

Plato's *Laws*

Book 8

Translated by David Horan

Persons in the dialogue: Athenian Stranger, Cleinias, Megillus

^{828A} **Athenian Stranger:** The next step for us, with help of the oracles from Delphi, is to arrange, and establish by law, which sacrifices, offered to which gods would be better and more agreeable to the city. The timing of these and their number would, for the most part, be largely up to ourselves to legislate for.

Cleinias: Yes, in the case of their number that is quite likely.

Ath: Then let's deal with their number first. Let there be no less than three hundred and sixty five ^{828B} festivals so that there is always at least one official, offering a sacrifice on behalf of the city, its people or its property, to some god or daimon. Interpreters, priests, priestesses and prophets are to gather together along with the guardians of the laws and make appropriate arrangements for whatever the lawgiver has, inevitably, omitted. And indeed, these very people should act as judges of what has actually been omitted. And the law, in fact, will say that there are to be twelve festivals ^{828C} to the twelve gods after whom the twelve tribes would each be named, involving monthly sacrifices offered to each of these gods, with choruses, and competitions in music and gymnastics being dedicated, as appropriate both to the gods themselves and the particular seasons of the year. In the case of the women's festivals they are to determine those from which men should be excluded, and those they may attend. What's more, the rituals associated with the gods of the underworld and those associated with the gods who should be called heavenly, are to be kept separate and not be mixed together, allocating them by law to the twelfth month, sacred to the god of the underworld, Pluto. ^{828D} And there should be no revulsion among military men towards a god of this sort, who should, rather, be revered as being consistently best for the human race. For I would seriously maintain that communion of soul with body is not better in any way than its dissolution in death. Furthermore, those who are going to make these distinctions in a satisfactory manner need to bear the following facts in mind: that no city comparable to ours is to be found nowadays, either in terms of the amount of leisure time afforded, or the availability of life's necessities and that, like an individual human being, the city ^{829A} should live well. And to live a goodly life it is first necessary that we ourselves do no injustice, or suffer injustice at the hands of others. The first of these requirements is not hugely difficult, but it is extremely difficult to acquire the ability to suffer no injustice, and it is not possible to have this ability, perfectly, except by becoming perfectly good. The same principle also applies to the city; if it becomes good, its life is peaceful, if bad, its life is a battle, internally and externally.

Since this is more or less how matters stand, everyone should train for warfare, not in time of war ^{829B} but in the life of peace. So a city possessed of intelligence should conduct military exercises for at least one day each month, or more, as the rulers see fit, paying no heed to the weather, be it hot or cold. Whenever the rulers decide to march them all out, en masse, men, women and children must go. On other occasions they may call upon only part of the population. They should also be continually devising noble games to accompany the sacrifices, so that there may be some festive

battles, imitating ^{829C} the real-life military battles as best they can. At each of these they should award prizes for victory and for excellence, and they should compose speeches of praise or of censure, for one another, according to how each person fares in the contests, or indeed in life generally, decorating whoever is deemed to be best, and censuring anyone who falls short. Not everyone is to be a composer of such speeches. Firstly, they should be more than fifty years of age and they should not be the sort of people who have attained an acceptable proficiency in poetry and music but have never performed a single noble or illustrious deed themselves. ^{829D} The compositions of people who are themselves good, and who are honoured in the city for the noble works they produce, these are the songs that should be sung, even if they are not naturally musical. The selection of these composers shall lie with the educator, and the guardians of the laws, who shall allow them the following privilege: they alone are to be allowed freedom of expression in music. No one else is to have such licence, nor should anyone dare to sing an unapproved song that has not been judged by the guardians of the law even if it be sweeter than the hymns of Thamyras ^{829E} and Orpheus. All that's allowed are those that have been duly dedicated to the gods, and those composed by good men, which present censure and praise, and have been adjudged to do so in a measured way. And I say that the same directions relating to military activity and freedom of expression in poetry should apply in like manner to women and men.

The lawgiver should reflect and deliberate as follows: now that my preparations are in place ^{830A} for the city as a whole, what sort of people am I nurturing here? Won't they be competitors in the greatest conflicts of all, where they will encounter vast numbers of opponents? "Very much so", would be the correct response. Well then, suppose we were nurturing boxers, or all-in-fighters, or competitors in some other contests like these, would we go into the actual contest itself without practising fighting with someone else on a daily basis beforehand? Surely, if we were boxers, we would have been learning to fight ^{830B} for very many days in advance of the competition and working hard at imitating all the moves we intended to rely upon when we eventually fought it out for victory, and getting as close as possible, in training, to the real thing. Instead of training-gloves, we would wear match-gloves so as to practice punching and avoiding punches, as best we could. And if we had a major problem finding people to train with, would we be so bold as to hang up a lifeless dummy and practice on that, or would we be afraid that some fools might laugh at us for doing so? And if we were ever devoid of opponents, living or lifeless, and were on our own, without training partners, would that deter us from literally fighting with our own shadows? Or what else besides "shadow-boxing" would you call this sort of practising with your own hands?

Cle: The very name you gave it, stranger, there isn't really an alternative.

