizenry relates to it

³⁶ Although this position is atheistic, for the purposes of the comparison, nature and chance can be viewed as the realm of the divine, since they are the first principles and causes of all reality.

through uncomprehending obedience to the law.³⁷ We now pass to an analysis of the three-fold movement of the dialogue from legalistic obedience to the good without consciousness of pleasure and freedom, to the mixture of freedom and rule in the whole state, to the separation of a nocturnal council that governs through understanding, and a ruled citizenry which blindly obeys without knowledge of the negativity of the laws. This movement thus makes the demand for individual well-being, freedom, and understanding, and then negates it in everything except for the ruling principle.

The Three Cities

I. The Spartan Autocracy/Theocracy

There are two versions of the first kind of state: the mythical version in the time of Cronus, in which the human race was directly ruled by divine spirits, and the historical version in the Spartan and Cretan societies. What is common to these divinely and humanly ruled examples is the fact that no individual self-consciousness has emerged in either city. Public and private realms are immediately identified, and the citizens have no conception of a private realm as against the public law. Citizens immediately obey authority without questioning or seeking to understand the reasons behind its decrees.

In the first best society, no individual self-consciousness has emerged. The whole city is united like the parts of a body that have absolutely no independence from one another. It is

a community in womenfolk, in children, in all possessions whatsoever...all means have been taken to eliminate everything we mean by the word ownership from life...all possible means have been taken to make even what nature has made our own in some sense common property...our eyes, ears and hands seem to see, hear, act in the common service...all approve and condemn in perfect unison and derive pleasure and pain from the same sources...(739c-d)

Every single aspect of reality that differentiates the individual is abolished in this city through wholly negating the private realm of property and family. Even our senses, through which each person experiences the world in his own personal way, are common,

³⁷ The first, second and third best cities are later symbolized by the three Fates: Lachesis, Clotho and Atropos (960c). Lachesis represents the first state, in that she is the disposer of lots, or in other words, the immediate, uncomprehending, tragic relation to the divine (the word means destiny and fate). Clotho represents the second best state, as spinner of the web of life, weaving the mixed state of pleasure and its limit. Yet neither of these fates makes the spinning irreversible, since the mixture of the state can be undone if the citizens regard the pleasures as independent in their difference from limits of the law. It is with the third fate, Atropos (meaning 'not turning', 'inflexible'), representing the nocturnal council at the head of the state, that the laws "abiding preservation" and "this rightful irreversibility" (960d). The nocturnal council returns to a theocratic ideal, in which the citizens no longer encounter the negativity of the law. This encounter with otherness is left in the secure hands of the council alone, since they have the most firm, unshakeable grasp of the truth of the laws.

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so that there are no separately existing subjectivities. All truth lies in the common identity of the state, and all difference or otherness must thus be conceived as purely opposed to the state.³⁸

The initial position of Clinias clearly outlines this "tragic" logic characteristic of the Spartan/Cretan society: "Our Cretan legislator constructed the universal scheme of all our institutions, public and private, with a view to war, and transmitted his laws to us for observance in precisely the same spirit" (626b). There is no reconciliation within human life whatsoever, since "humanity is in a condition of public war of every man against every man, and private war of each man with himself" (626d), and "the peace of which men talk... is no more than a name" (626a). This conflict exists between cities, factions, individuals, and within individuals. On this view, there can be absolutely no reconciliation for human self-consciousness of oppositions arising within the practical realm.

From the viewpoint of tragedy, the unity of apparent oppositions is beyond human understanding. As a result, society must be trained with a view to dominance in these perpetual clashes of fundamentally irreconcilable perspectives. By this military logic, no individual must stray in the least from the order of the whole, with each individual surrendering all personal well-being in sacrifice to the common good of the army. Questioning the rules and customs of the whole must be completely eliminated.³⁹ Because Spartan and Cretan citizens merely obey instructions and laws immediately without any understanding of the causes or reasons behind these commands, they are unable to act virtuously in a wholly novel situation without direction.⁴⁰ The Good in no way lies within the individual, but is commanded from without.

In this society, any freedom or quest for individual, natural well-being is completely repressed, so that each individual remains wholly unacquainted with these aspects of human life. Any loyalty to family or desire for some degree of personal flourishing is excluded by this devotion to the whole, as "there is no benefit to be got from any other possessions or associations" (626b). The Spartan and Cretan societies are the only examples "whose lawgiver has enjoined you to leave the intensest pleasures and delights utterly untasted" (635b). While the human, in its natural state, is conscious of both pains and pleasures,⁴¹ this natural human disposition is wholly repressed in these societies.

