Laws

PLATO

c. 428–348 BC

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Νόμοι

Translated from the Greek with AI (Claude) and edited



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Laws · Plato (c. 428–348 BC)

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INTRODUCTION

The *Laws* is Plato's last and longest work. Three old men — an unnamed Athenian, Clinias of Crete and Megillus of Sparta — walk on a summer's day from Knossos toward the cave of Zeus, and pass the time by discussing laws. Clinias reveals that he is helping to found a new colony, and the conversation turns into the design of a whole city, Magnesia, down to its religion, education, marriage, property, crime and punishment.

Where the *Republic* imagines rule by philosopher-kings, the *Laws* settles for the "second-best" city, governed by written law. Its ideas — laws that begin with persuasive preambles, a mixed constitution, education through song and dance, and a proof of the gods' existence in Book X — shaped political thought from Aristotle to the American founders.

Book I

Is war the aim of law? Drinking parties as a test of virtue.

ATHENIAN 624a Tell me, strangers: is it a god or some human being who gets the credit among you for establishing your laws? [1]

CLINIAS A god, stranger, a god—to put it in the justest way. With us it's Zeus; with the Spartans, where our friend here comes from, I believe they say Apollo. Isn't that right?

MEGILLUS Yes.

ATHENIAN Do you mean, then, as Homer says, that Minos used to go 624b every ninth year to meet with his father, and laid down laws for your cities according to the pronouncements he brought back from him?[2]

CLINIAS Yes, that's what's said among us. And his brother Rhadamanthus too—you've heard the name—was the most just of men. 625a We Cretans at least would say that he rightly earned this praise from the way he handled judicial matters in those days.

ATHENIAN A fine reputation, and very fitting for a son of Zeus. Since you and our friend here were brought up under legal customs like these, I expect it would be no unpleasant thing for us to spend the time now talking about constitutions and laws, speaking and listening as we go 625b along. The road from Knos-

1 The *Laws* opens on Crete, as three old men walk from Knossos toward the cave of Zeus on Mount Ida, where the god was said to have been raised.
2 Minos, legendary king of Crete and son of Zeus; the *Odyssey* (19.178–9) calls him the "confidant of great Zeus" who ruled in nine-year periods.

sos to the cave and shrine of Zeus is long enough, so we hear, and along the way, as you'd expect, there are shady resting places under tall trees, now that the heat is stifling. It would suit men of our age to rest in them often, and to encourage one another with conversation, and in that way to get through the whole journey with ease.

CLINIAS Yes, stranger, and as you go further there are cypresses 625c in the sacred groves, of amazing height and beauty, and meadows where we could rest and pass the time.

ATHENIAN You're right.

CLINIAS Certainly—and we'll say so even more once we've seen them. But let's go, and good luck to us.

ATHENIAN So be it. Now tell me: with what aim has your law arranged your common meals, your athletic training and the kind of arms you carry?[3]

CLINIAS I think, stranger, that anyone can easily grasp the reasons for ours at least. You can see that the land of Crete as a whole 625d isn't flat, as Thessaly is. That's why the Thessalians use horses more, and we use running on foot, since this land is uneven and better suited to training for foot races. In such country one has to have light arms, so as to run without carrying weight, and the lightness of bows and arrows seems to fit. So all these things have been fitted out for war, 625e and it seems to me, at least, that the lawgiver arranged everything with his eye on that. Even the common meals: he probably brought them in because he saw that whenever men are on campaign, the situation itself forces them all to eat together for that time, for their own protection. And he seems to me to have convicted the many of folly, for not understanding that everyone is always engaged, throughout life, in continuous war against all cities. If in war one must eat together for protection, and have certain rulers and 626a ruled arranged to guard them, then the same must be

3 Common meals (*syssitia*): in Crete and Sparta the citizen men ate together every day in fixed messes, an institution tied to military life.

done in peacetime too. For what most people call peace is only a name; in reality every city is always, by nature, in an undeclared war against every other. Look at it this way and you'll pretty well discover that the lawgiver of the Cretans arranged all our institutions, public and private, with his eye on war, and handed down the laws [626b] to be kept on that basis. His view was that nothing else, neither possessions nor pursuits, is of any use unless one prevails in war, since all the goods of the defeated go to the victors.

ATHENIAN You seem to me, stranger, to be well trained in understanding the institutions of the Cretans. But explain this to me more clearly still. The standard you set for a well-governed city: [626c] you seem to me to be saying that it must be organized so as to defeat other cities in war. Is that it?

CLINIAS Certainly. And I think our friend here agrees.

MEGILLUS How else could any Spartan answer, my inspired friend?

ATHENIAN So is this right for city against city, but something different for village against village?

CLINIAS Not at all.

ATHENIAN The same, then?

CLINIAS Yes.

ATHENIAN What about household against household in the village, and man against man, one against one? Still the same?

CLINIAS The same.

ATHENIAN [626d] And a man against himself: must we think of him as enemy against enemy? Or what do we say now?

CLINIAS Athenian stranger—for I wouldn't like to call you "Attic": you seem to me to deserve rather to be named after the goddess—you've made the argument clearer by rightly taking it back to its starting point. So you'll more easily see that what we

said just now was right: that all men are enemies of all in public life, and in private each is an enemy to himself.[4]

ATHENIAN 626e What do you mean, my remarkable friend?

CLINIAS Here too, stranger, victory over oneself is the first and best of all victories, and to be defeated by oneself is the most shameful and the worst of all things. This shows that there is a war in each of us against ourselves.

ATHENIAN Then let's turn the argument back the other way. Since each one of us is either superior to himself or inferior, 627a are we to say that households, villages and cities have this same thing in them, or not?

CLINIAS You mean that one is superior to itself, another inferior?

ATHENIAN Yes.

CLINIAS You were right to ask this too. There certainly is such a thing, very much so, and not least in cities. In all those where the better people defeat the multitude and the worse, that city would rightly be called superior to itself, and would be most justly praised for such a victory; and the opposite where the opposite happens.

ATHENIAN 627b Well, whether the worse is ever superior to the better, let's leave aside—that needs a longer discussion. But I understand what you're saying now: that sometimes citizens, kinsmen born of the same city, who are unjust and numerous, will band together and use force to enslave the just, who are fewer. When they prevail, the city would rightly be called inferior to itself and bad as well; and where they are defeated, superior to itself and good.

CLINIAS 627c What's being said now is very strange, stranger. Still, we can't avoid agreeing to it.

ATHENIAN Wait, then. Let's look at this as well. Presumably one man and one woman might have many sons who are brothers;

and it would be no wonder if most of them turned out unjust and the fewer just.

CLINIAS No wonder at all.

ATHENIAN And it wouldn't be fitting for you and me to chase after this point: that when the wicked win, the household and the whole family would be called inferior to itself, and superior 627d when they're defeated. We're not examining now the propriety or impropriety of words, as ordinary people use them, but the correctness and error of laws—whatever it is by nature.

CLINIAS Very true, stranger.

MEGILLUS Well said—so far, at least, I agree, for now.

ATHENIAN Let's look at this too. Presumably these brothers we just mentioned might have a judge?

CLINIAS Certainly.

ATHENIAN Which one would be better, then? One who put to death 627e all the bad ones among them and appointed the better ones to rule themselves? Or one who had the good ones rule, but let the worse live and made them willing to be ruled? And we might name a third judge, still better with respect to virtue: if there were one who took over a single family at odds with itself, and put no one 628a to death, but reconciled them for the future, laid down laws for them, and was able to watch over them so that they would be friends to one another.

CLINIAS Such a judge and lawgiver would be far better.

ATHENIAN And yet in laying down their laws he would be looking to the opposite of war.

CLINIAS That's true.

ATHENIAN What about the man who brings a city into harmony? Would he order its life with his eye on external war rather 628b than on the war that from time to time arises within it, the one called civil strife? That's the war everyone would

4 Athens is named for the goddess Athena; "Attic" refers merely to the region, Attica.

most want never to happen in his own city, and, if it does happen, to be rid of as quickly as possible.

CLINIAS Clearly on the second.

ATHENIAN Would anyone choose that peace should follow civil strife through the destruction of one side and the victory of the other, rather than that friendship and peace should come about through reconciliation, and the city then have to turn its 628c attention to enemies outside?

CLINIAS Anyone would want it that way for his own city rather than the other way.

ATHENIAN And the lawgiver likewise?

CLINIAS Of course.

ATHENIAN So would anyone lay down all his rules for the sake of anything but the best?

CLINIAS How could he?

ATHENIAN Yet the best is neither war nor civil strife—to need these is something we pray against—but peace with one another together with goodwill. And even the city's victory over 628d itself, it seems, turns out to be not among the best things but among the necessary ones. It's as if someone supposed that a sick body, when it gets medical purging, is at its best then, and paid no attention at all to a body that never needed such a thing. In the same way, anyone who thinks like this about the happiness of a city, or of an individual, would never be a true statesman, if he looks only, and first, to wars with outsiders; nor would he be a precise lawgiver unless he legislated for war for the sake of peace, rather 628e than for peace for the sake of war.

CLINIAS This argument does seem somehow to be right, stranger. And yet I'd be surprised if our institutions, and the Spartan ones too, haven't put all their effort into war.

THE WHOLE OF VIRTUE

Against Tyrtaeus, the Athenian argues that a lawgiver must aim at all of virtue, not courage alone.

ATHENIAN 629a Perhaps so. But we mustn't do battle with them harshly now, but question them calmly, on the assumption that both we and they are very serious about these matters. Follow the argument with me. Let's bring forward Tyrtaeus, an Athenian by birth who became a citizen of our friends here, and who, more than anyone, was serious about these things. He says: "I would not mention, nor take account of, a man 629b —not if he were the richest of men," he says, "nor if he had many goods"—and he lists nearly all of them—"if he did not always prove best in war." You've surely heard these poems too; our friend here, I imagine, has had his fill of them.[5]

MEGILLUS Certainly.

CLINIAS Yes, and they've come over to us too, brought from Sparta.

ATHENIAN Come on, then, let's question this poet together, something like this: "Tyrtaeus, most inspired of poets—for you seem to us 629c wise and good, since you've praised exceptionally those who are exceptional in war—now, the three of us, I and this man and Clinias of Knossos here, happen to agree with you strongly on this, as we think. But we want to know clearly whether we're talking about the same men or not. So tell us: do you, like us, clearly hold that there are two kinds of war? Or how do you see it?" To this I think even someone much less able 629d than Tyrtaeus would give the true answer: that there are two. One is what we all call civil strife, which is the harshest of all wars, as we said just now. The other kind of war, I think, we'll all take to be the one we engage in when we quarrel with outsiders and foreigners, and it is much milder than the first.

5 Tyrtaeus, a seventh-century BC poet whose martial elegies were sung by the Spartans; one tradition made him an Athenian.

CLINIAS Of course.

ATHENIAN Come, then: which men, and with an eye to which war, did you praise so extravagantly, and which did you blame? It seems to be those in the war against outsiders. At any rate you've said this in your [629e] poems, that you can't abide the sort of men who "dare not look upon bloody slaughter, and reach for the enemy, standing close." Then we'd go on to say: "Tyrtaeus, it seems that you praise most of all those who distinguish themselves in foreign war, against outsiders." I suppose he'd say yes and agree?

CLINIAS Of course.

