

Plato's *Laws*

Book 4

Translated by David Horan

Persons in the dialogue: Athenian Stranger, Cleinias, Megillus

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

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

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

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

Ath: ^{704C} Oh dear! What about the surrounding countryside? Does the land produce all your needs, or are there some needs that can't be met?

Cle: It is not really deficient in anything.

Ath: Will it have a neighbouring city, close by?

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

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

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

Ath: ^{704D} Are you saying that it is rough terrain rather than flat?

Cle: Certainly.

Ath: Then, when it comes to the acquisition of excellence, at least it would not be beyond remedy. For if the city was to be on the coast, with a good harbour, and did not produce all that was needed but had many needs that it could not meet, some mighty saviour² would have been required and some divine lawgivers too, if it were not to have a huge variety of depraved habits as a natural consequence. At the moment those eighty stades afford some comfort. Yet it is situated closer to the sea than it should be and, more to the point, ^{705A} you say it has good harbours, but even this is acceptable. Indeed having the sea close by makes everyday life pleasant, and yet, it really is a

¹ Eighty stades is 9 to 10 miles. An Attic Stade was 185 metres.

² See *Laws* III 691D-692A

“briny and bitter neighbour”,³ since it fills a city with commercial activity and retail business, breeds restless and distrustful traits in people’s souls, and makes the city suspicious and unkind towards itself and towards the rest of humanity too. In the face of this, there is of course some consolation in the fact that it produces all that it needs, but because the territory is rugged, ^{705B} it obviously would not produce everything that is needed, and a surplus besides. For if it had a surplus, it would be able to export a great deal, gold and silver coin would fill its coffers in return, and in a way, all things considered, there is no greater enemy than this to the development of a just and noble character, as we said earlier, if you recall the discussion.⁴

Cle: Yes, we remember, and we agree now, as we did then, that it is correct.

Ath: ^{705C} Well what about this? How well is this region of our country supplied with material for shipbuilding?

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

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

Cle: How so?

Ath: It is good that a city is unable to imitate its enemies too easily, ^{705D} when the behaviour to be imitated is base.

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

Ath: Well, my divine friend, keep an eye on me in view of what was said at the outset about the laws of Crete: that they should have a single aim in view. Now the two of you said that this aim was military, but I responded by saying that although it is all very well that such regulations should look to excellence, I did not accept, at all, ^{705E} that they would look to a part of excellence and not to the entire.⁵ So the two of you should now watch over me, in turn, in my current legislative efforts, in case I enact a law that is not directed towards excellence or to a part of excellence. For I am proposing that a law is rightly enacted, only when it aims, like an archer, ^{706A} every time, at an outcome that is always constantly accompanied by something ever beautiful, and at that alone. All else should be set aside, be it wealth or anything else of that sort, in the absence of the stated aims.

Now the base imitation of one’s enemies that I spoke of earlier arises in the following way, when people dwell close to the sea and are troubled by enemies. For instance, and I am not criticising your people, Cleinias, Minos once imposed ^{706B} a cruel tribute, to be paid by the inhabitants of Attica, when he had acquired enormous maritime supremacy,⁶ while the others had, as yet, no ships fit for war, unlike nowadays. Nor indeed did their territory have lots of wood for

³ Quoted from Alcman, a 7th century Spartan poet

⁴ See 669B-C *Laws* III

⁵ In *Laws* I 625D, 630E-631A it is said that civic arrangements in Sparta and Crete aim primarily to develop courage which is the least of the four kinds of excellence.

⁶ Minos, who had a powerful navy, attacked Athens because his son, Androgeos, had been killed there. He forced the Athenians, inhabitants of Attica, to send an annual tribute of seven youths and seven maidens as food for the minotaur, a half bull, half human creature. The tribute ended when Theseus killed the Minotaur. Theseus’ exploits are referred to in the *Phaedo* 58.

shipbuilding, so that they could readily provide themselves with a naval force. So they were not able to defend themselves against their enemies, immediately, by imitating Cretan seamanship and becoming mariners themselves. Indeed it would have been even better ^{706C} for them to lose many times “seven youths” and remain as staunch foot soldiers, rather than becoming mariners, who repeatedly jump from their ships and then rush back on board once more; who dare not stand their ground and face death when the enemy is bearing down on them, and see nothing shameful in that. Rather, since they always have plausible excuses, they are quite ready to cast their weapons aside and take flight in what they call “retreats without dishonour”. This sort of talk is inclined to arise as a consequence of resorting to naval warfare, and it merits not unbounded ^{706D} praise but the exact opposite; for degenerate behaviour should never become habitual, especially in the very best class of our citizens. We could also learn from Homer, I presume, that a practice of this sort is not noble. For, he has Odysseus upbraid Agamemnon for ordering the ships to be dragged down to the water’s edge when the Achaeans are being pressed hard by the Trojans. Odysseus gets angry with him and says:⁷