³⁸ In this limited way, individual freedom in Cretan/Spartan society resembles the community of guardians in the *Republic*.

³⁹ In Sparta and Crete, there is no scientific understanding of causes, but merely an empirical acquaintance with given customs. The individual knows nothing beyond its explicit instructions. The Athenian characterizes Spartan and Cretan society in the following way: "Your cities are organized like armies, not like societies of town dwellers; you keep your young men in herds like so many colts at grass in one troop. None of you ever takes his own colt, draws him out of the general herd, for all his restiveness and fuming, and puts him in charge of a special groom to be stroked and tamed and treated with all the attention required by a training which will make him no mere good soldier, but a man fit to administer a state and its townships" (666e).

⁴⁰ "We Spartans and our Cretan friends are quite incapable of any singing but that we learned when we were trained to sing in choirs" (666d).

⁴¹ "A child's first infant consciousness is that of pleasure and pain" (635a).

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Only the experience of pain is permitted (633b-c), since there is nothing in pain that will tempt an individual away from strict adherence to the laws.

This strict legalism is criticized by the Athenian. If citizens are not familiarized with the full spectrum of experience, both painful and pleasurable, they will not be able to retain their relation to the Good in their encounter with this unforeseen. The human must gradually be introduced to an ever-more complex range of experiences, so that he can be self-consciously tethered to the Good through a deeper understanding of both these extremes.

II. The Mixed Constitution

In Spartan/Cretan societies, "the lawgiver has enjoined [the citizens] to leave the intensest pleasures and delights untested" (635b). While Spartan and Cretan citizens are subjected to great pain in order to be trained never to flee from individual danger or pain at the expense of public good, the Athenian argues that without equal exposure to the most intense personal pleasures, citizens will never be able to resist their temptation upon encountering them. As opposed to a limit through annihilation of personal pleasures and passions, the ruler must acknowledge their existence and permit their limited enjoyment in his society. This middle-road between pleasure and pain is seen to share in divine freedom, through achieving a "state which we all, on the strength of the oracular saying, plausibly assign to God himself" (792d).

The structure of the second-best state emerges as a correction of the abstract and repressive legalism of the Spartan/Cretan constitution. The standard to which this new state strives is formulated in the following way: "the mark of godliness will be truly hit if the gods of the lower world are held in honor next to the Olympians" (717a). This is to say that the gods of reason and political wisdom must be worshipped, but no longer at the expense of the gods of nature, family, and passion. These are equally divine and must be given their due within the Pantheon of gods deserving of worship.⁴² Instead of completely repressing the private realm that distinguishes individuals from the common unity, one now recognizes this realm as existent, and then attempts to order it to the good through a limit.⁴³ The new constitution takes the form of a mixture between an indeterminate

⁴² Paul Epstein writes the following on this struggle between Olympians and titans as a central structure of Greek thought: "the world of Tragedy, as that of Homeric Epic, assumes the result of the war between the Olympian gods and the Titanic powers, i.e. the more rational powers such as Zeus, Apollo and the like have overthrown the nature powers, and the undeveloped spiritual gods such as Dike and Nemesis, associated with them. The poet then shows a collision that is at once human and divine within the spiritual world that the triumph of the Olympians has created. This collision can result from a conflict within the polis or between an essential aspect of the polis and the earlier Titanic realm. The result is a unified divine-human cosmos." Paul Epstein, "The Recovery of a Comprehensive View of Greek Tragedy," in *Animus* 1 (1996): <http://www.swgc.mun.ca/animus/1996vol1/epstein.htm>.

⁴³ In an important discussion at 284 in the *Statesman*, the Stranger makes explicit the political consequences of the philosophical progress in the *Sophist*, that not-being exists as otherness (the relative): "certainly they do not treat such excess or defect as non-existent - on the contrary, they shun it as a very real peril" (*Statesman* 284a). This must be contrasted with the *Republic*, where one begins with guardians that are in no way differentiated from the common unity of their inner, rational soul. That which is different from the single measure has no existence. Here one begins by acknowledging the existence of difference,

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principle of freedom and a limiting principle of rule. Having permitted some individuality to each citizen, the individual is conscious of a realm that is not immediately identical with the unity of the state. The new unity with the good, previously imposed from without by uncomprehended laws, is now mediated through persuading the citizens and bringing them to a reflective, inner understanding of the laws: "to induce us all to practice all justice freely, and without compulsion" (663e).