Ath: Well then, will the fighting force of our city dare to embark, ever, upon the greatest of all contests, worse prepared than contestants of this sort, as it does battle for their lives, ^{830D} their children, and the entire city? And is the lawgiver to be afraid that these training exercises against one another may seem ridiculous to some? Is he then to refrain from enacting laws requiring military activity, if possible on a daily basis, at least on a small scale, without weapons, directing all training, whether in groups or not, to these ends? Won't he also order exercises of another kind, major and minor, to be held at least once a month, involving various contests with one another throughout the entire ^{830E} territory, in which people compete in capturing certain positions and laying ambushes, thus imitating warfare in every aspect? These trials have a way of revealing who is spirited and who is not, through fighting with actual combat-gloves, and missiles that are as close as possible to the real thing, making use of weapons that are somewhat dangerous so that their game may not be entirely devoid of fear but involve some threats. Then, by correctly awarding

honour to one ^{831A} and dishonour to the other, the lawgiver would enable the entire city to be of service in the true life-long contest. And indeed, if someone loses their life in the process, the slaying is to be regarded as an accident, and once the killer has been purified in accordance with the law, his hands may be pronounced clean. The lawgiver's view will be that, if a few people should perish, others who are just as good will be born to replace them, whereas if fear itself should perish, so to speak, he won't find a test to distinguish the better people from the worse in all such cases and, for the city, that is a far ^{831B} greater evil than the other one.

Cle: We agree with you stranger; measures like these should be enshrined in law, and every city should practice them.

Ath: Now do all of us understand the reason why such choristry and competition do not exist at all in cities nowadays, except, perhaps, on a very small scale? Would we say it's because of the ignorance of the general population and the people who institute laws for them?

Cle: Perhaps.

Ath: ^{831C} Not at all, Cleinias, bless you! We should insist that there are two causes that are well capable of bringing this about.

Cle: What are they?

Ath: One originates in the passion for wealth, which keeps a person so busy that he cares for nothing else besides his own personal possessions. Once the soul of every citizen depends upon these it would never be capable of having any care for anything else besides short term advantage; everyone, personally, being extremely keen to learn and practice any subject or activity that leads to this objective and laughing at any others. ^{831D} This, we must insist, is one particular cause of a city's refusal to take this or any other noble and good pursuit seriously. Indeed, because of this insatiable desire for gold and silver, everyone is prepared to resort to any skill or device, noble or unseemly, provided it's going to make him rich. He'll perform any act, holy or unholy, even an utterly disgraceful one, without scruple, as long as he is able to provide himself, like some wild beast, with total, unrestricted satisfaction in eating, ^{831E} drinking and lust, in endless variety.

Cle: Correct.

Ath: Well this cause, the one I am speaking of, may be set down as one that prevents cities from properly practising military activities or any other noble pursuits, and turns people who are naturally well behaved into traders, merchants and out and out servants, while making pirates, thieves, temple robbers, ^{832A} thugs, and tyrants of the courageous types, although much of the time they are not bad natured but unfortunate.

Cle: In what way?

Ath: Unfortunate in the extreme: how else could I describe people who are compelled to go through life with a constant hunger in their own souls?

Cle: Well that's one cause; what's the second cause, stranger?

Ath: It's good that you remind me.

Cle: Yes, according to you, one cause is the insatiable life-long search ^{832B} which keeps people busy, and gets in the way of the proper practice of military exercises. So be it. Now tell us the second cause.

Ath: I expect you think that I am delaying and won't tell you, because I am at a loss.

Cle: No, but you do seem to us, out of a sort of hatred for the character you are describing, to be castigating him more than is required by the present argument.

Ath: An excellent rebuke, stranger; it seems you want to hear what comes next.

Cle: Speak on.

Ath: I maintain that the causes lie in the "non-constitutions" which have been mentioned so many times ^{832C} before: the democratic, the oligarchic and the tyrannical. In truth, not one of these is a constitution, indeed they may all, quite correctly, be called "states-of-faction". None of them involves willing rule over willing subjects, but willing rule over the unwilling, always with some degree of force, and the ruler, out of fear of his subject, will never willingly allow him to become noble, wealthy, strong, courageous or in any way military. Now these, more or less, are the two main causes of all evils; at least of the evils we are now considering. However, the constitution for which we are now ^{832D} enacting laws has eliminated both. For it presumably allows the most free time, and its citizens are free from one another and under these laws, I believe, they would be least fond of wealth. Consequently, it is reasonable to expect that, of all constitutions, only the one arranged in this way would make allowance for the military education we have set out, which is also an amusement, as described appropriately in our account.

Cle: Good.

Ath: After all this shouldn't we declare, once and for all, ^{832E} regarding athletic contests in general, that those that are militarily useful should be pursued, and prizes for victory should be awarded, while those that are not should be set aside? It is best to begin by stating which these are, and by passing laws, and we should first provide for contests in running and rapidity in general, shouldn't we?

Cle: We should.

Ath: Now bodily agility in general, of the foot or the hand, is more useful than anything else for military purposes. ^{833A} In flight and in pursuit fleetness of foot is required while in a set fight, at close quarters, calling for endurance and strength, quick hands are needed.

Cle: Indeed.

Ath: But in the absence of weapons neither of these has its full effect.

Cle: No, how could they?

Ath: So, at our competitions, the herald, as he does nowadays, shall first call the short distance runner and he shall come in wearing his armour and we shall award no prize to a competitor without armour. First then, the competitor who runs one stade in full armour shall enter, second comes the contestant who runs twice ^{833B} that distance, third is the one who runs the length of the horse track, fourth the chariot course runner and then, fifth, is the one in heavier armour whom we shall despatch, in first instance, to run sixty stades to some temple of Ares and back again. We

shall call him a hoplite, and he shall follow a smooth course, while his rival, an archer, wearing full archer's gear, must run one hundred stades through hills and varied ^{833C} countryside to a temple of Apollo and Artemis. And having set up the competitions we shall wait until the contestants return and award the prizes to the victors in each event.

Cle: Rightly so.