...you who in the very closing of clamorous battle
^{706E} tell us to haul our strong-benched ships to the sea, so that even
 more glory may befall the Trojans, who beat us already,
 and headlong destruction swing our way, since the Achaeans
 will not hold their battle as the ships are being hauled seaward,
 but will look about, and let go the exultation of fighting.
 There, O leader of the people, your plan will be ruin.

So Homer too recognised the fact that placing triremes at sea, in⁸ support of soldiers fighting on land, is bad practice. Even lions would get used to fleeing from deer if they cultivated habits of this sort. What’s more, when the power of cities derives from their navies, the honours, when they are saved, are not bestowed upon the most deserving members of their fighting force. For, their safety derives from the skill of the steersman, the captain and the oarsman and a whole variety ^{707B} of people who are not of much consequence, and so it is not possible for someone to confer honours on each deserving person, in the correct manner. Yet in the absence of this ability, how could a city still prosper?

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

Ath: Yes indeed, that’s what most Greeks say ^{707C} and most barbarians too. But we, my friend, that is Megillus here and myself, maintain that the land battle that took place at Marathon was what saved the Greeks, initially, while the one at Plataea completed the process,⁹ and while these battles made better people of the Greeks, the other battles did not, which is a strange way to speak of battles that saved us at the time, for I am now including the naval battle at Artemisium¹⁰ for

⁷ Homer, *Iliad*, XIV, 96-102, Translation Lattimore.

⁸ The trireme is a warship with a bronze ram at the prow and three banks of oars one above the other. The aim was to manoeuvre at speed so as to ram and disable enemy ships.

⁹ The Battle of Marathon (490 BC) decided the outcome of the First Persian War; the Battle of Plataea, that of the Second (479 BC). Both Greek victories.

¹⁰ Two naval battles: one, Artemisium was a draw and the other, Salamis (480) was the turning-point of the war in favour of the Greeks.

you, in addition to the one at Salamis. ^{707D} As a matter of fact, in looking now at the excellence of the political system, and the nature of a territory, we are also considering the arrangement of the law. Unlike most people, we do not regard the mere survival and continued existence of people as the most important issue, but becoming as good as they possibly can, and being so for as long as they live. But I think we actually said this before in our previous discussions.

Cle: Indeed.

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

Cle: Very much so.

Ath: ^{707E} Then tell me, next, what people will you be settling? Will there be people from all over Crete, anyone who wants to come, because the population in the various cities has exceeded what the land can sustain? For you are not, I suppose, inviting any Greek who wishes to join you, even though I can see that some people from Argos, Aegina¹¹ and elsewhere in Greece have settled in your country. ^{708A} So tell me, in this case, where do you say that the body of citizens will now come from?

Cle: They are likely to come from all over Crete, and as for the rest of the Greeks, it seems that settlers from the *Peloponnese*¹² are made most welcome. And indeed what you were just saying is true, some are from Argos, and of those who are here at present, the most highly regarded clan, the Gortynian, is a colony from Gortyn on the Peloponnese.

Ath: ^{708B} Well a settlement would not be easy for the cities unless it is formed, like a swarm of bees, from a single clan coming from a single territory, a friend coming from friends, under pressure because of some shortage of land, or driven by some other afflictions of this sort. There are times too, when part of a city may be compelled to relocate elsewhere having been forced to do so by civil strife, and in one case a whole city went into exile, having been totally overpowered by an overwhelming onslaught. Now to settle all these, and legislate for them is easy ^{708C} in one sense, but difficult in another. For, the existence of a single race, with the same language and laws, leads to a spirit of friendship, because they share the same sacred rituals and everything else of that sort. However, they do not readily accept laws, and other civic arrangements that are different from those of their homeland, and sometimes, although the degeneracy of their laws caused civil strife, they still seek, through force of habit, to behave in exactly the same way that led to their downfall previously, and they become disobedient, and difficult for the founders ^{708D} and legislators to deal with. In contrast, a race that combines all sorts of differences might perhaps be more inclined to submit to new laws; but for them to live and breathe in unison, like the team of horses in the proverb, would take much more time, and be a huge challenge. The fact of the matter is that making laws and founding cities is, for men, the ultimate test of excellence.