ATHENIAN [630a] But we say that, good as these men are, those who are plainly best in the greatest war are better still, and by a long way. We too have a poet as witness, Theognis, a citizen of Megara in Sicily, who says: "A trustworthy man, Cyrnus, is worth his weight in gold and silver in harsh civil discord." Such a man, we say, proves far better than the other in the harsher war—almost as much better as justice, [630b] moderation and wisdom, joined together with courage, are better than courage by itself alone. For no one could ever be trustworthy and sound in civil strife without the whole of virtue. But plenty of mercenaries will "plant their feet firm" and fight, willing to die, in the war Tyrtaeus speaks of; and most of them turn out reckless, unjust, violent and just about the most senseless of all people, apart from a very few.[6] Where, then, does this argument of ours end up, and what [630c] does it want to make clear in saying all this? Clearly this: that the lawgiver here, who came from Zeus, above all—and any lawgiver who is of even the slightest use—will always lay down his laws with his eye above all on nothing other than the greatest virtue. And this, as Theognis says, is trustworthiness in the face of dangers, which one might call complete justice. As for the virtue Tyrtaeus praised most, though it's a fine

6 Theognis, an elegiac poet of the sixth century BC, whose poems are addressed to a young man, Cyrnus; he is usually placed in Megara near Athens rather than its Sicilian colony.

one, and fittingly adorned by the poet, it would still most correctly be called fourth, both in rank and in its claim 630d to honor.

CLINIAS Stranger, we're relegating our own lawgiver to the back ranks of lawgivers.

ATHENIAN Not him, my good friend, but ourselves—when we think that Lycurgus and Minos laid down all the institutions in Sparta and here with their eyes chiefly on war.[7]

CLINIAS Then how should we have put it?

ATHENIAN In the way that is true, I think, and right to say when discussing a legislation that is 630e divine: not that he legislated with his eye on a part of virtue, and the most trivial part at that, but on the whole of virtue; and that he sought out his laws according to their kinds—but not the kinds that people now set out when they search. Nowadays each person sets out and looks for whatever he happens to need: one the laws about inheritances and heiresses, another about assault, others countless other things of the sort. But we say that the inquiry 631a into laws, among those who inquire well, is the kind we've just begun. And I entirely admire the way you set about explaining your laws. To begin from virtue, saying that he laid down the laws for its sake, is right. But when you said that he legislated by referring everything to a part of virtue, and the smallest part at that, you no longer seemed to me to be speaking correctly; and that's why I've made this whole later speech. So how would I have wanted you to draw the distinctions 631b and speak, and to hear them myself? Shall I tell you?

CLINIAS By all means.

ATHENIAN You should have said something like this. Stranger, it's not for nothing that the laws of the Cretans are exceptionally well regarded among all the Greeks. They are right, since they make those who use them happy, providing all good things. Goods are of two kinds, human and divine. The first kind depends on the divine; and if a city receives the greater goods,

7 Lycurgus, the legendary lawgiver of Sparta.

631c it gains the lesser too, but if not, it is deprived of both. The lesser goods are led by health; beauty is second; third is strength, for running and for all the other movements of the body; and fourth is wealth—not blind wealth, but sharp-sighted, provided it follows wisdom. Wisdom, in turn, is first and leader among the divine goods; second, following on intelligence, is a moderate disposition of soul; from these, mixed with courage, would come justice, third; and fourth, 631d courage. All these are by nature ranked ahead of the others, and the lawgiver too must rank them so. Next he must direct the citizens that all his other instructions to them look to these; and that of these, the human look to the divine, and the divine all look to their leader, intelligence. As they join with one another in marriage, and after that in the begetting and rearing of children, 631e male and female, both when they are young and as they go on toward old age, until they reach it, he must take care of them, bestowing honor and dishonor rightly. In all their dealings with one another he must examine and keep watch over their pains and pleasures and desires, and the intensity 632a of all their passions, and use the laws themselves to blame and praise rightly. So too with anger and fear, and with all the disturbances that come upon souls through misfortune, and all the escapes from them in good fortune, and all the experiences that befall people in sickness or war or poverty, or their opposites: in all such things he must teach 632b and define what is fine and what is not in each person's disposition. After this the lawgiver must watch over the citizens' acquisitions and expenditures, in whatever way they happen, and oversee their partnerships with one another in all these matters, and the dissolution of partnerships, voluntary and involuntary—however each such dealing between them is conducted—seeing where justice is present in them and where it is lacking. To those who obey the laws he must assign honors, and on the disobedient he must impose fixed 632c penalties, until, having come to the end of the whole constitution, he sees how the burials of the dead should be conducted in each case and what honors must be assigned to them. Having surveyed all this,

the one who lays down the laws will set guardians over all of it, some who proceed through wisdom and some through true opinion, so that intelligence, binding it all together, may show it to be following moderation and justice, not wealth or 632d ambition. That, strangers, is how I would have wanted you—and still do want you now—to go through how all these things are contained in the laws said to be Zeus's and those of Pythian Apollo, which Minos and Lycurgus laid down; and how, having been given a certain order, they are clearly visible to someone experienced in laws, whether through expertise or through some kind of habituation, though to the rest of us they aren't apparent at all.

CLINIAS Then how, stranger, should the discussion go from here?

COURAGE AGAINST PLEASURES

Spartan training hardens men against pain, but nothing in either code trains them to resist pleasure.

ATHENIAN It seems to me we should go through it again from the beginning, 632e as we began: first the practices that make for courage; then we'll go through another kind of virtue, and then another, if you like. And as we go through the first, let's try to make it a model, and by talking through the rest in the same way, make the talk a solace for the road. Afterward we'll show that everything we've just gone through looks to the whole of virtue, if the god is willing.

MEGILLUS 633a Well said. And try first to put this praiser of Zeus of ours to the test.

ATHENIAN I'll try—you and myself too, since the argument is shared. So tell me: do we say that the common meals and the athletic training were devised by the lawgiver for war?

MEGILLUS Yes.

ATHENIAN And what's third, or fourth? For perhaps one should enumerate in this way also with the parts of the rest of virtue—

or whatever one ought to call them, provided one makes clear what one means.

MEGILLUS 633b Third, then, I and any Spartan at all would say, he devised hunting.

ATHENIAN Let's try to say a fourth, and a fifth, if we can.

MEGILLUS Well, I'd try to name a fourth as well: the endurance of pain, which is much practiced among us, both in fistfights with one another and in certain raids for plunder, which always involve many blows. And there's also something called the krypteia, wonderfully laborious 633c as training in endurance: going barefoot in winter and sleeping without bedding, looking after themselves without servants, and roaming the whole country by night and by day. Then again at the Gymnopaidiai we have terrible trials of endurance, as they contend with the force of the stifling heat; and a great many other things, almost more than one could ever finish describing.[8]

ATHENIAN Well said, Spartan stranger. But come, what are we to take courage to be? Simply a fight against fears 633d and pains and nothing more? Or also against longings and pleasures and certain dangerous, fawning enticements, which turn to wax the spirits even of those who think themselves above such things?

MEGILLUS I think the latter: against all of them.

ATHENIAN Well, if we remember what was said earlier, our friend here spoke of a city, and a man, as inferior to itself. Didn't he, stranger from Knossos?

CLINIAS He certainly did.

ATHENIAN 633e Now, then, do we call bad the man who is inferior to pains, or also the one who is inferior to pleasures?

CLINIAS More, it seems to me, the one inferior to pleasures. We all, I think, are more inclined to say that the man overcome by

8 The krypteia ("secret service") sent young Spartans out alone into the countryside; the Gymnopaidiai was a summer festival of dancing and athletic display by naked youths.

pleasures is shamefully "inferior to himself" than the one overcome by pains.

ATHENIAN 634a Surely, then, the lawgivers of Zeus and of Pythian Apollo haven't legislated a lame courage, able to resist only on the left, but powerless against the charming, flattering things on the right? Or against both?

CLINIAS Against both, I'd say.

ATHENIAN Then let's say again: what practices do you have in your two cities that give a taste of pleasures, and don't avoid them—just as they didn't avoid pains—but lead people into the thick of them, and by compulsion and by persuasion, through honors, make them master 634b them? Where in your laws is this same arrangement made with respect to pleasures? Let it be said what it is that, among you, makes the same men courageous alike in the face of pains and of pleasures, defeating what they ought to defeat and never inferior to the enemies that are closest to them and most dangerous.

MEGILLUS Well, stranger, though I had many laws to cite that are ranged against pains, I might not 634c be so well supplied in the case of pleasures, if I had to speak of large and conspicuous categories; but in small matters I might perhaps be well supplied.

CLINIAS Nor could I myself make any such thing equally evident in the laws of Crete.

ATHENIAN Best of strangers, that's no wonder at all. But if one of us finds fault with anything in the laws of the others' homelands, out of a wish to see what is true and at the same time what is best, let's take it from one another not harshly but gently.

CLINIAS You're right, Athenian stranger; we must do as you say.

ATHENIAN 634d Yes, Clinias, for the other way would not become men of our age.

CLINIAS No, it wouldn't.

ATHENIAN Whether someone is right or wrong in criticizing the Spartan and Cretan constitutions would be another ques-

tion. But what most people say about them I might perhaps be better placed to report than either of you. With you, if your laws are even moderately well made, one of your finest laws would be the one that forbids any of the young to inquire which of the laws are good 634e and which are not good, but requires all of them to agree with one voice, from one mouth, that all are well established, since gods established them; and if anyone says otherwise, they're not to put up with hearing it at all. And if an old man has some thought about anything among you, he's to make remarks of this kind to an official or someone of his own age, with no young person present.

CLINIAS Very true, stranger. Like a seer, 635a though far from the thinking of the man who laid them down in those days, you seem to me to have made a fair guess at it now, and to be speaking very truly.

ATHENIAN Well, now there are no young people here, and we ourselves have been exempted by the lawgiver because of our age. So we'd do nothing out of tune if we discussed these very things, just ourselves, among ourselves?

CLINIAS That's so. So don't hold back at all from criticizing our laws. There's no dishonor in recognizing something that isn't good; rather, it leads to a cure 635b for anyone who takes what's said not with resentment but with goodwill.

ATHENIAN Good. But I shan't speak as someone criticizing your laws yet—not before I've examined them securely, as best I can—but rather as someone who is puzzled. Your lawgiver alone, of all the Greeks and non-Greeks we know of, ordered you to keep away from the greatest pleasures and amusements and not to taste them. But when it came to pains and fears, which we've just gone through, he thought that if someone avoided them all the way through from childhood, 635c then when he came up against unavoidable toils and fears and pains, he would run from those who had been trained in them and become their

slave.[9] This same lawgiver, I think, ought to have thought the same way about pleasures too, saying to himself: "If our citizens grow up from youth without experience of the greatest pleasures, and have no practice in holding firm amid pleasures and in not being forced to do anything shameful, then, because of the sweet feelings pleasures 635d arouse, they'll suffer the same fate as those overcome by fears. They'll be enslaved in another way, and a still more shameful one, to those who can hold firm amid pleasures and who control what pleasures are made of—people who are sometimes thoroughly bad. Their souls will be partly slave and partly free, and they won't deserve to be called, without qualification, courageous and free." So consider whether any of what is being said now seems to you to be said properly.

CLINIAS 635e It does seem so to us, somehow, as the argument is being made. But to be persuaded straightaway and easily about matters of such importance might be more the mark of young and foolish people.