Ath: Then let's devise contests in these three classes: one for children, one for youths and one for men, and let's set the course distance for youths at two-thirds of the full length, and for children at half the length, whether they compete as archers or as hoplites. In the case of females, girls who have not yet attained womanhood are to run one stade, ^{833D} two stades, the horse track and the chariot course, without gear, on the course itself. From the age of thirteen, while awaiting marriage between the ages of eighteen and twenty, they may still be involved, but they must put on the proper gear when entering these races. So let these be the arrangements concerning running, for men and women. As for events involving strength, instead of wrestling and the like, the "heavy" ^{833E} contest of today, let's arrange fights in armour, one against one, two against two, up to a maximum of ten contending against ten. What must be accepted and what may be done to win a victory, and the points awarded should be decided based upon current practice in wrestling where the relevant officials regulate what constitutes good wrestling and what does not. So we, in like manner, should call upon experts in armour fighting and ask them to help us to make laws about who, rightly, deserves victory in these fights, what he must do or avoid ^{834A} and, similarly, the rules for deciding the loser. Let these regulations also apply to females until they are married.

For boxing in the pancratium we should substitute general combat using missiles; fighting with bows, light shields, javelins and stones thrown by hand or with slings. For these too we must make regulations, awarding the honours of victory to the one who best conforms to the rules of these competitions. Our next topic ^{834B} should be the regulation of horse racing. But we don't have much use for horses nor are there many of them, certainly not in Crete at any rate, and so their breeding and racing is, inevitably, taken less seriously. As for chariots, there is no one at all who keeps them, nor would anyone have any significant ambition in that direction. Consequently, to set up a competition of this sort, contrary to local custom, would not be an intelligent course of action nor would it seem so. But if we were to institute prizes for horse-riding ^{834C} on colts, young horses, and full grown animals, we would be adapting the sport of horsemanship to the nature of the country. For these particular competitors, then, let there be competitive contests established by law, and let judgement both of the actual courses themselves, and of the competitors bearing arms, be entrusted jointly to the company commanders and cavalry commanders. For competitors who are unarmed it would not be right to set up ^{834D} competitions by law, neither in this case, of horsemanship, nor for the athletes. For a Cretan there is some advantage in being a mounted archer or javelin thrower, so let there be sportive rivalry and competition in these activities too. Yet there is no merit in forcing women, by laws and regulations, to be involved in these contests. But if, due to their earlier education, a habit has developed whereby their nature accepts such involvement when they are children or young women, let them do so and let there be no criticism.

Well now, at this stage the subject of competition and instruction in gymnastics has been concluded, including our endeavours in relation to contests ^{834E} and day to day teaching. Similarly too, in the case of music, most aspects have been dealt with, but the matter of rhapsodes and anything associated with them, and any choral competitions required at our festivals shall be put in order once the months, days and years have been assigned to the gods and their associates, also

determining whether the festivals should be held every two years or every four years, or whatever interval or manner the gods may suggest. ^{835A} On these occasions, we should expect the music competitions to be held, in turn, as set down jointly by judges of the contests, the educator of the young, and the guardians of the laws, at a meeting concerning these very matters, where they act as lawgivers, determining when, by whom and with whom, the contests will be instituted, in the case of all choruses and dances. The original lawgiver has frequently declared what each of these should be like with respect to their words, melody, and harmony combined ^{835B} with rhythm and dance. These secondary legislators should follow his lead, allocating the contests appropriately to each sacrifice, at fitting times, thus providing the city with festivals to celebrate.

Now it is not difficult to recognise how to give a legal structure to these regulations and others like them. Nor indeed would changing them, this way and that, be greatly to the advantage or detriment of the city. ^{835C} But there is a matter that makes a difference, a significant difference, about which it is difficult to persuade people; in fact it is really a task for God, if it were somehow possible for guidance to come directly from that source. But, for now, what's needed is, probably, some courageous person, who, valuing frankness above all else, will say what he believes to be best for the city and its citizens; someone who, surrounded by corrupted souls, prescribes what is appropriate and becoming to the constitution, speaking in opposition to the most powerful desires of all, with no one else to help as he stands alone, by reason alone.

Cle: ^{853D} What point are you making now, stranger? We don't understand you, so far.

Ath: That's not unexpected. In that case, I'll try to explain myself to you more clearly. Indeed when my argument arrived at the topic of education, I beheld young men and women consorting with one another in a friendly manner and, not unexpectedly, I became fearful as I considered how one is to manage a city like this in which young men and women, well reared, are exempt from the hard work which does so much ^{853E} to curb the passions, and for whom sacrifices, festivals, and choruses are their lifelong concern. In a city like this, how precisely will the young refrain from those desires that so often plunge so many into ruin, desires from which, reason, in an effort to become law, directs them to refrain? Now if our previous regulations, as enacted, ^{836A} were to curtail most of these desires that would not be surprising. Indeed, the prohibition on becoming excessively wealthy is of considerable benefit in promoting sound-mindedness, and their entire education includes regulations adapted for similar purposes. What's more, the eye of the officials, having been trained to look nowhere else, and to be constantly vigilant towards the young people themselves, brings an element of measure to their desires, in general, insofar as this is humanly possible.

However, when it comes to the loves of children of either sex, or of men for women or women for men, ^{836B} which have had all sorts of consequences for individuals and for entire cities, how may he guard against this and what remedy is to be found to avoid such a danger in each of these cases? This question, Cleinias, is not at all easy to answer. And indeed, Crete in general, and Sparta too, have given us reasonable assistance in framing laws that are unusual compared to most, but when it comes to these loves, I have to say, just between ourselves, that the position is the exact opposite. ^{836C} What if someone, following the natural order, should institute the law previous to that of your lawmaker, Laius, and maintain that it is not right for males to consort with males, old or young, in the same way as they have sexual intercourse with females? In the process he might cite the natural habits of animals, and point out that in such situations males do not have contact with males, because this is contrary to nature, and he would then, perhaps, have a persuasive argument, even

though this does not conform to the practices of your cities. What's more, the matter which according to us, ^{836D} demands the utmost vigilance of the lawgiver, does not fit in well with these practices of yours. For, we are constantly enquiring as to which enactments are conducive to excellence and which are not.