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

Ath: ^{708E} My good man, as I return again to considering lawmakers, it is possible that I will, at the same time, say something that is actually derogatory, but as long as I say something relevant, this

¹¹ Argos, a city in the eastern Peloponnese and Aegina, an island in the Saronic Gulf, south of Athens.

¹² The Peloponnese (Peloponnese) is the large peninsula of southern mainland Greece, joined to the rest of the mainland to the north by the Isthmus of Corinth.

shouldn't really be a problem. But why am I troubled at all? In almost all human undertakings, the situation is much the same.

Cle: What are you referring to?

Ath: ^{709A} I was about to say that no human being ever institutes any laws at all, but all sorts of chance occurrences, and various coincidences, institute all the laws for us. For, some war may perhaps overthrow the political system by force and change the laws, or the challenge of grinding poverty may do so. Diseases too force us to make lots of innovations when we are afflicted by plague, or when unseasonal weather lasts for many years as often happens. Anyone, in view of all this, might be justified in saying, as I did just now, that no mortal creature institutes ^{709B} any laws whatsoever, and almost all human affairs are a matter of chance. And although, it seems right to say all this about navigation, helmsmanship, medicine and generalship, there is, in fact, something further to be said in these same cases, with similar justification.

Cle: Which is?

Ath: That God is all, and that chance and opportunity, with the help of God, determine the course of all the affairs of humanity. And yet we should accept ^{709C} that these are accompanied by a third more gentle element: skill.¹³ For I myself would suggest, that in a storm, it would be a huge advantage for the steersman to cooperate with opportunity. Is this so?

Cle: Quite so.

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

Cle: Very true.

Ath: ^{709D} Now wouldn't a person who possessed the skill involved in any of the areas I mentioned, also presumably be able to pray, in the right way, for whatever he needed through the operation of chance so that his skill alone would suffice?

Cle: He would indeed.

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

Cle: Indeed.

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

Cle: Presumably.

Ath: Let's address him as follows: "come on then, lawgiver, what should we give you, ^{709E} what condition should the city be in, so that you will be able to proceed from there, and be competent, by yourself, to manage the city?"

¹³ The Greek word is *technē*. It is often translated as art; it is the basis of the English word technical and technique and is consistently translated here as skill.

Cle: So, what's the right thing to say in response?

Ath: We shall give the lawgiver's response, isn't this so?

Cle: Yes.

Ath: "Give me a city under tyrannical rule"¹⁴, he will say, "and let the tyrant be young, with a good memory, a quick learner, courageous and possessed of natural greatness. And if these various qualities, present in the tyrannical soul, ^{710A} are to be of any benefit, let them be accompanied now by something else, which, as we said previously, ¹⁵ needs to accompany all the parts of excellence."

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

Ath: Yes, the commonplace sound-mindedness,¹⁶ Cleinias, not what someone might speak of when they get too serious, and argue that sound-mindedness must be the same as wisdom. It is an innate quality which shows, immediately, in children and in animals, that some have no control when it comes to pleasures, while others have control. And we said,¹⁷ that in isolation ^{710B} from the various other goods we are discussing, it is of no account. I presume you get my meaning.

Cle: Yes, certainly.

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

Cle: ^{710C} How, stranger, and by what argument, could anyone convince themselves that they are speaking correctly if they say this?

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

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

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

Cle: You maintain that the best city arises, apparently, from a tyranny involving a lawgiver of the highest rate, and a tyrant of good character. You say that it would be easiest and quickest to effect

¹⁴ Tyrant was the name given to an absolute who had in some way seized power. The term itself did not indicate whether the tyranny was benevolent or malevolent. According to Plato's *Seventh Epistle* (328a-b) It was the report that the tyrant Dionysius of Syracuse had some of abilities listed here that caused Plato to travel to Sicily to spend time with him in the hope that great good might come of his rule.

¹⁵ See *Laws* III 696C-D.

¹⁶ See *Laws* III 698A.

¹⁷ See *Laws* III 696 D.

the change to the best city, from such an arrangement. From an oligarchy it is second ^{710E} easiest, is that your meaning, and from a democracy it is third easiest?