MODERATION AND DRINKING

Megillus praises the Spartan ban on drinking parties; the Athenian asks how such practices should be judged.

ATHENIAN Well, suppose we went on to the next of the things we set out to discuss, Clinias and Spartan stranger—after courage, let's speak about moderation. What difference shall we find between these constitutions and those of people governed at random, 636a as we did just now with regard to war?

MEGILLUS Hardly an easy thing. And yet the common meals and the athletic training seem to have been well devised for both.

ATHENIAN It does seem hard, strangers, for things to do with constitutions to be beyond dispute in practice as well as in the-

9 Greeks called all foreign peoples *barbaroi*; it is rendered "non-Greeks" throughout.

ory. It looks as though it's like with bodies: you can't prescribe a single regimen for a single body without its appearing to harm our bodies in some ways 636b and to benefit them in others. So too these athletic exercises and common meals now benefit cities in many other ways, but they're dangerous where civil strife is concerned—as the young men of Miletus, Boeotia and Thurii show. And in particular, this practice seems to have corrupted an ancient custom, one in accord with nature, concerning sexual pleasures, a custom that holds not only for human beings but for animals too. And for this one might blame your cities first, and 636c those others that are most devoted to athletic training. Whether one should consider such matters in play or in earnest, one must bear in mind that nature seems to have granted the pleasure involved in these things to the female and male natures when they unite to beget children; whereas that of males with males, or females with females, is contrary to nature, and those who first ventured on it did so from lack of control over pleasure. And we all accuse the Cretans of inventing the story of Ganymede: 636d since their laws were believed to have come from Zeus, they added this story about Zeus, so that they could enjoy this pleasure too, following the god's example.[10] Well, let's leave the story aside. But when people investigate laws, nearly the whole inquiry concerns pleasures and pains, both in cities and in the characters of individuals. These are two springs that nature has let flow. Whoever draws from the right one, 636e at the right time and in the right amount, is happy—city, individual and every living creature alike; whoever draws without knowledge and at the wrong times will live the opposite kind of life.

MEGILLUS That's well said, somehow, stranger; yet we're at a loss what to say in reply. Still, it seems to me that the lawgiver in Sparta is right to order us to avoid pleasures. As for the laws in Knossos, our friend here will come to their defense, if he wishes. In 637a Sparta, it seems to me, the laws about pleasures are the finest in the world. The thing that, more than anything, leads

10 Ganymede, a Trojan youth carried off by Zeus to be his cupbearer and beloved.

people into the greatest pleasures and excesses and every kind of folly, our law has banished from the whole country. Neither in the countryside nor in the towns that Spartans control would you see drinking parties, or all the things that go with them and stir up every sort of pleasure as much as they can. There's no one who, if he met someone reveling drunkenly, 637b wouldn't at once impose the heaviest punishment on him; and not even the excuse of the Dionysia would get him off—as I once saw among you, on the wagons; and at Tarentum, among our colonists, I watched the whole city drunk at the Dionysia. With us there's nothing of the kind.[11]

ATHENIAN Spartan stranger, all such things are praiseworthy where there's some endurance in them; but where they're relaxed, 637c they're rather foolish. Someone from our side could quickly catch you out in return, pointing to the laxity of your women. To all such charges—in Tarentum, with us, and with you as well—there's one answer that seems to clear them of being bad and show them to be right. Anyone will answer a stranger who is astonished at seeing what is unfamiliar to him: "Don't be astonished, stranger: this is our law; perhaps yours about these same matters 637d is different." But our discussion now, my friends, is not about the rest of mankind, but about the badness and virtue of the lawgivers themselves. So let's say more about drunkenness in general; for it's no small practice, nor one for a poor lawgiver to judge. I'm not talking about drinking wine or not drinking it at all, but about drunkenness itself: should we treat it as the Scythians and Persians do, and the Carthaginians, Celts, Iberians and Thracians as well, 637e all of them warlike peoples, or as you do? You, as you say, abstain altogether; whereas the Scythians and Thracians drink their wine completely unmixed, women and men alike, and pour it down their cloaks, and they believe this is a fine and happy practice to follow. The Persians indulge a great deal, both in this and in the

11 The Dionysia were festivals of Dionysus, god of wine; at Athens, revelers rode on wagons and hurled abuse at passers-by. Tarentum, in southern Italy, was a Spartan colony.

other luxuries that you reject, but in a more orderly way than these others.[12]

MEGILLUS 638a My good friend, we put all of them to flight whenever we take up arms.

ATHENIAN My excellent friend, don't say that. There have been many flights and pursuits whose causes can't be traced, and there will be more. So we'd never be stating a clear standard, but a disputable one, about which practices are good and which are not, if we cited victory and defeat in battle. After all, larger cities defeat smaller ones 638b in battle and enslave them—the Syracusans did so to the Locrians, who seem to have been the best-governed people in that region, and the Athenians to the Ceans; and we could find countless other cases like these. Instead, let's try to persuade ourselves by discussing each practice on its own terms, and leave victories and defeats out of account for now, and say that this kind of thing is good and that kind is not. But first listen to me on how one should examine what is beneficial and what is not in these very matters.[13]

MEGILLUS 638c What do you mean?

ATHENIAN It seems to me that all those who take up some practice in discussion, and set out to blame it or praise it as soon as it's mentioned, go about it quite wrongly. It's as if, when someone praised wheat as a good food, someone else immediately blamed it, without finding out about its preparation or its serving: in what way, to whom, with what, in what condition, and how people serve it. That seems to me 638d to be just what we're doing in our discussion now. Hearing only this much about drunkenness, some of us immediately blame it and others praise it, and quite absurdly. Each side praises by calling on witnesses and supporters: some of us think we're saying something decisive because we produce many of them, others because we

12 Greeks normally drank their wine mixed with water; drinking it unmixed was thought a mark of excess.

13 Locri Epizephyrii in southern Italy, famed for its early lawgiver Zaleucus; Ceos, an island in the Aegean.

see those who don't use it winning their battles. And this too is disputed between us. If we're going to go through each of the other customs in this way too, 638e it wouldn't be to my liking. I want to speak about this very subject, drunkenness, in another way, the one I think is needed, and try to see whether I can show us the correct method for all such matters. For countless nations upon nations, disputing about them, would take up the argument against your two cities.

MEGILLUS Well, if we have a correct way of examining such things, 639a we mustn't shrink from hearing it.

ATHENIAN Then let's look at it somehow like this. Suppose someone praised the keeping of goats, and said the animal itself is a fine thing to own; and someone else, who had seen goats grazing without a goatherd and doing damage on cultivated land, found fault with the whole business, and likewise blamed every herd he'd seen without a keeper or with bad keepers. Would we think that such a person's blame would ever be sound about anything at all?

MEGILLUS How could it be?

ATHENIAN Is a commander on board ship a good one if 639b he has seafaring knowledge alone, whether he gets seasick or not? Or what would we say?

MEGILLUS Not at all, not if on top of his skill he also has this affliction you mention.

ATHENIAN What about the commander of an army? If he has military knowledge, is he fit to command, even if he's a coward and gets seasick in dangers, drunk with fear?

MEGILLUS How could he be?

ATHENIAN And if he both lacks the skill and is a coward?

MEGILLUS You're describing someone utterly worthless—a commander not of men at all, but of a pack of the feeblest women.

ATHENIAN 639c And what about someone who praises or blames any association whatever that naturally has a leader and, with

him, is beneficial, when he has never seen it associating properly under its leader, but always either without a leader or with bad leaders? Do we suppose that observers of such associations, when they're like this, will ever blame or praise anything usefully?

MEGILLUS How could they, when they've never seen or taken part in 639d any such association conducted properly?

ATHENIAN Wait, then. Among the many kinds of association, would we count drinking companions and drinking parties as one kind of gathering?

MEGILLUS Very much so.

ATHENIAN Now has anyone ever yet seen one of these conducted properly? You two can easily answer that you've never seen one at all—it's not native to you, nor lawful. But I've come across many, in many places, and have moreover inquired about practically all of them; and I've hardly seen or heard of one conducted properly 639e as a whole—perhaps some small parts here and there, but most of them, practically in their entirety, gone wrong.

CLINIAS How do you mean, stranger? Say it more clearly still. For we, as you said, through inexperience of such things, even if we came across 640a them, might perhaps not recognize straightaway what's being done properly in them and what isn't.

ATHENIAN That's reasonable. But try to learn as I explain. You understand that in all gatherings, and in partnerships for any activity whatever, it's right that each of them should everywhere have a leader?

CLINIAS Of course.

ATHENIAN And we said just now that the leader of fighting men must be courageous.

CLINIAS Of course.

ATHENIAN Now the courageous man is less thrown into confusion by fears than cowards are.

CLINIAS 640b That's so as well.

ATHENIAN And if there were some way to put a general in charge of an army who was not afraid or confused at all, wouldn't we do it by every means?

CLINIAS Very much so.

ATHENIAN But now we're not talking about a man who will lead an army in encounters of enemy with enemy in war, but about friends sharing goodwill with friends in peace.

CLINIAS Right.

ATHENIAN 640c And such a gathering, if it's going to involve drinking, isn't free of confusion, is it?

CLINIAS How could it be? Quite the opposite, I think.

ATHENIAN So in the first place these people need a leader too?

CLINIAS Of course—more than anything.

ATHENIAN Then must we provide them with a leader who is free of confusion, if that's possible?

CLINIAS Of course.

ATHENIAN And where a gathering is concerned, it seems, he must be wise; for he becomes the guardian of the friendship 640d that already exists among them, and also sees to it that it will grow greater through the gathering.

CLINIAS Very true.

ATHENIAN So we must appoint a sober and wise leader over drinkers, and not the opposite? A drunk and young leader of drunks, who isn't wise, would be very lucky if he didn't do some great harm.

CLINIAS Extremely lucky.

ATHENIAN So if someone found fault with these gatherings when they're conducted in cities as properly as possible, attacking 640e the thing itself, perhaps he might be right to find fault. But if someone reviles the practice after seeing it done as badly as it could possibly be, then first, clearly he doesn't know that

this is being done improperly; and second, anything at all will look bad when it's done this way, without a sober master and leader. Or don't you realize that a drunken helmsman, and anyone in charge of anything, 641a overturns everything—ships or chariots or an army, or whatever he's steering?

CLINIAS That's entirely true, stranger. But tell us what comes next: if this custom of drinking were practiced properly, what good would it do us? Take what we were saying just now: if an army got proper leadership, victory in war would come to those who followed, and that's no small good; 641b and so with the rest. But when a drinking party is properly supervised, what great benefit would come to individuals or to the city?

ATHENIAN Well, when one child, or one chorus, is properly supervised, what great benefit would we say comes to the city? Or, asked that question, wouldn't we say that from one the city would get only a small benefit? But if you ask in general what great benefit the city gets from the education of those it educates, it isn't hard to say that, if they're well educated, they'd become good men, and being such 641c they'd do everything else well, and would even defeat their enemies in battle. So education brings victory too, while victory sometimes brings lack of education. For many who have grown more arrogant through victories in war have, through their arrogance, been filled with countless other evils. And education has never yet proved a Cadmean victory, whereas victories of that kind have often come to human beings, and will again.[14]

CLINIAS You seem to us, my friend, to be saying that the shared pastime 641d over wine makes a large contribution to education, if it's done properly.