So, come on then, suppose we were to agree that this practice is noble and not at all disgraceful, and were now to legislate accordingly, what consequence would follow in terms of excellence? Will it engender the quality of courage in the soul of the one who is seduced, or develop some form of sound-mindedness in the soul of the seducer? Surely no one will ever believe this. Quite the contrary, everyone will censure the softness of a person who yields to pleasures and is incapable of mastering them, ^{836E} and won't they also rebuke the man who imitates a woman, for his very resemblance thereto? This being the case, who on earth will ever legislate for such a practice. Hardly anyone, not if they have any notion of what true law is. So, how are we to maintain that this is all true? If anyone is to think aright about these matters, he will need to discern the nature of affection, of desires ^{837A} too, and of what is referred to as love. For there are these two, and from both another third form arises, but a single name encompasses the three and this gives rise to all sorts of perplexity and obscurity.

Cle: In what way?

Ath: We speak, as you know, of the affection of like for like, in respect of excellence, and of equal for equal, and indeed of the needy for the wealthy, although they are opposite in kind. And whenever either affection becomes intense, we call it love.

Cle: ^{837B} And rightly so.

Ath: Well the affection between opposites is fierce and wild, and among ourselves it is seldom mutual, while affection of like for like is gentle, mutual and lifelong. When there is a mixture of these two, firstly, it is not easy to appreciate what precisely someone who has this third love wants for himself, and secondly, he is perplexed as he is dragged in opposite directions by one or the other, one encouraging him to avail of the delight, the other forbidding him. For one man loves the body ^{837C} and being hungry to pluck the ripe fruit of its delights he encourages himself to have his fill, without showing the least regard for the soul of the beloved or its condition. The other man, however, regarding desire of the body as a diversion, contemplates rather than loves; he really desires soul with soul, and regards the sating of body by body as wantonness. Respecting and revering sound-mindedness, courage, magnanimity and wisdom, he would wish to live in constant purity with his pure beloved. ^{837D} The kind of life which is a mixture of both is the one we have just described as the third love. Now since there are three of them, should the law prohibit all of them and prevent their occurrence among us, or is it obvious that the one that loves excellence, and wants the young person to be as excellent as possible is what we would like to have in our city, while prohibiting the other two if this were possible? What is our position here, Megillus?

Megillus: I say, stranger, that you have just spoken ^{837E} very well, in every respect, on these matters.

Ath: It seems, my friend, as indeed I suspected, that I meet with your approval. The law among yourselves in Sparta, and what it thinks about such matters is something I don't need to investigate, I need only accept your approval of my argument. After this, on another occasion, I shall try

charming Cleinias into agreeing with me. What you both concede to me should be left at that, and we should return, by all means, to dealing with the laws.

Meg: Quite correct.

Ath: I have a device, ready to hand ^{838A} for establishing this law and although it is straight-forward, it is also, in a way, as difficult as could be.

Meg: What are you referring to?

Ath: We know indeed that even nowadays most people, however lawless they are, are well and truly prevented, without any resistance, with complete consent, from having intercourse with beautiful people.

Meg: On what occasions?

Ath: When they have brothers or sisters who are beautiful. Also in the case of ^{838B} a son or daughter, the same law, although it is unwritten, is quite enough to guard against anyone lying with them either openly or in secret, or wanting to touch them in this way. No, the desire for this intercourse doesn't even occur to them at all.

Meg: That's true.

Ath: Doesn't a single little saying extinguish all such desires?

Meg: What saying do you mean?

Ath: The saying that these practices are not at all holy, are detested by God, and are the most disgraceful of all disgraceful ^{838C} deeds. The explanation for this is that no one speaks differently from anyone else about these matters. Rather, each of us, as soon as we are born, hears this spoken of in comic utterances or, frequently, in serious tragedy when Oedipus or Thystes appears, or a Macareus having intercourse in secret with his sister, all of whom are seen readily inflicting death upon themselves as the penalty for their misdeeds, when they come to light.

Meg: You're quite right in saying this much anyway, that popular opinion possesses a wondrous ^{838D} power once no one at all attempts to breathe a word that does not accord with convention.

Ath: Isn't it right then, as I said just now, that for a lawgiver who wishes to restrain a desire that utterly enslaves people, it is easy enough at least to recognise how he should go about it: by making this saying sacred, in the eyes of everyone, bond or free, children and women and the entire city, on the same basis, he will ^{838E} thus be ensuring that this law is firmly established.

Meg: Very well: but how it will ever be possible to arrange that everyone will be willing to say this sort of thing ...

Ath: A good interjection; indeed this is what I was saying: that in relation to this law, I might have a device for ensuring the natural use of reproductive intercourse; the male refraining from the male, thus avoiding the deliberate annihilation of the human race by sowing seed into rocks and stones where ^{839A} it will never take root and adopt its own fruitful nature; refraining also from any female field in which you would not want the sown seed to spring up. This law then, having become permanent, and holding sway in the same way that the law about intercourse of parents with their children prevails nowadays, would indeed confer countless benefits, if it were also to prevail, as

is only right, in the other cases too. Firstly, it is in accord with nature, and it brings about restraint of the raging madness of love, of all sorts of debauchery, of any ^{839B} excesses in drinking and eating, and indeed, it makes men friendly and affectionate towards their own wedded wives. There would also be countless other benefits if it were possible for someone to have this law enforced. But perhaps some intense young man, his seed overflowing, might be close by and hear us proposing our law, and he might ridicule it as a stupid regulation that is impossible to implement, and fill the air with his declamations. This is what I had in mind when I made the statement that I had ^{839C} a particular device, for ensuring that this law is permanently established, in a way the easiest device of all but, in a way, extremely difficult. In fact it is easy enough to appreciate that this is possible and how it is possible, for according to us, once this law has been made sacred enough, every soul will become subject to it. This will lead to a fear of the established laws, and total obedience to them. But nowadays things have come to such a pass that, even with this law in place, it seems that the desired outcome would not come about. It is just like the situation with the practice of common meals, where the possibility of implementing this in the daily life ^{839D} of the entire city is greeted with disbelief. And even though it is an actual practice among yourselves, nevertheless even in your own cities the extension of this practice so as to include women is regarded as contrary to nature. And so, it was because of the strength of this disbelief, that I said that both these practices are extremely difficult to establish permanently as law.