Ath: Not at all, no, first and easiest is from a tyranny, second is from a political system based upon kingship, third is from some sort of democracy. Oligarchy comes fourth, and because there are so many powerful factions within it, it would face enormous difficulty in allowing the best city to come into existence. And we say, then, that this comes about when a true lawgiver naturally arises, who happens to share some power with the most influential people in the city. And when this element ^{711A} is fewest in number and greatest in power, as in a tyranny, then the change tends to occur quickly and easily.

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

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

Cle: Nor have I any particular desire to see one either.

Ath: ^{711B} And yet you would see the very feature I am now referring to, in this.

Cle: Which is?

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

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

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

Cle: What are you referring to?

Ath: This happens whenever a divine passion for sound-minded and just action arises in some people, who wield great power, whether ruling monarchically or on the basis of the exceptional ^{711E} pre-eminence of their wealth or family, or someone might even hark back to the character of Nestor,¹⁸ who is said to have excelled everyone else in his power of speech, and to have surpassed them even more in sound-mindedness.

Now, although this happened, so they say, in Trojan times, it has not happened at all in our own. But if such a person has existed, or will exist, or one of us is such a person, he himself lives a blessed life, and blessed are those who hear the sound-minded words that flow from his mouth.

¹⁸ Nestor, king of Pylos in the southwestern corner of the Peloponnese, was the oldest of the heroes who fought in the Trojan War, known for his wise advice and courage in battle, as well as for his loquaciousness.

And the same argument applies to power in general: whenever the greatest power coincides, in ^{712A} a person, with wisdom and sound-mindedness, the best of political systems, and of laws too, arise naturally, otherwise this never happens.¹⁹ So let's take all this as a story, oracular in nature, which demonstrates that although it is difficult for a city with good laws to arise, it would be the quickest and easiest development of all, if what we are describing were to happen.

Cle: How so?

Ath: ^{712B} Why don't we apply this to your city and attempt, like elderly boys, to fashion its laws, in discussion.

Cle: Let's proceed without further delay.

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

Cle: Yes, let him come.

Ath: But what precise political system do we intend ^{712C} to impose upon our city?

Cle: What exactly do you mean? Please explain more clearly. Are you asking if it will be a democracy or an oligarchy or an aristocracy, or a kingship, since, presumably you could not mean a tyranny; at least Megillus and myself don't think so.

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

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

Cle: ^{712D} Perhaps so.

Meg: In fact, stranger, now that I think about the Spartan political system, I am quite unable to say, offhand, what it should be called. In fact it seems to me to resemble a tyranny, since the provision for ephors that it contains is surprisingly tyrannical, yet sometimes it strikes me as the most democratically governed city of them all. Then again, it would be most odd to deny that it is ^{712E} an aristocracy, and indeed it includes life-long kingship, the most ancient of all according to ourselves and all mankind. So when I am suddenly asked the question, just like that, I am actually unable, as I said, to say definitively which of these forms it is.

Cle: It looks as if I am in the same predicament as you are, Megillus. For I have considerable difficulty in saying, for certain, that the political system in Knossos²⁰ is any one of these.

Ath: That, best of men, is because you really do share political systems, whereas, what we named just now are not political systems, but city managements, dominated ^{713A} and enslaved by parts of themselves, each being named after the dominant element. But if your city really must be named after something like this, it should be called after the God who is truly the master of those who possess reason.

Cle: What God is that?

¹⁹ A restatement of the concept of philosopher kings from *Republic V*, 473d and *Seventh Epistle* 326b.

²⁰ One of the principal cities in central Crete.

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

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

Ath: It certainly is, for long before the settlement ^{713B} of the cities we have described, they say that, in the time of Cronos²¹, there had been a government and management, and a very happy one too, and that any of the best managed states nowadays are an imitation of this.

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

Ath: Well, that's my view too, that's why I introduced this into our discussions.

Cle: And you were quite right to do so, and since the story ^{713C} is so relevant it's only right that you should recount the whole thing.

Ath: I must do as you say then. Well we have received the traditional account of the blessed life enjoyed by those who lived then, and how they had everything in abundance, and effortlessly. The explanation for all this, we are told, was as follows: Cronos recognised, of course, that, as we have explained²², human nature is not up to the task of independently managing all human affairs, without becoming full of arrogance and injustice. So, with this in mind, he then installed kings for our cities, and rulers ^{713D} who were not human but belonged, rather, to a more divine and exalted race, the race of daimons.²³ This is just what we ourselves do nowadays with our sheep, and herds of domestic animals. We do not make oxen rule over oxen or goats over goats, but we ourselves, a race superior to theirs, act as their masters.²⁴ In like manner, God, out of love for humanity, appointed a race superior to ours, the race of daimons, to take care of us. This was a very easy task for themselves and a great ^{713E} kindness to us, providing us with peace and respect, lawfulness and unrestricted justice, and ensuring that the various races of humanity were free from faction, and happy.