ATHENIAN Certainly.

CLINIAS Could you, then, go on to say how what you've just said is true?

14 A "Cadmean victory" was proverbial for one that ruins the victor (like the later "Pyrrhic victory").

ATHENIAN To insist firmly that this is how things are, stranger, when many dispute it, is for a god to do. But if I have to say how it looks to me, I don't at all begrudge it, since we've set out to discuss laws and constitutions now.

CLINIAS That's just what we're trying to do: to learn your view about the matters 641e now in dispute.

ATHENIAN Then this is what we must do: you must try to learn and I to explain, somehow or other, and we must both strain at the argument together. But first listen to this. All the Greeks assume that our city is fond of talk and talks a great deal, while Sparta is brief in speech, and Crete cultivates much thought rather than much talk. 642a So I'm wary of giving you the impression that I'm saying a great deal about a small thing—drunkenness, a small matter—by laying out a very long argument to clear it up. But setting it right according to its nature could never be grasped clearly or adequately in argument without the correctness of music, and music could never be grasped without education as a whole; and these call for a great deal of talk. So consider what we should do. What if we left these matters for 642b now and moved on to some other discussion about laws?

MEGILLUS Athenian stranger, perhaps you don't know that our family happens to be the proxenos of your city. And perhaps it's the same for all children: once they hear that they're proxenoi of some city, a goodwill toward that city sinks into each of us proxenoi straight from childhood, as though it were a second homeland after our own. And that's just what has happened to me now.[15] For straight from childhood, 642c whenever the Spartans found fault with the Athenians or praised them, I'd hear the other boys say, "Your city, Megillus, has done us a bad turn," or "a good one." Hearing this, and always fighting on your behalf against those who brought your city into disrepute, I came to feel every goodwill toward it. And now I find your accent dear to me, and what many people say—that those Athenians who are

15 A proxenos was a citizen who acted as the official friend and representative of another city's interests in his own city, often as a hereditary role.

good are good in an exceptional way—seems to me to be said very truly. For they alone are good without compulsion, by their own nature, by divine dispensation, 642d genuinely and not artificially. So as far as I'm concerned, you can speak with confidence and say as much as you like.

CLINIAS And for my part, stranger, once you've heard and taken in my story too, speak confidently and say as much as you wish. You may have heard that Epimenides, an inspired man, was born here; he was a relative of ours. Ten years before the Persian Wars, he came to you in accordance with the god's oracle and performed certain sacrifices 642e that the god had ordained. And when the Athenians were afraid of the Persian expedition, he told them that the Persians would not come for ten years, and that when they did come, they would go away having achieved none of what they hoped, and having suffered more harm than they had done. At that time our ancestors became guest-friends of yours, and ever since then I and my 643a family have felt goodwill toward you.[16]

WHAT EDUCATION IS

Education is defined as training from childhood in virtue, not in trades or money-making.

ATHENIAN Well, then, you'd be ready to listen, it seems. As for me, I'm ready enough to want to, but being able to isn't at all easy. Still, I must try. First, then, for the sake of the argument, let's define what education is and what power it has. For we say that the argument we've now taken in hand must travel by way of education until it arrives at the god.[17]

CLINIAS By all means let's do that, if it suits you.

ATHENIAN 643b Then as I say what one ought to say education is, see whether you like what's said.

16 Epimenides, a Cretan seer said to have purified Athens; ancient sources usually date his visit to around 600 BC, well before the Persian invasion of 490 BC.
17 Presumably Dionysus, god of wine, since the argument is about drinking.

CLINIAS Go ahead.

ATHENIAN I say—and I claim—that anyone who is going to be good at anything at all must practice that very thing from childhood on, in play and in earnest, amid everything that belongs to it. For example, one who is going to be a good farmer, or a good builder, should play, the one at building some children's 643c houses, the other at farming; and whoever is raising each of them should provide each with small tools, imitations of the real ones. In particular, they should learn beforehand whatever it's necessary to have learned beforehand—a carpenter, for instance, measuring or using the rule, a soldier riding a horse in play or doing something else of the sort. And through their games one should try to turn the children's pleasures and desires toward the place where they must arrive and find their goal. So the heart of education, we say, 643d is correct upbringing, which will draw the soul of the child at play, as much as possible, into love of the thing in which he'll have to be accomplished, once he's become a man, in the excellence of that pursuit. So see whether, up to this point, as I said, you like what's been said.

CLINIAS Of course.

ATHENIAN Then let's not leave what we're calling education undefined either. As things are, when we criticize or praise the upbringing of particular people, we say that one of us is educated 643e and another uneducated—sometimes of people who are extremely well educated in shopkeeping and shipping and other such trades. But our present account, it seems, isn't the talk of people who think those things are education. It's about education in virtue from childhood, which makes a person desire and passionately love to become a complete citizen, one who knows how to rule and be ruled with justice. It's 644a this upbringing, I think, that our account has marked off and would now call education, and nothing else; while the kind that aims at money, or at some sort of strength, or even at some other wisdom without intelligence and justice, it would call vulgar and illiberal and

wholly unworthy of the name. So let's not quarrel among ourselves over a name. Let the account we agreed on just now stand: those who are rightly educated generally turn out good. And so one must never 644b hold education cheap, since it's the first of the finest things that come to the best of men; and if it ever goes off course but can be set right, this is what everyone must always do, all his life, as best he can.

CLINIAS Right, and we agree with what you say.

ATHENIAN And long ago we agreed that those able to rule themselves are good, and those who aren't are bad.

CLINIAS Quite right.

ATHENIAN Then let's take up again, more clearly, what exactly 644c we mean by this. And bear with me if I use an image, in case I can somehow make this sort of thing clear to you.

CLINIAS Just say it.

ATHENIAN Well, shall we suppose that each of us is one person?

CLINIAS Yes.

ATHENIAN But that each has within himself two counselors, opposed to each other and senseless, which we call pleasure and pain?

CLINIAS That's so.

ATHENIAN And besides these two, opinions about what's to come, whose common name is expectation. In particular, fear is the expectation 644d of pain, and confidence the expectation of its opposite. And over all of these is calculation about which of them is better or worse—and calculation, when it becomes the common decision of a city, has been named law.

CLINIAS I'm only just about following—but go on to what comes next as though I were.

MEGILLUS The same thing is happening to me too.

THE PUPPETS OF THE GODS

Each person is a puppet pulled by the cords of feeling; we must follow the golden cord of reason.

ATHENIAN Let's think about these matters like this. Let's suppose that each of us living creatures is a puppet of the gods, whether put together as their plaything or for some serious purpose—that 644e we don't know. But this we do know: these feelings in us are like tendons or cords that pull us, and, being opposed, drag against one another toward opposite actions; and that's where the line between virtue and vice lies. For our account says that each of us must always follow one of these pulls and never let go of it, pulling against the other tendons; and this 645a is the golden and sacred leading-string of calculation, which is called the city's common law. The others are hard and made of iron, while this one is soft, since it's golden; and the others resemble all sorts of shapes. So one must always cooperate with the finest leading-string, the law's. For since calculation is fine, but gentle and not violent, its leading needs helpers, so that the golden kind within us may prevail over the other 645b kinds. In this way our story of virtue, with us as puppets, would be kept safe; what it means to be "stronger than oneself" and "weaker than oneself" would somehow become clearer; and so would this: that the individual must take into himself the true account of these pulls and live by following it, while the city must receive an account either from one of the gods or from the person who has come to know these things, make it law, and govern its dealings with itself and with other cities by it. In this way vice and virtue would be 645c more clearly distinguished for us. And once that's more evident, education and the other practices will perhaps become clearer too—including the business of spending time over wine, which might be thought a trivial subject on which a lot of superfluous talk has been spent, but might well turn out not to be unworthy of the length of it.

CLINIAS Well said. Let's carry through whatever proves worthy of our present conversation.

ATHENIAN 645d Tell me, then: when we give drink to this puppet, what sort of thing do we make of it?

CLINIAS What do you have in view when you ask that?

ATHENIAN Nothing in particular yet—just what sort of thing this one becomes, in general, when combined with that. I'll try to say still more clearly what I mean. I'm asking this: does drinking wine make pleasures and pains and angers and loves more intense?

CLINIAS Much more.

ATHENIAN 645e And what about perceptions and memories and opinions and wisdom? Do they become more intense in the same way? Or do they desert a man entirely, once he's had his fill of drink?

CLINIAS Yes, they desert him entirely.

ATHENIAN Then he arrives at the same condition of soul as when he was a young child?

CLINIAS Certainly.

ATHENIAN So at that point he'd have the least mastery over himself.

CLINIAS 646a The least.

ATHENIAN And such a man, we say, is at his very worst?

CLINIAS By far.

ATHENIAN So it seems it's not only the old man who becomes a child twice over, but the drunk as well.

CLINIAS Excellently put, stranger.

ATHENIAN Then is there any argument that will try to persuade us that we should taste this practice, rather than flee it with all our might, as far as we can?

CLINIAS It seems there is. You say so, at any rate, and you were ready to give it just now.

ATHENIAN 646b You remember correctly. And I'm ready now, since you both said you'd be eager to listen.

CLINIAS Of course we'll listen—if for no other reason, then for the wonder and strangeness of it: that a human being should ever deliberately throw himself into every kind of degradation.

ATHENIAN Of the soul, you mean, don't you?

CLINIAS Yes.

ATHENIAN Well then, my friend, what about the body's degradation—into thinness, ugliness and weakness? Would we be surprised if someone ever 646c came to such a state deliberately?

CLINIAS Of course.

ATHENIAN Well then: those who walk off to the doctor's to take medicine—do we suppose they don't know that a little later, and for many days, their bodies will be in a state that, if they were to stay that way for good, they'd refuse to go on living? Or don't we know that those who go off to the gymnasiums to exert themselves become weak for the moment?

CLINIAS We know all that.

ATHENIAN And that they go willingly, for the sake of the benefit that follows?

CLINIAS 646d Very true.

ATHENIAN Then shouldn't we think about the other practices in the same way?

CLINIAS Certainly.

ATHENIAN Then we must think about spending time over wine in the same way too, if it's possible to think of it rightly as one of them.

CLINIAS Of course.

ATHENIAN So if it turns out to bring us some benefit no smaller than the body's training does, it at least beats physical exercise at the outset, in that the one involves pain and the other doesn't.

CLINIAS [646e] You're right—though I'd be surprised if we could discover anything of the kind in it.

WINE AS A TEST OF CHARACTER

Drinking under supervision tests and trains a citizen's shame and self-control cheaply and safely.

ATHENIAN That, it seems, is exactly what we must now try to explain. Tell me: can we discern two kinds of fear that are nearly opposite?

CLINIAS What kinds?

ATHENIAN These: we fear evils, I suppose, when we expect them to happen.

CLINIAS Yes.

ATHENIAN And we often fear opinion, thinking we'll be thought bad if we do or say something that isn't fine. And this fear [647a] we call—we do, and I think everyone does—shame.

CLINIAS Of course.

ATHENIAN Those are the two fears I meant. The second of them is opposed to pains and to the other fears, and it's also opposed to the most numerous and greatest pleasures.

CLINIAS Quite right.

ATHENIAN Then doesn't the lawgiver, and everyone who's worth anything at all, hold this fear in the highest honor? Doesn't he call it modesty, and give the confidence opposed to it the name of shamelessness, [647b] and regard it as the greatest evil for everyone, in private and in public?