In the three waves of the *Republic*, Socrates abolishes those things external to the rational soul that differentiate one individual from the next: gender (where one can say 'he and not she'), property (where one can say 'mine and not yours'), family (where one can say 'son of Cleinias' and not 'son of Euphronius'). In the *Laws*, there is a reluctant recognition of these individualizing aspects: "if we are going to look for an exact realization of our scheme, as we have styled it, it will perhaps never be found, so long as there are private wives, children and houses, and each of us has his private belongings of all sorts. Still, if we can secure the second-best conditions, which we are now describing, we shall indeed come off well-enough" (807b). At 740, after making the division between first, second and third best cities, the Athenian allows for a limited amount of personal property and family.

The Athenian states that the legislator must have three aims in designing all the laws for his city: that the society "must have freedom, must have amity with itself, must have understanding" (701d). Each law should be a "friendly combination of the popular element with the nonpopular element in the way that will make the fullest concord" (759b). In the structure of the state, he sees the democratic element as providing freedom, and the autocratic element providing understanding, while the *phile eaute* is meant to bind the two sides together into one whole. In this way, freedom is always directed towards the good and the whole through its relation to the measure of the understanding. The Athenian uses the examples of Persia and Athens to show that pure monarchy with no freedom and pure democracy with no rule are destructive of a city. At the height of their rule, both Athens and Persia struck a balance between rule and freedom, yet each degenerated into exhibiting only one side of this opposition at the expense of the other. In the case of Persia,⁴⁴ all freedom lies with the ruler, and the populace is wholly deprived of any role in public affairs. As a result the rule ends up in tyranny, in which the king, who is supposed to rule according to reason and law, rules in relation to his own unlimited self-interest, in total repression of those ruled. In the case of Athens,⁴⁵ the freedom of each citizen eliminates any rule beyond the whim and inclinations of the individual. This is what the Athenian will later call anarchy, "the absence of a commander" which must be "expelled root and branch from the lives of all mankind" (942d). In this anarchic condition, the "general conceit of universal knowledge and contempt for law emerged,"

which takes the form of freedom in the *Laws*, and then keeps this relativity within measure by bringing it under a limit.

⁴⁴ Persia's rule is an "overpowerful and unmixed sovereignty" which has "shown exclusive and inordinate devotion to the principle of monarchy" (693b-d). It ultimately is crippled by "an excess of servitude and autocracy" (698a), no freedom in the ruled and unlimited from in the ruler.

⁴⁵ Athens' freedom has become anarchical, the "unqualified and absolute freedom from rule and measure" (698b).

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in which each individual deems himself the measure of what is good and bad, not through any scientific knowledge, but through how much pleasure is given to the one judging. Like the Persian tyrant, the individuals ruling in this radical democracy control affairs without reverence for what is truly sovereign: reason and law.

The tyrannical forms of monarchy and democracy thus respectively annihilate the ruled and ruler. What emerges clearly from the argument is that there must exist a mixture of understanding and freedom, both on the side of the ruler and the ruled. Understanding cannot be left to the rulers alone: "as far as possible, all citizens should take their part in private cases, since a man who has no share in the right to sit in judgment on others feels himself to be no real part of the community" (768b). Early Athens and Persia remain as ideals. In Athens, "the commons were not masters; in a sense they were willing servants of the laws" through *aidos* (reverence, fear, awe, honour, modesty) for law and mind (699e). In an earlier age, the Persian monarchy also gave its subjects a share of liberty equal to themselves, establishing a meritocracy in which those who speak wisely had an active role in governance.

This ideal is illustrated in the contrasting images of the free doctor and the slave doctor. The contrast is introduced in a discussion of the need for preambles for laws which persuade those ruled through bringing them to an understanding of the reason behind each law. The slave doctor, who learns the art of healing from empirical observation without a scientific understanding of causes, proceeds as a "tyrant," neither consulting the patient's needs nor persuading him through explaining the reasons for the appropriateness of the treatment. In contrast, the free doctor, scientifically learning the cause of the sickness, both learns from and instructs the patient, and "does not give his prescriptions until he has won the patient's support, and when he has done so, he steadily aims at producing complete restoration by persuading the sufferer into compliance" (709d). In the legislative parallel of this account, the law-maker educates the ruled, so that citizens willingly obey the law through an understanding of its justification.

This freedom of the masses to come to a free understanding of the law exists because understanding, universal to all humans, is the law, if only implicitly. That is to say, freed from excessive passions, reason is always "striving to convert itself into law" (835e). Or, as the Athenian argues, "when judgment takes the form of a public decision of a city, it has the name of law" (644d). In this picture, since the law is rational as a product of mind, there is no true separation of understanding and law, and it is thus accessible to all through the persuasion of preambles⁴⁶ (yet as will be seen later, the golden cord of judgment is malleable, and can be transformed to contrary purposes). Through education, citizens can be gradually trained to maintain the positive sense of the good within progressively greater exposure to the law's negativity.