This account, then, is now saying, and what it is saying is true, that any cities ruled by some mortal, and not by God, find no escape from evils and hardships for their citizens. It would have us believe that we should imitate, by every possible means, the life of the age of Cronos, as described, and manage our homes and our cities, while obeying the immortal element within us, in our personal and public ^{714A} lives, and calling regulation by reason, "law".²⁵

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

²¹ Cronos, father of Zeus, ruled in the Golden Age. Sedley, *Plato's Cratylus*, page 91, referring to *Cratylus* 396b, says that "Cronos is pure intellect (*nous*). See also his pages 38/9 on *eudaimonia*.

²² See *Laws* III 691E-692A. 691c (giving too much authority to a human soul) and 709b (God is all)

²³ A daimon is a divine power but inferior to the gods.

²⁴ For a similar comparison of human rule, to care of animals in herds see *Rep.* I (343B) and *Statesman* 261E.

²⁵ There is a double word play here. Laws, being the "dispensation of reason" take the place of the "daimons" of the age of Cronos: the divine element in man, which claims obedience, is reason.

Bury's footnote from the Loeb edition reads: A double word-play: νοῦς=νόμος, and διανομάς=δαίμονας. Laws, being "the dispensation of reason," take the place of the "daemons" of the age of Cronos: the divine element in man (τὸ δαιμόνιον), which claims obedience, is reason (νοῦς).

consider this account, Cleinias, ^{714B} and decide whether we are to be persuaded by this, or what we should do.

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

Ath: Now are you aware that some people maintain that there are as many forms of laws as there are political systems, and we have already listed the systems of government, as popularly described?²⁶ Please do not presume that the issue involved here is unimportant; it is of the utmost importance, for this question faces us, once again:²⁷ where lies the standard of what's just and what's unjust? For these people maintain that the laws should not look to warfare as their standard, nor indeed, to excellence as a whole, ^{714C} but to the established political system, whatever that may be, and to the interest of that system, so that it may govern forever and never be dissolved, and the natural definition of justice is best formulated in this way.

Cle: How?

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

Cle: Explain this more clearly, please.

Ath: The powerful, they say, always, of course, enact the city's laws. Is this so?

Cle: True.

Ath: ^{714D} Well then, do you think, as they maintain, that the general populace, or some other political system, or indeed a tyrant, when triumphant, would willingly enact laws with any other primary aim, besides its own interest in maintaining its authority?

Cle: No, of course not.

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

Cle: Yes, quite likely.

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

Cle: According to this argument anyway.

Ath: Yes, this is one of those rights of government.²⁸

Cle: ^{714E} What rights?

Ath: Those we considered before, concerning who should have authority over whom. And it was evident that parents should have authority over their offspring, the elder over the younger, the noble over the ignoble, and there were, if you recall, many other cases too of various restrictions

²⁶ See *Laws* IV 712C.

²⁷ See *Laws* I, 630B, *Laws* III 690B-C.

²⁸ See *Laws* III 690Aff.

on mutual authority. And indeed, one of the rights²⁹ ^{715A} was this very one; we said that Pindar³⁰ takes the extreme of violence as natural justice, as he puts it.

Cle: Yes, that's what was said at the time.

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

Cle: What sort of thing?

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

We are saying all this for the following reason: we shall not appoint anyone to any position of authority in your city because he is wealthy or because of some other acquisition of that sort ^{715C} such as strength or stature or family. But we maintain that the person who is entirely obedient to the established laws, and is triumphant in the city in that sense, should be given the most important role, the service of the gods³¹. So the most important role goes to the first, the second most important to whoever comes second in the contest, and each of the other positions of authority should be given, in due order, to whoever comes next.

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

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

Ath: Indeed so: when people are young they generally have extremely poor sight ^{715E} when it comes to this sort of thing, but in old age it's at its sharpest.

Cle: Very true.

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

Cle: Yes, why not?

Ath: Well, let's address them as follows: “O men, according to the ancient tradition, God, holding the beginning, end and middle ^{716A} of all of the things that are, proceeds without deviation along

²⁹ That stronger should rule and the weaker be ruled.

³⁰ See *Laws* III footnote at 690b.