Meg: And you were right to say so.

Ath: So would you like me to try to formulate some argument possessing some degree of certainty, to show that this can actually happen and is not beyond human capacity?

Cle: Of course.

Ath: ^{839E} Tell me then, in which of these cases would someone exercise sexual restraint more easily and be willing to do as directed in these matters, with due measure: when his body is in good condition and not out of training, or when it is run down?

Cle: When it is not out of training this is much easier.

Ath: Yes, and we all know what's said about Iccus of Tarentum because ^{840A} of his involvement in the contests at Olympia and elsewhere. Due to his sheer ambition in these competitions, his professionalism, and the courage combined with sound-mindedness he possessed in his soul, he never, so they say, touched a woman or indeed a boy either, while his training was at its peak. And indeed the same story is also told of Crison and Astylus and Diopompus and very many others. And yet, Cleinias, these people had received a far inferior education, in soul, ^{840B} than your citizens and mine, while their bodies were much more vigorous.

Cle: You're right in saying that it has been confidently reported by men of old that this was indeed what actually happened in the case of these athletes

Ath: Well then, are these athletes to refrain from what most people refer to as a blissful activity, all for the sake of victory in the ring or on the track and such like, while our young folk refuse to tolerate restraint for the sake of a much more sublime victory? This is a victory whose glory ^{840C} we shall praise as we speak to them from their very childhood, in the hope of charming them, using stories, speeches and songs.

Cle: What victory?

Ath: The victory over pleasures which, if they win it, ensures a goodly life, we'll say, whereas, if they are defeated, the outcome is the exact opposite. And besides this, won't a foreboding at the out and out un-holiness of this activity be capable of ensuring this victory for them, a victory which has been won by others who are worse people than these citizens of ours?

Cle: Quite likely.

Ath: Well this is our predicament in relation ^{840D} to this particular regulation: we have been cast into perplexity by the evil ways of the majority of people. So I maintain that our regulation on these particular matters should simply proceed by stating that our citizens ought not to be worse creatures than birds and any other animals that flock together on a large scale. Until the time for reproduction arrives they live unwed, as pure, chaste virgins, and when they reach the appropriate age they come together in pairs, as they prefer, male with female, female with male, and live out their lives in holiness and justice, constant ^{840E} and true to their first ties of affection. Surely our citizens should be superior to animals. But what if, instead, they are corrupted by the vast majority of Greeks and barbarians in general, seeing and hearing of the enormous power of the so-called "lawless love" among these people, and consequently prove unable to win this sublime victory? Then the guardians of the laws must become lawgivers and devise a second law for them.

Cle: ^{841A} What law would you advise them to implement if the one we are now implementing evades them?

Ath: The one that comes after this one is obviously second, Cleinias.

Cle: Which do you mean?

Ath: There was a way of making the power of these pleasures largely ineffective,¹ by diverting their influx and sustenance elsewhere through physical work. This would also happen if there was less shamelessness involved in recourse to sexual activity since, because of the shame, ^{841B} resort to this would be more sparing and, being used less frequently, the strength of its tyranny would be reduced. Let them accept then that discretion in such activity is something noble, endorsed by custom and unwritten law, while lack of discretion is shameful. But they need not refrain from the activity completely. In this way, we would have a second best standard of what's shameful or noble, established by this law, and a second best standard of rightness too, and the particular kind of people whose natures have been corrupted, whom we describe as inferior to themselves, would be restrained by a threefold barrier and prevented ^{841C} from transgressing the law.

Cle: What are the three?

Ath: Reverence for God, accompanied by love of honour and the birth of a desire for the beautiful qualities of the soul, rather than those of the physical bodies. What we are now saying may well be a sort of combination of fable and prayer, and yet, if this were to happen it would be the very best thing that could happen in any city. But perhaps, God willing, we might enforce one or the other of two ^{841D} regulations concerning sexual relations. One would be that no noble freeborn person should dare to touch any, except his own wedded wife, or sow unconsecrated and illegitimate seed with concubines, or sow unproductive seed with males, in contravention of nature. Alternatively we could completely ban sexual activity with males and, in the case of women, if anyone consorts with any woman, save those brought into his house, consecrated by

¹ Perhaps this is a reference to 835d8.

divine marriage rites, whether he buys her or acquires her in any other way, ^{841E} and he is found out by any man or woman, we would probably be right in enacting, by law, that he be deprived of his rights and honours as a citizen of the city because he is, in truth, an alien. So this law then, whether we refer to it as one law or as two, should apply to sexual relations and all ^{842A} matters concerning love, and what practices are right and what practices are not right in our interaction with one another by reason of such desires as these.

Meg: Well stranger, for my own part, I would accept this law without reservation, but Cleinias should declare, for himself, what precisely his views on these matters are.

Cle: That's what I'll do, Megillus, whenever I think the occasion is right. For now, let's allow the stranger to proceed further with his laws.

Meg: Right.