This is illustrated through a musical image in Book VII. In learning music, young children must start with one simple melody, since "the clash of opposites makes learning

⁴⁶ The laws of the 'second city', a mixture of positive commandment and persuasive explanation, combine authority and individual freedom in the same way as the mixed constitution through its mixture of autocracy and democracy.

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a slow business, and it is imperative that our young people should learn their lessons with ease" (821e). Yet with further training, the pupil can slowly retain the scientific understanding of the music with "diversification and complication of the instrumental part" (812d-813a). In legislative terms, this means that while young children should not learn of other laws that might contradict the city's laws, eventually, with a deepening scientific understanding of the good and the evil, the pupil can maintain his relation to the Good of the city even in difference from its customs.

Plato first introduces these ideals through the early discussion of drink and choric dancing, an example which provides the paradigm for the combination of reason and pleasure within the second-best city. There is a threefold movement in this discussion: at the first stage there is an unlimited, endless passion, at the second stage there is order and limit, and a third stage which is a mixture of the freedom and passion of the first stage and the order of the second. This is illustrated through the three kinds of chorus: the youthful chorus, which is "sacred to the Muses" (664d), the middle-age chorus of Apollo, and the chorus of Dionysian elders.⁴⁷ The youths are described as wild, uninhibited and reckless, acting on individual whim without any reference to an ordering principle.⁴⁸ As a corrective to this reckless passion, the choir of men under thirty, invoking the god of healing Apollo (also the patron god of Megillus' Sparta), introduce uniform patterns of rhythm, bringing the collectivity to sing in unison without any free individual expression. Like the Spartan and Cretan choric dancing, this Apollonian chorus repeats mechanically what it has been taught without any scientific understanding of music or dancing, and as a result it cannot discern the good from the bad independently. This chorus can only mechanically repeat what it has learned through custom and habit - it is an ordering principle without content of its own (666d-667a).⁴⁹

Yet the "noblest kind of song" is performed by the Dionysian chorus of elders, which possesses a true understanding of music.⁵⁰ Since they are no longer invigorated with the energy of their youth, the old men must drink in order to combine this knowledge with the desire and passion required for the performance. Their participation in the dance will "both give the performers an immediate innocent pleasure and provide their juniors with a lesson in proper appreciation of sound character" (670d), reconciling personal pleasure and well-being with the good of the entire city. Yet Plato brings out the problem in allowing individual pleasures: people can lose themselves in pleasures, and lose sight of

⁴⁷ For this progression, see 664c-e.

⁴⁸ "No young creature whatsoever... can keep its body or its voice still; all are perpetually trying to make movements and noises. They leap and bound, they dance and frolic, as it were with glee, and again, they utter cries of all sorts" (653e).

⁴⁹ The Athenian states that "the general public are simply ridiculous in their belief that men are adequate judges of what is good or otherwise in melody and rhythm, if they have been merely drilled into singing to the flute and marching in step, though it never occurs to them that they do the acts without understanding anything about them" (670b-c).

⁵⁰ "They must, of course, be keenly sensitive to rhythms and melodies and able to judge them" (670b).

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their connection to the common good (too much drink, in the case of the chorus). The Athenian sees the discussion of drinking as paradigmatic of all pleasures.⁵¹

Pleasures are in themselves indeterminate, and can be seen in two relations: in their identity with the good and in their independence of the good.⁵² Engaging in pleasures "in a serious spirit" maintains their connection to reason, law and the good, while treating pleasures "as mere play" (673e) understands the pleasures in their separation from the good. The pleasures are not inherently good or bad: their meaning is determined by the subjective attitude of the one engaging in them. Thus they are permitted in a serious spirit, but if they are enjoyed in their separation from reason and law, the Athenian calls for a completely different society, repressive of all pleasures, beyond even the Spartan/Cretan model: "I could no longer vote for allowing any indulgence in the wine cup to such a city. I would even go further than the practice of Crete and Lacedaemon" (674a). This destruction of emergent independent subjectivity foreshadows the movement made later in the dialogue from the second to the third best city.