³¹ Socrates in the *Apology* (30a) refers to his service to (the) god, τὴν ἐμὴν τῷ θεῷ ὑπηρεσίαν, as the greatest good that has come to the city of Athens. He uses that same word for service as above in this *Laws* extract.

nature's circular course. Justice always accompanies Him and is the punisher of those who depart from His divine law. So anyone who intends to be happy, holds to justice and follows her in humility and good order, while anyone who gets carried away by pride, or excited over wealth or honours or a pretty body, inflames his soul with arrogance through impetuosity combined with stupidity. He then feels the need neither for a ruler nor a leader, he believes ^{716B} he is competent to lead others, and he is left alone, forsaken by God, and having been forsaken, he co-opts others who are like himself, behaves erratically and causes all sorts of confusion. To many people he seems to be someone significant, but he very soon pays the deserved penalty to justice, and brings utter ruination upon himself, his household and his city. Now, since these matters have been ordained in this way, what should an intelligent person do, what should his resolution be, and what should he avoid?"

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

Ath: ^{716C} "So, what conduct is dear to, and follows after God? There is one, and there is an ancient account of this which says that like is dear to like,³² once there is due measure, while things that are unmeasured are dear neither to themselves nor to the measured. Now, for us, God more than anything else would be the measure of all things, much more so than any "man" that some refer to.³³ And someone who is to be dear to such a being as this needs to become ^{716D} like this, himself, to the very best of his ability. And so, by this argument, he among us who is sound-minded is dear to God, for he is like God, and he who is not sound-minded is unlike Him and at variance with Him, and so too is the unjust man, and the same argument also applies in general."

"Now there is another principle that follows from all these and, in my view, it is the most exalted and truest principle of all: that, for the good person, to sacrifice to the gods and to commune with them constantly through prayers, offerings and every possible service of gods, is the noblest, the best, and the most effective way to a happy ^{716E} life, and the most appropriate by far. But, for the bad person, the very opposite is, naturally, the case, for he is impure of soul, while the good person is pure, and it is never right for a good man ^{717A} or God to receive gifts from the defiled. So, for the unholy, any great endeavour in relation to the gods is in vain, but for all those who are holy it is always opportune. So this is the mark at which we should aim, but what are the missiles, so called, that should most correctly be fired, and from what bow should we fire them?"

Firstly we maintain that someone intent upon piety ^{717B} would rightly hit the mark if he bestowed honours upon the gods of the earth, after honouring the Olympian Gods and those that hold the city, thus bestowing the odd,³⁴ the second and the left-handed upon the gods of the earth, and the opposites of these, the superior, upon the other gods we just mentioned. After these gods, the wise would worship the daimons, and after these, the heroes, and close behind these, private shrines to ancestral gods, worshipped according to law. Then come the honours due to living parents, as it is proper that a debtor should repay the first and greatest of debts, the most ancient of all obligations. He should believe that whatever he has and holds, all belongs to those who gave him birth ^{717C} and reared him, and should be used to serve those people, to the utmost of his ability, firstly with his wealth, secondly with his body, and thirdly with his soul. Thus he repays their loans of care and

³² Homer, *Odyssey*, XVII, 218

³³ Protagoras, a 5th century sophist, was famous for the doctrine, "man is the measure if all things."

³⁴ A reference to the Pythagorean lists of opposites.

the troublesome travails long past, lent to him in his earliest years, and now being returned to the elders, in their old age, when they really need it.”

“What’s more, throughout his life he should have, and retain, the utmost ^{717D} respect in addressing his own parents, because there is a heavy penalty to be paid for frivolous, ill-considered words, for Nemesis³⁵ has been appointed as the messenger of Justice and overseer of all such matters. So if his parents get angry he should be submissive, and whether they express the anger in words or in deeds he should be forgiving, as it is only to be expected that a father who thinks he is being treated unjustly by his own son would be hugely angry. And when his parents die, the most restrained funeral is the very best, neither exceeding the usual level of pomp, nor falling short ^{717E} of what his forefathers gave to their own ancestors. And in like manner, every year, he should render the services that bestow honour upon those who have already died, and he should show his respect for the departed, especially, by preserving their perpetual memory, unfailingly, ^{718A} and allocating them the appropriate measure of the fund that fortune provides. If each of us were to act in this way, and live by these precepts, we would reap the deserved rewards from the gods and those who are superior to us, and live most of our lives in hope and optimism.”