CLINIAS You're right.

ATHENIAN And doesn't this fear keep us safe in many other important ways—and, taken point for point, is there anything that secures victory and safety in war for us as effectively? For there are two things that produce victory: confidence toward the enemy, and fear of disgrace in the eyes of friends.

CLINIAS That's so.

ATHENIAN So each of us must become both fearless and fearful. 647c And we've distinguished what each is for.

CLINIAS Certainly.

ATHENIAN And when we want to make someone fearless in the face of many sorts of fear, we do it by leading him into fear, with the help of law.

CLINIAS It seems so.

ATHENIAN And what about when we try to make someone fearful in the right way? Mustn't we make him win by pitting him against shamelessness and training him to fight against his own pleasures? Or is it that he must fight against the cowardice within him and 647d conquer it in order to become complete in courage, and that anyone at all who's inexperienced and untrained in such contests wouldn't become even half of what he might be in virtue—and yet he'll be perfectly moderate without having fought through and conquered, by argument, action and skill, in play and in earnest, the many pleasures and desires that urge him toward shamelessness and wrongdoing, but simply by never having encountered any of them?

CLINIAS That, at least, wouldn't be reasonable.

ATHENIAN 647e Well then: is there some drug for fear that a god has given human beings, such that the more of it someone is willing to drink, the more unfortunate he believes himself to become with every drink, and the more he fears everything present and to come 648a for himself, until at last the bravest of men is in utter terror—but when he's slept it off and is rid of the drink, he becomes his usual self again every time?

CLINIAS And what drink like that could we say has ever existed among human beings, stranger?

ATHENIAN None. But if one had turned up from somewhere, would it have been of any use to a lawgiver for courage? We could very well have talked to him about it, for example, like this. Come, lawgiver, whether you're legislating for Cretans or

for anyone else: first of all, 648b would you welcome being able to test your citizens for courage and cowardice?

CLINIAS Anyone would say yes, clearly.

ATHENIAN And would you want to do it safely and without great risks, or the opposite?

CLINIAS Everyone will agree to that too—safely.

ATHENIAN And would you use it by leading them into these fears and testing them while they're under their influence, so as to compel them to become fearless, 648c encouraging, admonishing and honoring them—and dishonoring anyone who wouldn't obey you and be in every respect the sort of person you prescribed? And would you let the one who trained himself well and bravely go unpunished, but impose a penalty on the one who did badly? Or would you not use it at all, though you had nothing else against the drink?

CLINIAS And how could he not use it, stranger?

ATHENIAN In any case, my friend, compared with what we have now, the training would be wonderfully easy, whether for one at a time, or a few, or as many at once 648d as one liked. Suppose someone, putting shame first and thinking he oughtn't to be seen before he's in good shape, trained against his fears alone and in solitude, providing himself with nothing but drink instead of endless trouble: he'd be doing something right. Or suppose someone, trusting that he's well prepared by nature and practice, didn't hesitate to train in company with many fellow drinkers and to show off his power of outrunning and mastering the inevitable 648e change the drink brings—so that, thanks to his virtue, he made not even one serious slip into unseemliness and wasn't altered—and left before reaching the last cup, fearing the defeat that drink inflicts on every man: he too would be doing something right.

CLINIAS Yes—such a man, acting that way, would be moderate too, stranger.

ATHENIAN 649a Then let's speak to the lawgiver again, like this. Well, lawgiver, as for fear, no god has given human beings any such drug, you might say, nor have we devised one ourselves—for I don't count sorcerers among the guests at our feast. But for fearlessness, and for excessive and ill-timed confidence where one shouldn't have it, is there a drink, or what do we say?

CLINIAS There is, he'll say, I suppose—meaning wine.

ATHENIAN And doesn't this have the opposite effect to the one we described just now? First, as soon as a man drinks it, it makes him more cheerful 649b than before, and the more of it he tastes, the more he's filled with good hopes and a sense of his own power. And in the end such a man becomes full of complete freedom of speech, as if he were wise, and of liberty, and of complete fearlessness, so that he'll say anything without hesitation, and do anything too. Everyone would grant us this, I think.

CLINIAS Certainly.

ATHENIAN Then let's recall this: we said there were two things in our souls that must be cultivated—one so that we may be as 649c confident as possible, and the other, the opposite, so that we may be as fearful as possible.

CLINIAS The ones you said belonged to modesty, we believe.

ATHENIAN You remember well. And since courage and fearlessness must be practiced amid fears, we must consider whether the opposite quality would need to be cultivated amid the opposite conditions.

CLINIAS That's likely, at any rate.

ATHENIAN So it seems that in the conditions that by nature make us especially confident and bold, we'd need to practice being as little shameless and as little full of boldness 649d as possible, and being afraid ever to dare to say or suffer or do anything shameful at all.

CLINIAS It seems so.

ATHENIAN And aren't these all the things in which we're like that: anger, love, arrogance, ignorance, greed, cowardice, and also things like wealth, beauty, strength, and everything else that intoxicates us with pleasure and drives us out of our minds? For taking a test of these, first, and then for practicing, what cheaper and more harmless pleasure than testing and play over wine 649e can we name, and what better suited—provided it's done with some care? Let's consider. Take a peevish and savage soul, the source of countless injustices: is it riskier to test it by entering into contracts with it, at our own peril 650a in them, or by keeping its company at a festival of Dionysus? Or to test a soul overcome by sexual desire by entrusting to it our own daughters and sons and wives, and so to observe the character of a soul by risking what's dearest to us? One could give countless examples and never finish showing how much better it is to observe in play, without costly penalty. And on this very point, 650b at least, we don't think either the Cretans or anyone else would dispute that this is a reasonable way for people to test one another, and that it beats the other tests for cheapness, safety and speed.

CLINIAS That's true, anyway.

ATHENIAN So this would be one of the most useful things: to know the natures and dispositions of souls, for the art whose business it is to care for them. And that art, we say, I believe, is politics. Isn't it?

CLINIAS Certainly.

Book II

Education, choral song and dance, and the uses of wine.

ATHENIAN 652a Next, it seems, we must consider this about it: whether its only good is this—seeing what our natures are like—or whether the right use of drinking together also holds some benefit of great size, worth serious attention. What do we say, then? It does hold one, as the argument seems to want to indicate. But where and how, let's hear, paying 652b close attention, so that we don't somehow get tripped up by it.

CLINIAS Tell us, then.

ATHENIAN Well, I want to recall again what 653a we say right education is. For its preservation, as I now conjecture, lies in this practice, when it's properly conducted.

CLINIAS That's a large claim.

ATHENIAN Well, I say that the first childish perceptions of children are pleasure and pain, and that these are where virtue and vice first come to the soul. As for wisdom and firm true opinions, a man is fortunate if they come to him even by old age. In any case, a person is complete when he possesses these and all the goods 653b they contain. By education, then, I mean the virtue that first comes to children. When pleasure and liking and pain and hatred arise rightly in their souls while they're not yet able to grasp reason, and when they do grasp reason these feelings agree with it that they have been rightly trained by the proper habits—this agreement as a whole is virtue. But the part of it that has been rightly brought up with regard to pleasures and pains, so that 653c it hates what it should hate from the very

beginning to the end and loves what it should love—if you were to mark this off in your account and call it education, you'd be naming it correctly, in my view at least.

CLINIAS Yes, stranger: both what you said about education before and what you're saying now seem right to us.

ATHENIAN Good. Now these rightly trained pleasures and pains, which are education, slacken in human beings and are largely corrupted in the course of life. But the gods, 653d pitying the human race, born to toil, ordained as rests from its labors the round of festivals in honor of the gods, and gave us the Muses, and Apollo their leader, and Dionysus as fellow celebrants, so that people might set their upbringing right again through the nurture they receive at festivals in the company of gods. We must see, then, whether the account now being sung to us is true to nature, or what. It says that practically every young creature is unable to keep its body or its voice still, 653e but is always trying to move and cry out—some leaping and skipping, as if dancing with pleasure and playing, others uttering every sort of sound. Now other animals, it says, have no perception of order or disorder in their movements—which we call rhythm and harmony. But for us, the gods 654a who we said were given as our fellow dancers are the same ones who have given us the perception of rhythm and harmony, together with pleasure. By it they move us and lead our choruses, linking us to one another in songs and dances; and they have named these choruses after the joy that is naturally in them. Shall we accept this first? Shall we lay it down that the first education comes through the Muses and Apollo, or what?[1]

CLINIAS Yes.

ATHENIAN Then for us the uneducated person will be the one untrained in choral performance, and 654b we must count the educated person as the one adequately trained in it?

CLINIAS Certainly.

1 The Athenian derives *choros* (chorus) from *chara* (joy), a playful etymology.

ATHENIAN And choral performance as a whole is dance and song.

CLINIAS Necessarily.

ATHENIAN So the finely educated person would be able to sing and dance finely.

CLINIAS It seems so.

ATHENIAN Let's see, then, what it is we're now saying.

CLINIAS What's that?

ATHENIAN "He sings finely," we say, "and dances finely." Should 654c we add "if he sings fine things and dances fine things," or not?

CLINIAS Let's add it.

ATHENIAN And what about someone who takes fine things to be fine and shameful things shameful, and treats them accordingly? Will such a person be better educated for us in choral performance and music than one who can adequately render with body and voice, on each occasion, what he conceives to be fine, but doesn't delight in fine things or hate what isn't fine? Or than the one who can't quite get it right with voice and 654d body, or in conception, but gets it right in pleasure and pain, welcoming whatever is fine and disliking whatever isn't?

CLINIAS The difference in education you're describing is enormous, stranger.

ATHENIAN Then if the three of us know what's fine in song and dance, we also know rightly who is educated and who is uneducated. But if we don't know this, we won't know whether there's any safeguard of education, or where we could ever 654e recognize it. Isn't that so?

CLINIAS It is.

ATHENIAN So next we must track these things down like hounds on a scent: fine posture, melody, song and dance. If they slip away from us and escape, any further talk of ours about right education, Greek or non-Greek, will be pointless.

CLINIAS Yes.

MUSIC THAT IMITATES VIRTUE

Fine postures and melodies are those of virtue; Egypt fixed its approved forms by law for millennia.

ATHENIAN Very well. What should we say a fine posture or melody is? Come: when a brave soul and 655a a cowardly one are gripped by the same hardships, in equal measure, do their postures and utterances turn out alike?

CLINIAS How could they, when even their complexions don't?

ATHENIAN Well said, my friend. But in music there are postures and melodies, since music has to do with rhythm and harmony; so one can correctly call a melody or posture rhythmic or harmonious, but not, using the choirmasters' metaphor, well-colored. But there is a posture or melody of the coward and of the brave man, and 655b it's correct to call those of the brave fine and those of cowards shameful. And so that we don't run into a long speech about all this, let's simply say that all postures and melodies that belong to virtue of soul or body—to virtue itself or to some image of it—are fine, and those belonging to vice are just the opposite.

CLINIAS Your proposal is right; let that be our answer for now.

ATHENIAN Here's another point. Do we all enjoy all choral performances 655c equally, or far from it?

CLINIAS Very far from it.