In Book IX, the discussion moves to a significantly more severe order of crimes: temple robbing, attempting to overturn the state, trafficking with an enemy of the state, violent actions and homicide.⁵³ In the consideration of these atrocities, the second best city and its drive to educate citizens as its primary end is seen as merely utopian. As André Laks writes, "things get tougher when one leaves the level of kinetic and musical education for the level of explicit opinion and reflection...as reason develops in man disorderly pleasure, or, in more abstract terms, Otherness, tends to outstrip order and identity."⁵⁴ Because otherness has these two different and opposed relations to sameness, the welcoming relation to individuality must be abandoned once too strong an independent spirit has emerged. A new approach is suggested by the fact that "the business of legislation...has not yet been thoroughly worked out on right lines" (857c). This approach is introduced through a revision of the doctor analogy, paradigmatic of the relation between ruler and ruled in the second-best city:

⁵¹ "If a city is to practice the custom now under discussion (drinking) in a serious spirit...and permits a similar indulgence in other pleasures on the same principle...all without exception should be treated on the lines we have laid down." (673e).

⁵² The fact that these two views of pleasure are mutually exclusive is illustrated by the two separate cosmic souls, "one beneficent, the other capable of the contrary" (896e). One is helped by wisdom and order, while the other is without either. This division into two mutually exclusive souls occurs due to the fact that Plato's political first principles, like his ontology of the One and the Dyad, are fundamentally divided. Freedom and the limitation of this freedom are viewed as two separate, opposed principles which come together only subsequently in the mixture of the true constitution. Having begun with the primacy of their separation and opposition, Plato cannot show how free individuality and its private pursuits can truly co-exist within the whole except in the destructive form of sophistic individualism. Either one is wholly united to the Good, or wholly evil. Having separated the universal activity of reason from finite, natural activities, Plato, unlike Aristotle (who has discovered the unity prior to contrariety in substance), has great difficulty showing how the rational is operative in other forms of human desire.

⁵³ See 853-854a: "it is our shame to be framing any such legislation as we are now on the point of undertaking...the very assumption that a man will ever be born in such a society who will be stained by the graver turpitudes of other states...is, in a way, to our shame."

⁵⁴ Laks, "Legislation and Demiurgy," 228.

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That was no unhappy simile by which we likened all existing legislation to the treatment of unfree patients by unfree physicians. You may be sure that were one of these empirical practitioners of the healing art, so innocent of the theory of it, to discover a free physician conversing with his free patient, to hear him talking almost like a philosopher, tracing the disorder to its source, reviewing the whole system of human physiology, his merriment would be instantaneous and loud. His language would be no other than that which comes so pat from the lips of most of our self-styled physicians. This is not to treat the patient, fool, but to educate him - as though he wanted to be made a medical man, not to recover his health! (857c-e)

While acknowledging some truth to this objection against the impracticality and futility of philosophically educating the entire citizenry, the Athenian points out that this philosophical intention is the goal of the second-best city: "he might be [right], if only he understood that any man who treats of law in the style we are now adopting, means to educate his fellow citizens rather than lay down the law to them" (857e). He then distinguishes two alternative approaches to the question, striving for "either the best possible result [notice how this is differentiated from the first utopia by the fact that it is a possible result], or the indispensable minimum" (858a). Clinias replies that the decision between these two options can be suspended. Like the stonemason, the three interlocutors can assemble all kinds of material in constructing their city and its laws, and subsequently decide which laws and preambles will be used, and which will be withheld. I suggest that the conclusion of the dialogue moves from the second-best city and its best possible result, to the third-best city and its indispensable minimum.

III. Freedom Negated - the Re-emergence of Theocracy and the Nocturnal Council

From the beginning of the dialogue, Plato makes clear that even the second best method of reconciling individual desires into a harmonious whole must be restricted if the sophistic spirit takes hold of the public consciousness.⁵⁵ Freedom and pleasures exist and are not necessarily dangerous, but perpetually remain a potential threat: "life abounds in good things, but most of those good things are infested by polluting and defiling parasites" (937d). This anarchic manipulation of the pleasures and freedoms permitted in the mixed constitution "must not, if we can help it, strike root in our society" (938a). The freedoms and pleasures permitted in the second best state can be enjoyed in two possible relations: with a serious purpose, which does not lose sight of reason and the good of the whole, or a merely playful purpose, which views the pleasures individualistically as ends in themselves apart from their divine purpose. Because of this perpetual possibility, Plato ultimately moves to cut off all free individuality within the citizenry, restricting the encounter with both the law and its negativity to the nocturnal council alone.

This new viewpoint emerges clearly at the start of Book XII, in which the Athenian states that

⁵⁵ See 673e-674d.