“By fulfilling his duties in relation to offspring, kindred, friends, fellow citizens, and any divinely ordained services to strangers, and through his interaction with all of these, a man should bring order to his own ^{718B} life, and brighten it in the process. The system of the laws themselves, by persuading some people, and by just and forceful punishment of those whose characters resist persuasion, renders our city blessed and happy, by the counsel of the gods. Now there are matters that don’t lend themselves to being expressed in the form of a law, which a legislator who thinks as I do, should and must address. In these cases I think he should present ^{718C} an example, for himself and for the people he is legislating for, after he has worked through all the outstanding matters as best he can, and then make a start on enacting laws. In what form then, are such matters best laid down? It is not at all easy to encapsulate these in a single formulation, or outline, as it were. But if we are able to attain any certainty about these matters it would be in some such manner as follows.”

Cle: What manner?

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

Cle: ^{718D} Of course.

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

“In front of goodness the immortal gods

³⁵ Goddess of retribution. She resented anyone who violated the natural order of things or had an excess of some quality.

Have set the sweat of toil, and thereunto
 Long is the road and steep, and rough ^{719A} withal
 The first ascent; but when the crest is won,
 ‘Tis easy travelling, albeit ‘twas hard.’³⁶

Cle: Yes, I think he expressed that beautifully.

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

Cle: Proceed.

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

Cle: Necessarily.

Ath: “Well didn’t we hear you saying a little earlier³⁷ that a lawgiver should not allow the poets to compose whatever pleases themselves? For, they would never know when they are saying something contrary to the laws and doing harm to the city.”

Cle: True.

Ath: Suppose, then, we were to speak on behalf of the poets, would the following be a fair case to make?

Cle: What case?

Ath: ^{719C} As follows: “There is an ancient story, O lawgiver, often repeated by ourselves with the agreement of everyone else, that a poet, when seated upon the tripod of the Muses, is out of his own mind. He is like a fountain, allowing whatever arises to flow forth freely, and since his skill lies in the realm of imitation he must, necessarily, by setting various characters in opposition to one another, often end up speaking in opposition to himself, without knowing which of the ^{719D} contradictory positions is true and which is false. But it is not possible for a lawgiver to do this in a law, rather he must always present a single statement on a single matter and not two statements about one matter. Consider this in the light of what you have just been saying. A funeral may be extravagant, it may be austere, or it may be moderate, but you chose one, the moderate one, and you prescribed this and favoured this one, pure and simple. But in my case, if an exceptionally wealthy woman, in one of my plays, were to give directions for her own burial, I would favour the extravagant ^{719E} funeral. But, in contrast, a poor and miserly man would favour the shabby version, while a man of moderate means and moderate character would favour that very funeral.

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

Cle: Very true.

³⁶ Lamb, p.303. Hesiod. *Works and Days*, 287-92. Loeb edition.

³⁷ See *Laws* II 656C-D.

Ath: So does the person we appoint to preside over the laws add no preamble of this sort to the beginning of the laws? Does he just tell us, straight away, what we should do and what we shouldn't, threaten us with a penalty if we disobey, and then move on to another ^{720A} law, without offering a single word of encouragement or persuasion to those who live under his law code? Just as one physician always treats us in one way while another treats us differently, and we remember both methods, so do we make a request of the lawgiver, just as children make requests of a physician, to treat us by means of the mildest method. Would you like us to give an example? Well there are physicians and there are physicians assistants, whom, of course, we also call physicians.

Cle: ^{720B} Certainly.

Ath: Well they may be slaves, or they may be free, but the slaves acquire their expertise under the direction of their masters, through observation and experience, and not based on nature³⁸, which is how the free physicians have learned the skill, themselves, and instruct their own pupils. Would you accept that there are these two kinds of what we call physicians?

Cle: Of course.

Ath: Now are you also aware that the sick people in our cities include slaves, and free, ^{720C} and that slaves are, for the most part, treated by slaves who either travel about or remain in their clinics. No physician of this sort ever gives any account of the particular diseases of the various household slaves, nor does he ask them for one. Having prescribed what seems best to him, based on his experience, as if he knew exactly what to do, like an assertive tyrant, he then jumps up and moves on to another sick slave and, in this way, he provides some respite to his master in caring for ^{720D} sick people. The free physician, on the other hand, for the most part, treats and looks after the diseases of those who are free, and scrutinises these, from their inception, according to nature. He interacts with the sick person and his loved ones, and he himself learns something from him and, at the same time, insofar as it is possible to do so, he instructs the sick person himself, and he does not prescribe anything until he has somehow won him over. Only then, while continually ensuring ^{720E} the co-operation of the patient, through persuasion, does he attempt to complete the task of restoring him to health. Which of these two ways in which a physician cures people, or a trainer trains people, is better: the one that performs the single function in two ways, or the one that does it in one way only, the worst of the two, and annoys the patient in the process?