ATHENIAN Then what shall we say leads us astray? Is it that the same things aren't fine for all of us, or that they are the same but don't seem to be? For surely no one will say that the choral performances of vice are finer than those of virtue, or that he himself enjoys the postures of wickedness while other people enjoy a Muse opposed to it. And yet most people say that the correctness of music 655d lies in its power to provide pleasure to souls. But that's intolerable, and quite impious even to say. Something else is more likely leading us astray.

CLINIAS What?

ATHENIAN Choral performances are imitations of characters, set in actions and fortunes of every kind, with each performer going through them in character and imitation. So those to whom the words or songs or dancing, of whatever kind, are congenial, whether by 655e nature or by habit or both, necessarily enjoy them, praise them and call them fine; while those to whom they run counter to nature or character or some habit can neither enjoy nor praise them, and call them shameful. And when people's nature is right but their habits are the opposite, or their habits are right but their nature the opposite, they give praise contrary 656a to their pleasures. They call each of these performances pleasant but base; and in front of others whom they think wise they're ashamed to move their bodies in such ways, and ashamed to sing such things as though earnestly declaring them fine, but in private they enjoy them.

CLINIAS Quite right.

ATHENIAN Then does the person who enjoys the postures or melodies of wickedness suffer any harm, or do those who take their pleasure in the opposite ones gain any benefit?

CLINIAS Probably.

ATHENIAN 656b Only probably? Isn't it necessarily the same as when someone keeps company with the base characters of bad people and doesn't hate them, but welcomes and enjoys them, and censures them only half in play, dimly aware, as in a dream, of his own wickedness? In that case, surely, whoever enjoys either kind must necessarily come to resemble what he enjoys, even if he's ashamed to praise it. And yet what greater good or evil could we say necessarily comes to us than that?

CLINIAS None, I think.

ATHENIAN 656c Then where laws are, or will in future be, well laid down concerning education and play in the arts of the Muses, do we suppose poets will be free to take whatever pleases the poet himself in composing—in rhythm or melody or

words—and teach it to the children and young people of law-abiding citizens in the choruses, whatever it happens to produce, virtue or wickedness?

CLINIAS That certainly makes no sense. How could it?

ATHENIAN 656d Yet as things are, it's allowed in practically every city—except in Egypt.

CLINIAS And how do you say such things have been regulated by law in Egypt?

ATHENIAN It's a marvel even to hear. Long ago, it seems, they recognized this principle we're stating now: that the young in cities must make fine postures and fine melodies their habitual practice. They prescribed these, and displayed in their temples which they are and what they're like; 656e and neither painters nor anyone else who makes postures or anything of the kind was allowed to innovate or to devise anything other than the traditional forms—nor are they now, either in these arts or in music as a whole. If you look, you'll find that things painted or carved there ten thousand years ago—and I don't mean "ten thousand" loosely, but literally—are 657a neither finer nor uglier than what's made today, but are worked with the same art.

CLINIAS That's amazing.

ATHENIAN Say rather, supremely worthy of a lawgiver and a statesman. You'd find other things there that are poor. But this about music is true and worth pondering: that it was possible, after all, to legislate firmly about such things and confidently fix in law melodies that have a natural correctness. That would be the work of a god or some divine man—and in fact they say there that the melodies preserved for this long 657b time are compositions of Isis. So, as I was saying, if someone could grasp their correctness in any way at all, he should confidently bring them under law and order. For the pursuit of pleasure and pain, always seeking to use new music, hasn't much power to corrupt choral performance once it's consecrated, by deriding it as old-

fashioned. There, at any rate, it seems to have been quite unable to corrupt it—quite the opposite.[2]

CLINIAS 657c From what you've just said, that seems to be how things are.

ATHENIAN Then can we confidently say that the right use of music, and of play with choral performance, is something like this? We rejoice when we think we're doing well, and whenever we rejoice, we think in turn that we're doing well? Isn't that so?

CLINIAS It is.

ATHENIAN And in that state, rejoicing, we can't keep still.

CLINIAS That's so.

ATHENIAN 657d Now aren't our young people ready to dance themselves, while we older ones think it fitting to pass our time watching them, enjoying their play and festivity, now that our own nimbleness is leaving us? Missing it and cherishing it, we set up contests for those best able to reawaken us, through memory, to our youth.

CLINIAS Very true.

ATHENIAN Then do we suppose that what most people now say 657e about festival-goers is completely empty—that the one who gives us the most delight and enjoyment should be considered wisest and judged the winner? For since we give ourselves up to play on such occasions, the one who makes the most people enjoy themselves the most should be honored most and, as I said just now, carry off the prize. 658a Isn't that rightly said, and wouldn't it be rightly done, if things went that way?

CLINIAS Perhaps.

ATHENIAN But, my good friend, let's not judge such a thing hastily. Let's divide it into its parts and look at it in some such way as this. Suppose someone set up a contest, just like that, without specifying whether it was athletic or musical or equestrian, but gathered everyone in the city and announced, offering

2 Isis was an Egyptian goddess.

prizes, that anyone who wished should come and compete in giving pleasure, 658b and nothing else; and that whoever delighted the spectators most, with no rules as to how, and did this better than anyone, and was judged the most pleasing of the competitors, should win. What do we think would come of this proclamation?

CLINIAS In what respect?

ATHENIAN Probably one would present an epic recitation, as Homer did, another a song to the lyre, one a tragedy, another a comedy; and it wouldn't be surprising if someone 658c thought he'd have the best chance of winning with a puppet show. When these and countless other competitors turned up, could we say who would rightly win?[3]

CLINIAS A strange question. Who could answer that as if he knew, before he'd heard them and listened to each of the contestants with his own ears?

ATHENIAN Well then, do you two want me to give you the strange answer?

CLINIAS Certainly.

ATHENIAN If the very small children were the judges, they'll pick the one presenting the puppet show, won't they?

CLINIAS 658d Of course.

ATHENIAN And if the older children, the one with the comedies. Tragedy will be chosen by educated women, young men, and perhaps pretty much the majority of everyone.

CLINIAS Perhaps so.

ATHENIAN But a rhapsode giving a fine performance of the *Iliad* and the *Odyssey*, or something of Hesiod's—we old men would probably enjoy hearing him most and declare him the winner by a long way. So who would rightly be the winner? That's the next question, isn't it?

3 Epic poetry was performed by rhapsodes, professional reciters of Homer and other poets.

CLINIAS Yes.

ATHENIAN 658e Clearly you and I have to say that those chosen by men of our age would rightly win. For our taste seems to us by far the best of any now found in cities anywhere.

CLINIAS Certainly.

ATHENIAN Then I too grant the many this much: music should be judged by pleasure—but not the pleasure of just anyone. Rather, the finest Muse is pretty much the one that delights the best and adequately educated, and above all 659a the one that delights the one man who excels in virtue and education. That's why we say the judges of these things need virtue: they must have a share of wisdom in general, and of courage in particular. For the true judge mustn't judge by taking his lessons from the audience, cowed by the uproar of the crowd and his own lack of education; nor, when he knows better, should he lazily give a false verdict out of cowardice and lack of nerve, with the same mouth with which he called on the gods 659b before judging. For the judge takes his seat not as a pupil of the spectators but, rightly speaking, as their teacher, to oppose those who give the spectators pleasure in a way that is neither fitting nor right. The old Greek law allowed this—unlike the Sicilian and Italian law of today, which, by handing the matter over to the mass of spectators and deciding the winner by show of hands, has corrupted the poets themselves 659c (for they compose to suit the judges' pleasure, which is base, so that the spectators end up educating themselves), and has also corrupted the pleasures of the audience. They ought always to be hearing about characters better than their own and so to get a better kind of pleasure, but as it is, by what they do, just the opposite happens. So what is the point of what our argument has now concluded? See if it's this.[4]

CLINIAS What?

ATHENIAN It seems to me that for the third or fourth time our argument has come round 659d to the same point: that education

4 Sicily and southern Italy were home to many Greek cities.

is the drawing and leading of children toward the principle declared right by the law and agreed, from experience, by the most reasonable and oldest to be truly right. So that the child's soul may not grow used to feeling pleasure and pain contrary to the law and to those the law has persuaded, but may follow along, pleased and pained by the same things as the 659e old man —for this reason what we call songs have now become, in truth, incantations for souls, earnestly designed to produce the harmony we're speaking of. But because the souls of the young can't bear earnestness, they're called play and songs and treated as such. It's just as with people who are ill and in poor bodily health: those who look after them try to give them wholesome nourishment in pleasant foods and 660a drinks, and harmful nourishment in unpleasant ones, so that they'll welcome the one and rightly grow used to hating the other.[5] In the same way the right lawgiver will persuade the poet—and compel him, if he can't persuade him—to compose rightly in his fine and praiseworthy words, representing the postures of moderate, brave and wholly good men in his rhythms, and their melodies in his harmonies.

CLINIAS 660b Well, by Zeus, stranger, do you think that's how they compose now in other cities? As far as I can see, apart from us and the Spartans, I don't know of what you're describing being practiced anywhere. Instead there are always novelties in dancing and all the rest of music, changed not by laws but by some disorderly pleasures, which are very far from staying the same and constant, as 660c you explain they do in Egypt—they're never the same.

ATHENIAN Excellent, Clinias. If I seemed to you to be describing what you mention as what happens now, I wouldn't be surprised if that came of my not saying clearly what I mean. I was speaking of what I want to happen in music, and perhaps I put it in such a way that you thought I meant that. For railing against things that are incurable and have gone far astray is never pleas-

5 A pun in the Greek: *ōidai* (songs) and *epōidai* (incantations, charms).

ant, 660d though it's sometimes necessary. But since you share this view, tell me: do you say such things happen among you and the Spartans here more than among the other Greeks?

CLINIAS Certainly.

ATHENIAN And what if they happened that way among the others too? Would we say things would be better that way than as they happen now?

CLINIAS Very much better, I should think, if they were done as they are among the Spartans and among us, and moreover as you said just now they ought to be.

THE JUST LIFE IS THE PLEASANTEST

The lawgiver should make poets and citizens teach that the just life is also the happiest and most pleasant.

ATHENIAN Come, then, let's reach agreement on this for now. Among 660e you, in all your education and music, isn't this what's said? You compel the poets to say that the good man, being moderate and just, is happy and blessed, whether he's big and strong or small and weak, rich or not; but if he's richer than Cinyras and Midas yet unjust, he's wretched and lives in misery.[6] And your poet says, if he speaks rightly, "I would neither mention nor hold in any account a man" who did not do and possess all the so-called fine things with justice; and that such a man, 661a if just, should "reach for the enemy, standing close," but if unjust, may he neither dare "to look on bloody slaughter," nor outrun "Thracian Boreas" in the race, nor ever have any other of the so-called goods. For what the many call goods aren't rightly so called.[7] It's said that health is best, beauty second, and wealth third; and countless other goods are named: sharp sight and hearing, and 661b keenness in all the senses; being a tyrant and doing whatever one desires; and, as the crowning end of all

6 Cinyras, a legendary king of Cyprus, and Midas, king of Phrygia, were proverbial for their wealth.

7 The phrases adapt Tyrtaeus (see Book 1); Boreas is the north wind.

blessedness, possessing all these and becoming immortal as quickly as possible. But you and I, I take it, say this: all these things are the best of possessions for just and holy men, but for the unjust they're all the worst, beginning with health. And seeing 661c and hearing and perceiving, and simply living, are the greatest evil for someone who is immortal for all time and has all the so-called goods except justice and virtue as a whole, and a lesser evil the shorter the time such a man survives. This, I think, is what you'll persuade and compel your poets to say, as I do, and also to set rhythms and harmonies to it and educate our young that way. Isn't that so? Consider. For I say 661d plainly that the so-called evils are good for the unjust and bad for the just, and that the goods are truly good for the good but bad for the bad. So, as I asked: do you and I agree, or what?