Ath: ^{842B} Very well then, our proceedings have now reached the point at which common meals have been, more or less, established. Elsewhere, according to us, this would be difficult but in Crete no one suggests doing anything differently. As for the manner in which they are arranged, and whether the system here or the system in Sparta is better, or whether there is some third system that's better than both, this would not, I think, be difficult to ascertain, but there would be no great advantage in doing so. In fact we have now made these arrangements in a satisfactory manner.

^{842C} The next issue is provision for these common meals in a manner suited to them. In the case of cities there would be a huge variety of provisions from lots of different places, at least twice as many sources as these cities of ours. For most Greek cities get their food supply from the land and from the sea, while these cities of ours get it from the land alone. This makes things easy for the lawgiver, for the number of laws required would be less than half, much less, and besides, they would be more suited to a free people. Our lawgiver, being largely quit of merchant shipping, trading, retailing, inn-keeping, compound interest and countless other requirements of that sort, will then pass laws for farmers, herdsmen, bee-keepers, and for those who supervise such matters and are responsible for the equipment. He has already passed laws dealing with the most important issues of marriage, the birth and upbringing of children, education, and the appointment of officials in the city. He now needs to turn his attention to legislating in relation to food and the people who collaborate in producing this.

Firstly, then, let there be laws that go by the name of "agricultural". The first law, the law of "Zeus of the boundary" may be stated as follows: no one is to move a land boundary marker, neither of a neighbour who is a fellow citizen, or when he owns land bordering a foreign frontier and his neighbour is a foreigner. He must realise that in doing so, he is, in truth, moving the immovable. ^{843A} And everyone must prefer to attempt the removal of some enormous rock that isn't a boundary marker rather than the tiny stone, consecrated to the gods, that marks off the land of a friend or the land of a foe. For in one case, Zeus, god of the clan is witness, and in the other case, Zeus, god of strangers is witness, and when these are aroused, the most bitter conflicts follow. Now whoever obeys the law shall not suffer any of its penalties, while those who disregard it are to be subject to a twofold retribution; first and foremost from the gods, and secondly from the law. ^{843B} For no one is deliberately to move the boundary markers of his neighbour's land, and whoever does so is to be reported to the land owners by anyone who wishes, and they, in turn, should take him to court. If someone is convicted of such a crime, since the offender is effecting the redistribution of land

by stealth or by force, let the court decide what penalty the guilty party must suffer, or the compensation he should pay.

Furthermore, lots of minor grievances between neighbours, by their very frequency, give rise to a significant accumulation of ill feeling, and turn neighbourly relations into something difficult ^{843C} and extremely bitter. Therefore, a neighbour must be extremely careful to do nothing offensive to a neighbour, in general, and must always be particularly careful not to encroach on his land at all. For, it is not difficult to do harm, anyone can do so, but not everyone can confer a benefit. Whoever encroaches upon the land of his neighbour, disregarding the boundary markers, is to make good any damage, and what's more, to cure him of his shamelessness and unworthy behaviour, ^{843D} he is to pay double the damages to the victim in addition. In all cases of this sort, let the rural commissioners act as inspectors, judges and assessors. In major cases as stated previously, the entire command structure of the district is to act, while in lesser cases the guard commanders may do so.

If someone's cattle graze on another's land, these officials shall decide the case and the penalty, once they have inspected the damage. And if anyone exploits ^{834E} the susceptibility of bees, and appropriates a hive by making rattling noises to attract them to his own property, he is to pay damages. And if he should light a fire and is not careful about his neighbour's materials, he is to pay a fine as assessed by the officials. He is also to be fined if, while planting trees, he plants them too close to his neighbour's property. These are issues that lots of lawgivers have dealt with quite adequately, and we should simply make use of their laws and not expect the important person who is putting our city ^{844A} in order, to legislate for the numerous trivial matters which any random lawgiver could deal with. And since time tested laws are already in place for farmers concerning water supply, we need not draw upon these for our argument. Rather, anyone who wants to bring water to his own holding, from the communal sources, may bring the water, provided he does not intercept the exposed well of any private individual, and he avoids any houses, temples and tombs, and does no damage beyond what's required for the channelling. ^{844D} In areas where the land is naturally arid and fails to retain the heaven sent waters and there is a shortage of necessary drinking water, the person should dig on his own land until he reaches the clay subsoil and if he does not encounter any water at all at that depth he is to be supplied by his neighbours with enough drinking water to meet the needs of every member of his household. If the scarcity also extends to his neighbours he is to make arrangements for a water supply with the rural commissioners, receiving this on a daily basis, and share his neighbours' ^{844C} water in this way. And when the rains from heaven come, if someone does damage to the farm or the adjoining house that lies below his own by blocking the outflow of water or, conversely, the person above damages the holding below by carelessly discharging the flow, and the parties are unwilling to accommodate one another, either may go to the city commissioners in one case or the rural commissioners in the other, for a direction as to what they should do. Anyone who does not abide by such a direction is to be penalised for his grudging and ^{844D} uncooperative spirit and, on conviction, is to pay double the damage to the injured party for his refusal to obey the officials.

In the case of the fruit harvest, the generally accepted rule should be as follows: two gifts are bestowed upon us by the grace of this goddess, one being the bounty of Dionysus that none can store, the other naturally produced for storage. So let the following law be enacted concerning the fruit harvest. Whoever tastes the coarse fruit, whether grapes or figs, ^{844E} before the season of the vintage comes with the rising of Arcturus, either from his own land or from another's, is to pay fifty drachmas, sacred to Dionysus, if he plucks it from his own property, a mina if plucked from