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no man, and no woman, be ever suffered to live without an officer set over them, and no soul of man to learn the trick of doing one single thing of its own sole motion, *in play or in earnest*, but, in peace as in war, ever to live with the commander in sight, to follow his leading, and take its motions from him to the very last detail (942a-b).

Yet this return to a restrictive relation of ruler to ruled is not merely a return to the Spartan, Cretan total repression of all negativity in the laws. In those societies, a sceptical atheism had not emerged among citizens, yet in this third stage, this scepticism is rampant. This is illustrated through reintroducing Rhadamanthus' rule and its attitude towards litigation in contrast to the new Cretan city and its policy on the same issue (948b-949c). In this earlier era, the citizens were immediately related to the divine ("since most of them at that time, and Rhadamanthus among them, had gods for their parents" - 949b). Both the judge and the litigants can take oaths to the gods, since they are both positively related to the law without any consciousness of its negativity, and the cases were decided "simply and rapidly." Yet "men's beliefs have changed, and so the law must be changed too." Only the judge can have a direct relation to the God, since the litigants are in the aforementioned ambiguous relation to the Good, because there is "great and manifest profit in denying the truth and standing to the denial on oath" (949a). This new relation between judge and litigants prefigures the emerging relation between the nocturnal council and the citizenry, in which the ruling class is immediately related to the divine, while the commons are related to God through the mediation of commands based in the nocturnal council's philosophical grasp.

The Athenian then moves from this new separation of judge and judged, to a consideration of the need for interaction with laws and ideas from other states, and the grave dangers inherent in this exchange (949e ff.). The attitude towards foreign travel expresses the relation between a city's laws and the negativity of those laws - can one allow citizens of the state to encounter what is other than the laws of the city, or must one restrict each individual's horizon to a consciousness of the laws and nothing else (as in the Cretan/Spartan cities). A return to a society that merely represses any encounter or knowledge of passions, individual freedom, and pleasure will not suffice:

A state unacquainted with mankind, bad and good, will never in its isolation attain an adequate level of civilization and maturity, nor will it succeed in preserving its own laws permanently, so long as its grasp of them depends on mere habituation without comprehension. (951b)

To be civilized and to secure the stability of the laws, the society must be in some way acquainted with the full scope of contrariety in moral and political practice, as the Athenian argued earlier in relation to experiencing both pleasure and pain in order to stabilize virtue in any situation, no matter how extreme. The danger of having merely true opinions without knowledge of the reasons behind them or the possibilities beyond them is that one's position remains inherently fragile, stable only if the state can completely protect the citizen from any convincing accounts or novel options that oppose his true opinion. As Socrates states in the *Meno* concerning the nature of true opinions, "while

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they abide with us they are beautiful and fruitful, but they run away out of the human soul, and do not remain long, and therefore they are not much value unless they are fastened by the tie of the cause."⁵⁶ Yet here only noble and distinguished citizens over forty are permitted to travel abroad, and only the positive side of this relation to native laws is reported back to the citizenry, who remain completely shielded from awareness of the value of foreign customs.⁵⁷

A select few men "of divine quality" and over fifty are sent the express purpose of investigating what is right and wrong in foreign lands, in order to report to "the council entrusted with the supervision of the laws" (951d). While this 'nocturnal'⁵⁸ council' is mentioned in Book X and early in Book XII, it is not until the laws are complete that the discussion moves to a detailed account of the necessity of this council in ensuring a "complete and permanent guarantee for the preservation of our work" (960b). Viewing the city as a living organism, the nocturnal council is viewed as the fusion of intelligence and sense, the head of the organism, while "the city at large is the trunk of the body" (964e). The head and the body of the city are connected through the division of old and young in the nocturnal council: the young members are at the summit of the body, and "their vision ranges over the whole compass of the state, they commit what they perceive in their watch to memory, and serve their elders as scouts in every branch of affairs" (964e). The elders, as the head of the body and the ruling principle of understanding, receive suggestions from the citizens through the youth. Only the nocturnal council possesses a dialectical knowledge of the positive and negative moments of all relevant branches of study (952a, 965b-966),⁵⁹ and is able to apprehend and express the identity of what appears as diverse and other. The nocturnal council is the mind of the state, encountering the extremes of good and evil, true and false, same and other, one and many while keeping the citizens tethered to the Good and divine (this relation is prefigured by the Athenian's explanation of why he must take on the complex theological arguments without Clinias and Megillus).⁶⁰ The virtue of the nocturnal council is intellectual,

⁵⁶ *Meno* 98a.