CLINIAS In some respects we seem to, I think, but in others not at all.

ATHENIAN Take a man who has health and wealth and absolute power his whole life long—and I'll add for you outstanding strength 661e and courage, along with immortality, and none of the so-called evils ever befalling him—but who has injustice and arrogance within him, and only that. Perhaps I'm failing to persuade you that a man living like that is plainly not happy but wretched?

CLINIAS That's very true.

ATHENIAN Very well. What should we say next? A man who is brave and strong and handsome and rich, and 662a does whatever he desires all his life—if he were unjust and arrogant, don't you think he'd necessarily live shamefully? Or would you perhaps grant this much, at least: shamefully?

CLINIAS Certainly.

ATHENIAN And what about badly, too?

CLINIAS We wouldn't grant that so readily.

ATHENIAN And what about unpleasantly, and to his own disadvantage?

CLINIAS And how could we grant that as well?

ATHENIAN 662b How? Only if some god, it seems, my friends, would grant us harmony, since at present we're practically singing out of tune with each other. To me, my dear Clinias, these things seem as necessarily true as Crete is plainly an island. And if I were a lawgiver, I'd try to compel the poets and everyone in the city to speak accordingly; and I'd impose very nearly the greatest penalty on anyone in the land who said that some 662c people are wicked but live pleasantly, or that some things are profitable and lucrative while others are more just. And there are many other things, different from what the Cretans and Spartans, it seems, and doubtless the rest of mankind now say, that I'd persuade my citizens to say. For come, in the name of Zeus and Apollo, best of men: suppose we asked these very gods who gave you your laws, 662d "Is the most just life the most pleasant, or are there two lives, one of which happens to be the most pleasant and the other the most just?" If they said two, we'd perhaps ask them again, if we were questioning them properly, "Which should we call happier: those who live the most just life, or those who live the most pleasant?" If they said those who live the most pleasant, their answer would be absurd.[8] But I'd rather not have such things said of gods, 662e but of fathers and lawgivers instead. So let my earlier questions be put to a father and lawgiver, and let him say that the man who lives the most pleasant life is most blessed. Then I would say to him: "Father, didn't you want me to live as happily as possible? Yet you never stopped urging me to live as justly as possible." Put that way, I think, whoever laid it down, lawgiver or father, would seem absurd and at a loss to speak consistently with himself. But if instead he declared the most just life the happiest, everyone who heard him would ask, I think, what good and fine thing, 663a better than pleasure, the law is praising as present in it. For what good could a just man have that is cut off from pleas-

8 Cretans traced their laws to Zeus, and Spartans theirs to Apollo, through his oracle at Delphi.

ure? Come: is fame and praise from men and gods good and fine but unpleasant, and ill fame the opposite? Not in the least, dear lawgiver, we'll say. Or is neither wronging anyone nor being wronged by anyone unpleasant but good or fine, while the opposite is pleasant but shameful and bad?

CLINIAS How could it be?

ATHENIAN So the account that doesn't separate the pleasant from the just [663b] and the good and fine is persuasive, if nothing else, in getting someone to want to live the holy and just life; so that for a lawgiver the most shameful and hostile of all accounts is one that denies these things are so. For no one would willingly be persuaded to do something that doesn't bring him more enjoyment than pain. Seeing things from a distance makes nearly everyone dizzy, and children most of all—unless the lawgiver removes the darkness [663c] and establishes the opposite opinion, and persuades people somehow, by habits and praise and arguments, that just and unjust things are like shadow-paintings. The unjust appear the opposite of the just: viewed from the standpoint of the unjust and bad man, they look pleasant and the just things most unpleasant, while viewed from the just man's standpoint everything looks the opposite, in every respect, on both sides.[9]

CLINIAS It appears so.

ATHENIAN Which judgment shall we say has the more authoritative claim to truth: that of the worse soul or that of the better?

CLINIAS [663d] That of the better, necessarily.

ATHENIAN Then necessarily the unjust life is not only more shameful and more wretched than the just and holy life, but in truth more unpleasant as well.

CLINIAS It looks that way, at least by our present argument, my friends.

ATHENIAN But even if this weren't so, as the argument has now proved it is, could a lawgiver worth anything at all—if he ever

dared to lie to the young for their good—have told a lie more profitable than this, 663e or more able to make everyone do everything just, not by force but willingly?

CLINIAS Truth is a fine thing, stranger, and lasting; but it doesn't seem easy to persuade people of it.

ATHENIAN Well, the Sidonian's tale was easy to persuade people of, implausible as it was—and countless others.

CLINIAS Which?

ATHENIAN That once upon a time teeth were sown and armed men sprang up from them. And yet this is a great example for the lawgiver that 664a the souls of the young can be persuaded of anything one tries to persuade them of. So all he need do is look for and discover what belief would do a city the greatest good, and find every means to ensure that such a community, as a whole, says one and the same thing about these matters as far as possible, always, all life long, in songs and stories and arguments. But if you see things otherwise, there's nothing to stop you disputing the argument.[10]

CLINIAS 664b No, I don't think either of us could dispute it.

THE THREE CHORUSES

Children, young men and older men each form a chorus; the oldest sing for Dionysus, helped by wine.

ATHENIAN Then it would be my turn to say what comes next. I say that all three of our choruses must sing their charms over the souls of the children while they're still young and tender, saying all the other fine things we've gone through and may still go through; but let the sum of it be this: that the same life is declared by the gods to be both most pleasant and best. In saying this 664c we'll be saying what is most true, and at the same

9 Shadow-painting was a technique of shading that gave an illusion of depth, most convincing when viewed from a distance.

10 The Phoenician Cadmus of Sidon, legendary founder of Thebes, sowed a dragon's teeth, from which armed men sprang.

time we'll persuade those we need to persuade better than if we put it any other way.

CLINIAS I have to grant what you say.

ATHENIAN First, then, the Muses' chorus of children would most properly come on first, to sing these things publicly with all earnestness to the whole city. Second would come the chorus of those up to thirty years old, calling on Paean to witness the truth of what they say, and praying that he be gracious to the young and 664d win them over. Then there must be a third group to sing as well, those over thirty up to sixty. Those past that age —since they can no longer carry a song—are left to tell stories about these same characters, by divine utterance.[11]

CLINIAS And who are these third choruses you mean, stranger? We don't quite see clearly what you're trying to say about them.

ATHENIAN Well, they're pretty much the ones for whose sake most of what we said earlier was said.

CLINIAS 664e We still haven't understood. Try to explain it even more clearly.

ATHENIAN At the beginning of our discussion, if we remember, we said that the nature of all the young is fiery and can't keep still, either in body or in voice, but is always making disorderly noises and leaping about; and that no other animal has any sense of order in either of these, but human nature alone has it. Order in movement 665a has the name rhythm, while order in the voice, where high and low are blended together, is called harmony, and the two together are called choral performance. And we said that the gods, taking pity on us, had given us Apollo and the Muses as our fellow dancers and chorus leaders—and a third as well, we said, if we remember: Dionysus.

CLINIAS Of course we remember.

11 Paean: the Healer, a title of Apollo, to whom paeans (hymns of thanksgiving and deliverance) were sung.

ATHENIAN Well, the chorus of Apollo and the Muses 665b has been discussed. The third and remaining chorus must be said to be the chorus of Dionysus.

CLINIAS How so? Explain. A chorus of old men for Dionysus would sound very strange, at least to someone hearing of it for the first time—if men over thirty, and even over fifty, up to sixty, are really going to dance for him.

ATHENIAN That's very true. So an argument is needed on this point, I think, to show how this would be reasonable if it happened.

CLINIAS Certainly.

ATHENIAN Well, do we agree about what came before?

CLINIAS 665c About what?

ATHENIAN That every man and child, free and slave, female and male—the whole city, singing to the whole city—must never stop chanting to itself the things we've gone through, like a charm, always varying them in one way or another and giving them every kind of diversity, so that the singers feel an insatiable appetite for the hymns and pleasure in them.

CLINIAS How could anyone not agree that this is how things should be done?

ATHENIAN 665d Then where would this best part of our city, which by age and wisdom alike is the most persuasive group in it, accomplish the greatest good by singing the finest songs? Or shall we be so foolish as to leave out the group that would have the most authority over the finest and most beneficial songs?

CLINIAS No, leaving it out is impossible, given what we're now saying.

ATHENIAN Then how could this be done fittingly? See if it would work like this.

CLINIAS Like what?

ATHENIAN Everyone, surely, as he grows older, becomes full of reluctance about 665e singing. He takes less pleasure in doing it,

and if he's made to do it he'd feel more embarrassed—and the older and more moderate he becomes, the more so. Isn't that right?

CLINIAS It is.

ATHENIAN Then he'd be even more embarrassed to stand up and sing in a theater in front of all kinds of people. And if men like this were forced to sing like the choruses that compete for victory, lean and hungry from voice training, wouldn't they do it with no enthusiasm, singing without pleasure and with a lot of embarrassment?

CLINIAS 666a That follows absolutely.

ATHENIAN How, then, shall we encourage them to be eager to sing? Won't we make a law, first, that children up to eighteen must not taste wine at all? We'll teach them that one mustn't channel fire onto fire, into both body and soul, before setting out to undertake one's labors, and so guard against the frenzied disposition of the young. After that, a young man may taste wine in moderation up to 666b thirty, but must keep entirely away from drunkenness and heavy drinking. And when he reaches forty, after feasting at the common meals, he may call on the other gods, and in particular invite Dionysus to the rite and recreation of the older men, which the god gave to human beings, in the form of wine, as a remedy against the harshness of old age. By it we grow young again, and through forgetting our low spirits the character of the soul becomes softer instead of 666c harder, as iron does when put into the fire, and so easier to mold. Isn't that so? First of all, wouldn't each man in that condition be more willing and less embarrassed to sing—not in front of many people but a moderate number, and not among strangers but among his own—and to chant the charms we've so often spoken of?

CLINIAS Much more willing.

ATHENIAN As a way of leading them on to take part in our singing, then, this method would hardly be 666d unseemly at all.

CLINIAS Not at all.

ATHENIAN But what kind of song will the men sing? What music? Obviously it has to be one that suits them, doesn't it?

CLINIAS Of course.

ATHENIAN What would suit godlike men, then? Would the choral kind?

CLINIAS Well, stranger, Megillus here and I, at any rate, couldn't sing any other song than the one we learned in the choruses and got used to singing.

ATHENIAN Naturally. The fact is, you've never gotten hold of the 666e finest song. Your constitution is that of an army camp, not of people settled in cities. You keep your young men in a herd, like colts grazing together in a drove. Not one of you takes his own colt, drags it away from its herdmates—however wild and resentful it gets—sets a private groom over it, and educates it, grooming and taming it and giving it everything that belongs to the rearing of a child. That way it would become not only a good 667a soldier but someone able to manage a city and towns—the man we said at the beginning is more of a warrior than Tyrtaeus' warriors, since always and everywhere, in private individuals and the whole city alike, he values courage as the fourth possession of virtue, not the first.