his neighbours' land and two thirds of a mina if it was taken from elsewhere. Whoever wants to harvest what nowadays are called special grapes or special figs may gather them as and when he wishes if he takes them from his own land. But if he takes them from someone else's land, without permission, he is to be fined for each offence, ^{845A} in accordance with the law which declares that you don't disturb what you have not set down. But if a slave touches such fruit without the permission of the landowner, he is to be whipped, receiving one stroke for each grape on the bunch or for every fig taken. A resident alien who has bought a crop of special fruit may harvest it if he so wishes. A visiting foreigner who wants fruit to eat as he travels the roads may, along with one attendant, avail of special fruit if he wishes, without payment, as our gift to our guest. ^{845B} As for the so-called coarse fruit, and the like, the law should prohibit the visitor from sharing in these. And if anyone, master or slave, takes them unknowingly, the slave is to be punished by being beaten, while the free man is to be told off and instructed to avail of the other fruit that is not suitable for being stored to make raisins, wine or dried figs. Let there be no disgrace in taking apples, pears or ^{845C} pomegranates or the like, secretly, but if anyone under thirty is caught in the act, let him get a beating, avoiding serious injury, as a deterrent, and let there be no legal redress available to a free man for such an assault. Let a foreigner be allowed to partake of this sort of fruit in just the same way as the grapes and figs, and if any older person avails of them, eating them on the spot and taking nothing away, let him have his share of all fruit of this sort, just like the foreigner. But if he disregards ^{845D} this law, he runs the risk of being disqualified from every public distinction when the time comes, if such behaviour is brought to the attention of the acting judges. Water, more so than anything else, is what sustains garden produce, but it is easily spoiled. For neither earth, nor sun, nor winds, which cooperate with water in nourishing the growing plants, are at all easy to spoil by poisons, diversion or theft. However, in the case of the water it is possible for everything of that sort to happen, ^{845E} and so the protection of the law is needed. So let there be the following law about this: if anyone deliberately spoils another's water supply, in a spring or in a pond, with poisons, by digging trenches or by theft, the injured party is to take the case before the city commissioners, detailing the extent of the damage. If someone is found guilty of doing such damage using poisons, in addition to any fine, he is also to purify the springs or water reservoir in whatever manner the legal interpreters prescribe for the conduct of the purification in any particular case or on any particular occasion.

When gathering in the seasons' harvest, it shall be open to anyone to convey his own produce through any place he wishes ^{846A} provided he does no damage, or the profit he himself gains from the route is three times the damage done to his neighbour's property. In these cases, the officials are to act as assessors, and also in all other cases where someone maliciously harms the person or property of another by force or by stealth, by the way he uses his own possessions. All such cases are to be reported to the officials, for award of compensation where the damages are less than three mina. If anyone makes a claim against another for a greater sum, he is to pursue the case before the public ^{846B} courts to secure redress from the wrongdoer. If any official is judged to have decided a penalty, based upon an unjust opinion, he is to be liable to pay double damages to the injured party, and indeed anyone who wishes may challenge the unjust decisions of any officials, before the public courts.

Governing the conduct of the legal actions, there are countless minor regulations dealing with the statements of grievance, the summonses, ^{846C} the serving of the summons, and whether its service requires two witnesses or some other number, and so on and so forth. These matters do require legislation but they are unworthy of a senior lawmaker. The junior lawgivers then are to legislate

for these matters, imitating the previous enactments, the minor imitating the major, having had practical experience of the need for their use, until they are all arranged in an adequate manner. Then having fixed them permanently, they should live by them since at that stage the measure is right.

^{846D} For skilled workers in general we should proceed as follows. Firstly, no native citizen is to be numbered among those who labour at the professions of skilled workers, nor may the servant of a citizen do so either. For a citizen already has a sufficient profession, one that demands a lot of practice and a great deal of learning, in maintaining and preserving the good order of the city, and this needs to be a full time occupation. For among us humans there is scarcely anyone who is naturally up to the task of working at two occupations or professions in all their detail. ^{846E} Nor indeed can we practice one profession ourselves while supervising someone else who is practising another. So in our city the guiding principle, from the very outset, should be that no one is to work as a smith and, at the same time, as a carpenter, nor indeed, while working as a carpenter is he to supervise someone working as a smith, rather than his own profession. It is no excuse to say that by supervising lots of subordinates who work on his behalf he naturally supervises them ^{847A} better, because his income from their work is greater than the income from his own profession. Rather each skilled worker in the city is to have one profession and from this he is also to earn his living. The rural commissioners then are to exert themselves in maintaining this law, and if any native person is inclined towards any profession, to the neglect of the concern for excellence, they shall punish him with censure and loss of privileges until they return him to his own proper course. If any foreigner pursues two professions they shall punish him with bonds, financial penalties ^{847B} and expulsion from the city, thus compelling him to be one person rather than many. Cases involving payments to workers, or the acceptance of their work, or where someone does an injustice to them or they wrong someone else, are to be decided by the rural commissioners up to a value of fifty drachmas, but if the amount involved is greater than this, the public courts are to judge the case according to the law.

No duties are to be paid in our city by anyone either on exported or imported goods. No one is to import frankincense or any other foreign produce of that sort relating to sacrifices to the gods, or purple, or any coloured dyes not produced in the country, or anything associated with any other profession that requires imported goods but serves no necessary purpose. Nor indeed should any goods that are needed in the country be exported; they should remain. The overseers and supervisors of all these matters are to consist of the twelve guardians of the laws who are left, after the five senior members are exempted.

^{847D} As for weaponry and all military equipment, there may be a need to import a particular skill, plant material, metal, rope, or animals, for such a purpose. If so, the cavalry commanders and generals are to be given responsibility for the imports and exports, the city itself being the buyer and seller, and the guardians of the laws are to institute appropriate and adequate laws about these matters. No one in our country ^{847E} as a whole, or in our city, is to trade for financial gain either in this or in anything else.

In the case of the food supply and its distribution, it seems that if a good system, coming close to that set out in the laws of Crete, were to be implemented, that would be quite suitable. Everyone should divide the total production of the territory into twelve parts which is how it is to be consumed. Each twelfth part, of wheat, for instance, or barley, are allocations to which all the other allocations ^{848A} of the crops should conform, including any animals that are for sale in any district.