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

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

Cle: I would indeed.

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

Cle: Indeed.

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

³⁸ For this translation of the sentence see England page 461.

Cle: Of course.

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

Cle: Entirely so.

Ath: Well let's first state the simple version: it would go somewhat as follows: ^{721B} a man is to marry between the ages of thirty and thirty five, if he does not, he is to be penalised by a fine or by loss of status: the fine is to be such and such an amount, and he will lose status in such and such a manner.

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

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

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

Cle: Well said, Megillus.

Ath: Now it is extremely foolish to argue over whether the statutes are to be long or short, since we should value what's best rather ^{722B} than what is shortest or longest. In the laws just mentioned, one kind is not superior to the other in practical excellence alone, no, as we have just said, the example of the two physicians sets this out in the correct manner. And in this respect, no lawgiver ever seems to have realised that when it comes to legislation, they can make use of two approaches, persuasion and force, depending on the level of education of the broad mass of people. They make use of only ^{722C} one of these, since force is never combined with persuasion when they are enacting laws: they only use unalloyed force. But, good men, I can also see yet a third requirement in relation to laws, and it is never present nowadays.

Cle: What requirement?

Ath: Something that has emerged, by some divine guidance from the issues we have now been discussing. Indeed, since we began to speak about the laws, dawn has turned to high noon, we now find ourselves in this glorious resting place, and all the while we have been discussing ^{722D} nothing else but laws. And yet, it seems to me that we are only now beginning to speak of laws, while all our previous discussions were but preambles to laws.³⁹

Why do I say this? I wish to point out that all speeches and other uses of the human voice have their preambles and what you might call “preliminaries”, providing an artistic introduction which helps with whatever is going to come next. And so, for instance, we place wonderfully intricate ^{722E} preludes, before the so-called “nomes”, of a harp song or other musical compositions, but when it comes to actual “nomes”, those we refer to as civic laws,⁴⁰ no one has so much as mentioned a preamble, or fashioned one, and presented it for all to see, as if this is unnatural. But our exposition indicates that this is natural, I believe, and the laws I mentioned, that seemed to me to be twofold, are not really twofold in that simple sense; there are in fact two distinct things: the law and the preamble to the law. The tyrannical direction which we said was comparable to the directions of the physicians ^{723A} who, we said, are not free, is law that is not mixed with anything else. But what’s said prior to this, the persuasive part as Megillus termed it, although it is indeed persuasive, serves the same function as a preamble does in relation to speeches. So it seems quite obvious to me that the entire persuasive discourse is delivered so that the person to whom the lawgiver presents the law, will receive it in a spirit of good-will and, because of that, will easily understand his direction, which is the law. Therefore, according to my account ^{723B} of the matter, this should be referred to as a preamble to the law and not as a statement of the law.

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

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

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

Cle: I think that’s very true, but, stranger, let’s not delay any longer, let’s return to the argument, beginning, if that’s acceptable to you, from those assertions, which you made then, though not as a preamble. So yet again, let’s repeat this once more, from the beginning, this time as a preamble,

³⁹ See England, Vol. I, page 1, for a discussion on preambles. He points out that at this stage, after four books of the *Laws*, the three men have not made a single law.

⁴⁰ There is another untranslatable play here upon the word “nomos” which is a musical melody, tune or strain. This is contrasted with the musical prelude by which the melody is introduced. The Greek word for law is also “nomos”, hence the wordplay.

rather than conducting a random argument, as we did just now. “Better second time around”, as they say ^{723E} when playing games.

Enough has already been said about the honour and service due to gods and ancestors. So we should attempt to recount whatever comes next in order, until in your opinion, the entire preamble has been stated adequately. Only then should you proceed to describe the laws themselves.

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

Cle: Entirely so.

Ath: Well then, after such matters as these, isn't it both fitting, and of great mutual benefit, for the speaker and the listener to attain the best possible education by pondering just how ^{724B} serious or casual they should be about their own souls, their bodies, and their wealth?⁴¹ These are the issues we really need to speak of and hear of next.

Cle: Correct.

End Book 4

⁴¹ This sets out the initial theme and purpose of Book V as far as 734e.