⁵⁷ Contrast this with the relation to other cultures expressed in Thucydides' account of Pericles' funeral oration: "the magnitude of our city draws the produce of the world into our harbour, so that to the Athenian the fruits of other countries are as familiar a luxury as those of its own... We throw our city up to the world, and never by alien acts exclude foreigners from any opportunity of learning or observing..." *The Landmark Thucydides*, 2.38-2.39 (pp. 112-113).

⁵⁸ The council meets before daybreak, since this is the time when "a man is freest from all other business, private or public" (961c). The significance of this fact lies in the fact that *the nocturnal council stands above the division of public and private interests*, of identity and difference, yet can comprehend them both through its dialectical grasp.

⁵⁹ The ability "to look from the dissimilar many to the one form" ascribed to the nocturnal council recalls the dialectical method as it is described at *Phaedrus* 265d, *Sophist* 253-254b, *Philebus* 16c-17a. In this method, because all things are mixtures of a limited, unified element and an unlimited, diverse element, the two sides of each object are unified subjectively from the external perspective of the dialectician.

⁶⁰ Comparing his theological argument to a river, the Athenian states that "I must first try the crossing by myself, leaving you in safety, to see whether the water is equally fordable for you, my elders, or not. If it proves so, afterwards I must call to you and help you across it by my experience, but if it turns out to be out of the depth of men of your years, the risk will have been all mine. ...it is even so with the waters of discourse which confront us now; the current is strong, and the passage perhaps too much for your strength. So to save you from being dizzied and staggered by the rush of questions you are unpractised in answering, and the consequent unpleasantness of an undignified and unbecoming situation, I propose that I should act

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whereas the virtue of the citizenry "will be that its aim must not wander from object to object; it must have a single mark always before its eye and make it the target of all its shafts" (962d). The division between the philosophical grasp of the nocturnal council and the immediate submission to the law is expressed clearly at the end of his consideration of the role of the nocturnal council:

In the great mass of our citizens we may tolerate mere conformity to the tradition embodied in the laws, but we shall do well to deny all access to the body of our guardians to any man who has not made it his serious business to master every proof there is of the being of the gods. (966c)

While there is sovereignty for the ruling element of society, the rest of the individuals in society are incomplete parts that are reconciled by those in power into a harmonious whole:

he who provides for the world has disposed all things with a view to the preservation and perfection of the whole, wherefore each several thing also, so far as may be, does and has done⁶¹ to it what is meet. And for each and all there are, in every case, governors appointed for all doing and being-done-to, down to the least detail, who have achieved perfection even to the minutest particulars. Thine own being also, fond man, is one such fragment, and so, for all its littleness, all its striving is ever directed towards the whole, but thou hast forgotten in the business that the purpose of all that happens is...to win bliss for the life of the whole; it is not made for thee, but thou for it...and yet thou dost murmur because thou seest not how in thine own case what is best for the whole proves best also for thyself in virtue of our common origin.

While the governor has a completeness in its connection of the incomplete parts with each other, there is no completeness inherent in the citizens themselves, as they are mere parts being integrated by the ruling principle which connects active elements with their appropriate passive elements.⁶² The fact that the citizen may not see how his own good is realized through the good of the whole is inconsequential. He must merely submit to the good of the whole without concern for his own individual well-being. The divine truth of

in this same fashion now" (892e-893a). Like the Athenian, the nocturnal council encounters the dangers of truth and falsity beyond the positivity of the laws. Whatever accords with the laws can be incorporated into the legal code and presented to the citizenry, while that which contradicts the laws is withheld from their view, so as not to destabilize their immediate relation to the Good.

⁶¹ The Greek reads "*ou kai to meros eis dunamin ekaston to prosekon paskei kai poiei*," a power possessed by archontes over all acting and being acted upon. This is of course reminiscent of the definition of being in the *Sophist*, as a power, in the soul, "either to act on anything or to be acted upon" (*Sophist* 247d9-e3). In this case the divine soul is a comprehensive power which brings together the active and passive, rest and motion, sameness and otherness to constitute each thing. In this passage of the *Laws*, the governor reconciles the active and passive elements of the society to weave one coherent whole

⁶² In *Statesman*, the ruler weaves together the aggressive (active) souls with the moderate (passive) souls, ensuring that there is always a measured mixture of the two types (see 305e-311d).

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the laws is known by only a select number of philosophers, who order the life of the community accordingly. This is the very definition of theocracy.