These parts are to be divided into three, proportionately, one part for free born citizens, one for their attendants, and the third for skilled workers and for foreigners in general, including communities of resident aliens who are in need of sustenance, or people who have come in for a time to do business with the city or some private citizens. Of all the basic necessities that have been allocated, this third portion is the only one that may be placed on sale, compulsorily. There is to be no compulsion to sell ^{848B} any part of the other two divisions. Now what would be the correct way to allocate these? In the first place, it is obvious that, in a way, we are allocating them equally and, in a way, unequally.

Cle: What do you mean?

Ath: In this regard none of the three subdivisions, once allocated, is to involve any advantage, neither the one given to the masters nor to their slaves nor indeed the one that belongs to the foreigners. Rather the distribution shall ensure the same equality of likeness for everyone. ^{848C} Each of the citizens, having taken the two portions, is to be responsible for its distribution to slaves and to freeborn, distributing as much as he wishes of whatever quality he wishes. The surplus from these should be distributed according to the following measures and numbers: it is to be distributed by counting up the total number of animals that need to be sustained from the land.

What's needed next are individual houses for the inhabitants, suitably arranged, and the arrangement best suited to such purposes is as follows. There should be twelve villages; one in the centre of each of the twelve regions, and in each village ^{848D} we should first set aside temples and a market place for the gods and their associated divinities. And if there are any local divinities belonging to the Magnetes, or shrines of other ancient divinities whose memory is still preserved, they are to be granted the same ancient honours that those people gave them. And in every one of the twelve districts, temples are to be founded to Hestia, Zeus, Athena or whatever other god happens to be the patron of the region. To begin with, there are to be dwellings around these temples, ^{848E} wherever the ground is highest, as the most secure lodging possible for the guards. All the rest of the territory is to be provided with skilled workers who are to be divided into thirteen groups. One of these will take up residence in the city itself and this group shall, in turn, be divided into twelve parts corresponding to the twelve divisions of the entire city, dwelling round about, on the outskirts. While in each village the kinds of workers that will be useful to the farmers are to be given residence there. The supervisors of all these arrangements are to be the people in charge of the rural commissioners. They are to decide the number and type of workers each region needs, and where they should live so that they will be the least trouble, and of maximum benefit to the farmers. ^{849A} And in the city, in like manner, the board in charge of the city commissioners should have and retain the supervision of the workers.

The market commissioners are, of course, to look after everything to do with the market. Their second task, after their oversight of the temples adjacent to the market in case anyone does anything wrong, is to oversee the way people conduct their business, watching out for proper and improper behaviour, punishing anyone who needs to be punished. They shall, first of all, see to it that when the city folk are required to sell goods to foreigners the sale is conducted ^{849B} according to the law, in every case. The law, for each item, will be, that on the first of the month the portion of the goods that are to be sold to the foreigners should be brought out by the agents, that is, the foreigners or slaves who have been given this task by the city folk. Beginning with corn, the foreigner is to purchase, at the first market, a month's supply of corn and whatever is associated with it. On the tenth of the month the sale and purchase of liquid goods is to be conducted, enough

to last for the entire month. Every third ^{849C} month, on the twentieth day, let there be a sale of any livestock that need to be bought or sold to meet the needs of those involved. Let there also be a sale, by farmers, of any goods or materials such as hides, clothing items in general, woven materials, felt, and anything else of that sort, items that foreigners are required to purchase from other people. As for trading in these goods, barley or wheat flour, or other foodstuffs in general, no one is to sell these to citizens or their slaves, nor may anyone buy these from them. However, in the markets of the foreigners ^{849D} a foreigner may sell to the skilled workers and their slaves, dealing in wine and corn, which most people call trading. Butchers too may cut up animals and distribute the meat among foreigners, skilled workers and their attendants. Any wood for burning may be bought in bulk on any day by a foreigner, as he wishes, from the agent in the localities, and he may sell it on, himself, to other foreigners, as much as ^{849E} he wishes, whenever he wishes.

The other goods or products that people need are to be sold in the public market, being brought to the specific location, where the rural commissioners assisted by the city commissioners mark out suitable sites, defining the positions of the stalls. Here goods are exchanged for money and money for goods, and no one may forgo his part of the transaction. And if anyone does forgo his part, and thus give credit, he must accept his fate whether he is repaid or not, because no legal redress is available for a contract ^{850A} in such matters. If the extent or value of the purchase or sale contravenes the law that sets upper and lower limits, beyond which neither transaction may go, the excess shall be recorded immediately by the guardians of the law in the case of excess, or the transaction shall be cancelled in the opposite case. The same rules about the recording of excess wealth are also to apply to resident aliens. Anyone who wishes may become a resident alien on specified terms, since residency is open to any foreigner who wishes to reside here and is able to do so, provided he has a skill and dwells here no more than twenty years from his date of registration. All we require is his good behaviour, so he need pay no aliens' tax, nor indeed any duty on purchases or sales, and on completion of his permitted stay he may depart taking his wealth with him. And if during this time with us he acquires a good reputation because of some significant service to the city, and he believes he can convince the council and the assembly either that he deserves an official postponement of his departure, ^{850C} or even lifelong permanent residency, let him come forward and persuade the city, and whatever he persuades them of shall be his, in full. For children of resident aliens, who are skilled workers and have reached fifteen years of age, their period of official residency shall begin after they turn fifteen. When one of them has remained for twenty years, on the specified terms, he may go wherever he likes. If he wishes to remain, he may do so, subject to the same procedure for convincing the state. On departure he is to ensure that any official records, previously recorded by the officials, are erased.

End Book 8