Whereas in the second-best city the Athenian had understood reason to be the law implicitly, and hence, available to all through this intrinsic connection, the secrets of rule are now concealed from the understanding of the masses, since they must not be able to understand anything beyond their own traditions (the negativity of their customs and laws), inhibited by the "dead weight of their own incredulity" (839d):

Should some young and lusty bystander of some exuberant virility overhear us as we propose it, he may denounce our enactments as impracticable folly and make the air ring with his clamour. This...[is] the device I knew for establishing the law in perpetuity...if once the regulation receives adequate sanction the minds of all will be *subjugated* and there will be a universal dread of the established law and conformity to it. (839b-c)

This subjugation of reason to law is not ideal, as in the relation of the free doctor to his patient: "it is a sin that understanding should be any creature's subject or servant; its place is to be ruler of all, if only it is indeed, as it ought to be, genuine and free" (875d). Yet this sovereignty of reason does not exist among the citizenry, because of the conflict in individuals between understanding (the universal element that ties the individual to the public, universal good) and their lower aspects of their personality (the aspects which are moved through the private interest of the individual).⁶³ Law can only be interpreted through the philosophical grasp of the nocturnal council, which alone in the city lies beyond the division of public and private goods.

In this way, we see that the goal of reconciling the comic and tragic viewpoints in *Symposium* is abandoned. The citizen cannot maintain a relation to the divine in and through its own natural, particular existence and finite pursuits. The impossibility of this reconciliation is clearly expressed by the Athenian: "A man who means to form his judgment can no more understand earnest apart from burlesque than any other contrary apart from its contrary, but on the other side, *a man who means to have any part in goodness, were it ever so little, cannot possibly produce both*" (816d-e). Those with philosophical understanding (the nocturnal council, as the Athenian will eventually announce) can understand the relation between public and private goods, yet among citizens for whom the primary goal is being good, one cannot be good in and through one's own individual perspective. Comedy is thus disposed of (817a), while the city is seen as "a tragedy, the finest and best we know how to make" (817b). As in tragedy, divine law is raised beyond citizen's understanding, only grasped in its complete truth through the divine knowledge of the nocturnal council as sole interpreters of the law. The legal orthodoxy of Book X is concluded with the abolishment of the citizen's private relation to God: "no citizen shall possess a shrine in his private dwelling house" (910b). All relations with the divine are mediated to the individual through the strict civic belief

⁶³ See 644d, and the hierarchy of strictly human goods at 631b-c.

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in the same theological truth. In perfect tragic form, man "has been constructed as a toy for God... We should pass our lives in the playing of games, certain games, that is, sacrifice, song, and dance - with the result of ability to gain heaven's grace" (803c-d). Through the harmony of the incomplete, uncomprehending human parts, the divine unity is revealed.⁶⁴

Seeing the necessity of the philosophical, dialectical understanding of the laws within the nocturnal council, the dialogue ends with Megillus and Clinias concluding that, based "on all that has now been said, we shall either have to abandon the foundation of the city or else to be deaf to our friend's excuses, and try every entreaty and inducement to secure him as a co-operator in the foundation" (969c). Previously, it had seemed inconsequential that the Athenian Stranger would not participate in the founding and affairs of Magnesia (753). The reason given for this was that the state should be self-governing, without some external body ruling it.⁶⁵ Megillus and Clinias, representing the immediate relation to the good and to law, realize through the conclusion of the argument on the nocturnal council that there lies no sovereignty for the non-philosophical citizen. They recognize the necessity of a philosophical grasp (the nocturnal council) of the good and its relation to the evil beyond their own immediate conformity to law. Just as the Athenian was required to protect the unphilosophical Clinias and Megillus from the sea of discourse in Book X, the nocturnal council must exist to protect the citizens from the negativity of the laws through their own philosophical treatment of otherness.

⁶⁴ Interestingly, Megillus remarks that this is "a poor estimate of our race" (804b), indicating a dissatisfaction with this tragic resolution. The Athenian replies that "man shall be something not so insignificant but more serious" (804b), perhaps referring to the fact that the human is not immediately ruled by God, either through the tragic destruction of its incompleteness by the crushing force of divine fate, or the divine theocracy in the time of Cronus. The Good is mediated to the citizenry through the human efforts of original legislator and the nocturnal council.

⁶⁵ The simile used is one of parents and children. The parents raise the children to become autonomously self-legislating: "it is as if with a child: even if he is someday to have his differences with his parents, yet while the helplessness of childhood lasts, he is attached to them and they to him... When this business has been done... the new state should be left to preserve itself and prosper by its own endeavours" (754b-d). This statement of self-determination can be taken to describe both the relation of city to outside ruling forces (Cnossus to Magnesia), and the relation of the ruling element and the ruled within the city itself.