CLINIAS I don't know how it is, stranger, that you're belittling our lawgivers yet again.

ATHENIAN If I'm doing that, my good friend, it isn't because I'm intent on it. Let's go wherever the argument carries us, if you're willing. If we have music finer than that of the choruses and 667b of the public theaters, let's try to offer it to these men who, we say, are embarrassed by that kind but are looking for the finest kind to share in.

CLINIAS Certainly.

ATHENIAN Well, first, mustn't this hold of everything that has some charm attached to it: that its most important feature is either this charm alone, or some kind of correctness, or, third,

benefit? I mean, for example, that eating and drinking and nourishment in general have charm attached to them, which we'd call pleasure. But 667c as for their correctness and benefit, what we call the healthiness of what's served on each occasion is exactly that, and is what is most correct in them.

CLINIAS Absolutely.

ATHENIAN And learning, too, is accompanied by the element of charm, pleasure; but what produces its correctness and benefit, its goodness and fineness, is truth.

CLINIAS That's so.

ATHENIAN What about the arts of image-making, which produce likenesses? 667d If they accomplish this, wouldn't it be most just to call the pleasure that arises in them as an accompaniment, if it does arise, charm?

CLINIAS Yes.

ATHENIAN But the correctness of such things would be produced, broadly speaking, by equality—in size and in quality—rather than by pleasure.

CLINIAS Well put.

ATHENIAN Then wouldn't the only thing correctly judged by pleasure be what produces neither any benefit nor truth nor likeness, 667e nor again any harm, but comes about solely for the sake of what accompanies the others—the charm, which one could best call pleasure when none of these things follows along with it?

CLINIAS You mean harmless pleasure only.

ATHENIAN Yes, and I call this same thing play, too, when it does neither harm nor good worth taking seriously or talking about.

CLINIAS Very true.

ATHENIAN So wouldn't we say, on the basis of what we're saying now, that no imitation should be judged by pleasure or by untrue 668a opinion—nor, of course, any equality either? For what is equal isn't equal, nor is what is proportionate proportionate at

all, because someone thinks so or because someone enjoys it. It should be judged by truth above all, and by nothing else whatever.

CLINIAS Absolutely.

ATHENIAN Now we say that all music is image-making and imitative, don't we?

CLINIAS Of course.

ATHENIAN So when anyone says music is judged by pleasure, we should least of all accept his claim, and least of all should we seek out that kind 668b as serious music, if there ever is any such thing. We should seek the kind that has likeness to its model in imitating the beautiful.

CLINIAS Very true.

ATHENIAN And so these men who are looking for the finest song and music must look, it seems, not for music that is pleasant but for music that is correct. For the correctness of imitation, as we say, lay in rendering the thing imitated as it was, in size and in quality.

CLINIAS Of course.

ATHENIAN And everyone would agree about music, at any rate, that all its compositions are imitation 668c and representation. Wouldn't all poets, audiences and actors agree on this?

CLINIAS They certainly would.

ATHENIAN Then it seems that anyone who isn't going to go wrong about each composition has to know what it is. For if he doesn't know its essence—what it means and what it is actually an image of—he'll hardly be able to tell whether its intention is correct or mistaken.

CLINIAS Hardly. Of course not.

ATHENIAN 668d And would someone who doesn't know what is correct ever be able to tell what is good and what is bad? But I'm not putting this very clearly; maybe it can be put more clearly like this.

CLINIAS How?

ATHENIAN There are, of course, countless likenesses that address our sight.

CLINIAS Yes.

ATHENIAN Well then, what if someone, here too, didn't know what each of the imitated bodies is? Would he ever know whether it had been made correctly? I mean something like this: whether it has the right numbers of the body, and the positions of each of the parts, [668e] how many there are and which lie next to which in their proper order—and also colors and shapes—or whether all these have been made in a muddle. Do you think anyone could ever tell these things if he had no idea at all what the creature imitated was?

CLINIAS How could he?

ATHENIAN And what if we knew that the thing painted or sculpted was a human being, and that the art had given it all its own parts [669a] and its colors and shapes as well? Is it then necessary that anyone who knows this will also be ready to know the other thing, whether it's beautiful, or in what respect it may fall short of beauty?

CLINIAS If so, stranger, practically all of us would know which living things are beautiful.

ATHENIAN Quite right. Then with regard to every image—in painting, in music, everywhere—mustn't anyone who's going to be a sensible judge have these three things? He must know, first, [669b] what it is; next, how correctly; and third, how well any given image has been made in words, melodies and rhythms.

CLINIAS So it seems, at any rate.

ATHENIAN Then let's not give up on saying what's difficult about music. It is celebrated far more than other kinds of images, and so it needs the greatest caution of all. Someone who goes wrong here would be very greatly harmed, [669c] since he'd be taking bad characters to his heart; and the error is very hard to detect, because our poets are worse poets than the Muses them-

selves. The Muses would never go so wrong as to compose words for men and then give them the coloring and melody of women; or to put together melody and postures for free men and then fit on the rhythms of slaves and unfree people; or again, after laying down rhythms and posture fit for free men, to give them a melody or words at odds with those rhythms. Nor would they ever combine the cries of beasts 669d and of humans and the sounds of instruments and every kind of noise into one, as if they were imitating a single thing. But human poets weave and jumble such things together senselessly, and they would make themselves a laughingstock to all those who, as Orpheus says, have received "the bloom of delight."[12] For these people see all this being jumbled together. What's more, the poets tear rhythm and posture apart from melody, setting bare words into meter, 669e and melody and rhythm apart from words, using unaccompanied lyre and pipe. In these it's extremely hard to tell what the rhythm and harmony, arising without words, are trying to say, and which worthwhile imitation they resemble. We must take it that everything of this kind is full of great crudeness—everything so fond of speed, faultless technique and animal noises that it uses the pipe and 670a the lyre other than to accompany dance and song. Using either of them on its own is thoroughly unmusical showmanship. That's the reasoning on these matters. But what we're considering isn't how our men, those already thirty and those past fifty, should not make use of the Muses, but how they should. From all this, I think, our argument already indicates that the fifty-year-olds, all who are suited to sing, must have an education 670b better than choral music provides. For they must have a keen perception and knowledge of rhythms and harmonies. Otherwise how will anyone know the correctness of melodies—which ones the Dorian mode suits

12 Orpheus: legendary singer and poet; poems circulating under his name were used in religious rites.

and which it doesn't—and whether the poet has fitted the right rhythm to it or not?[13]

CLINIAS Obviously he can't.

ATHENIAN The great mass of people are ridiculous in thinking they know well enough what is harmonious and rhythmical and what isn't—all those who have been drilled into singing along and marching in rhythm. 670c They don't reckon with the fact that they do these things without understanding any of them. But every melody, surely, is correct when it has what suits it and faulty when it doesn't.

CLINIAS Necessarily.

ATHENIAN What about someone who doesn't even know what it has? Will he ever, as we said, know that it's correct, in any case whatever?

CLINIAS How could he?

ATHENIAN So it seems that we're now discovering, once again, that our singers—the ones we're now calling on and in a way 670d compelling to sing of their own accord—must be educated at least this far: each of them must be able to follow the steps of the rhythms and the notes of the melodies. That way, seeing clearly into harmonies and rhythms, they can pick out the ones that are fitting for men of their age and character to sing, and sing them that way; and in singing, they themselves enjoy harmless pleasures in the moment, and become leaders for the younger ones 670e in welcoming good characters as they should. Educated this far, they would have acquired an education more exact than the one that reaches the general public, and even than that of the poets themselves. For the poet has no need to know the third thing—whether the imitation is beautiful or not—though he more or less has to know about harmony and rhythm. But these men must know all three, in order to choose what is finest and what is second finest; 671a otherwise they'll never be

13 The Dorian mode: one of the Greek musical scales, associated with a steady, manly character.

adequate enchanters of the young toward virtue. And what our argument set out to do at the start—to show that its defense of the chorus of Dionysus was a good one—it has now done as well as it could. Let's consider whether that's so. A gathering of this kind, surely, inevitably becomes more and more boisterous as the drinking goes on—which, we assumed at the start, is bound to happen with the gatherings we're now [671b] discussing.

CLINIAS It is bound to.

ATHENIAN Everyone is lifted up, lighter than his usual self; he's cheerful, full of outspokenness and, in that state, deaf to those around him, and he thinks himself fit to rule both himself and everyone else.

CLINIAS Certainly.

ATHENIAN Didn't we say that when this happens the drinkers' souls, like iron, grow fiery and become softer and younger, and so easy to lead [671c] for someone who is able and knows how to educate and mold them, just as when they were young? And that this molder is the same as then, the good lawgiver? He must have laws for drinking parties—laws able to take the man who grows hopeful and bold and more shameless than he should, and who won't put up with order or with taking his turn at silence and speech, drinking and music, and make him willing to do the opposite of all this; laws able to send in against the ugly boldness as it enters [671d] the finest fear, fighting on the side of justice—the divine fear we've named modesty and shame.

CLINIAS That's so.

ATHENIAN And the guardians of these laws, working with them, should be the calm and sober, as generals of those who aren't sober. Without them, battling drunkenness is more dangerous than battling enemies without calm commanders. And anyone who can't bring himself to obey them and [671e] Dionysus' commanders—the men over sixty—should bear as much disgrace as a man who disobeys the commanders of Ares, or more.

CLINIAS Right.

ATHENIAN So if drunkenness were like this, and play like this, wouldn't such drinking companions benefit, and part from one another better friends than before, and not 672a enemies, as they do now? For they would have spent the whole gathering in accordance with laws, and followed wherever the sober led those who aren't.

CLINIAS Right, if it really were as you're describing it now.

THE GIFT OF DIONYSUS

Wine is a remedy given for modesty and health; the Athenian ends with strict limits on drinking.

ATHENIAN Then let's no longer condemn that gift of Dionysus outright, as bad and not fit to be admitted into a city. In fact one could go on to say even more for it. The greatest good it confers, for instance, one hesitates to tell the general public, because people take it the wrong way 672b and misunderstand it when they hear it.

CLINIAS What's that?

ATHENIAN There's a story, a kind of rumor, that trickles around somehow: that this god was robbed of his wits by his stepmother Hera, and that's why he sends Bacchic frenzies and all manic dancing on us, in revenge—and why he gave us wine, for this very purpose. I leave such things to be said by those who think it safe to say them about gods. But this much 672c I know: no animal is ever born possessing the intelligence, or the amount of it, that it's meant to have when fully grown. During the time when it doesn't yet have its proper wisdom, every animal raves and cries out without any order, and as soon as it can get itself up, it leaps about without order again. And let's recall that we said these were the origins of music and gymnastics.[14]

CLINIAS We remember, of course.

14 Dionysus was the son of Zeus by the mortal Semele, so Zeus's wife Hera was his stepmother and persecutor.

ATHENIAN And also that we said this origin had given us humans the perception of rhythm and harmony, 672d and that of the gods Apollo, the Muses and Dionysus were responsible for it?

CLINIAS Of course.

ATHENIAN And what's more, it seems, the other people's story says that wine was given to punish humankind, to drive us mad. But the one we're telling now says, on the contrary, that it's a remedy given so that the soul may acquire modesty, and the body health and strength.

CLINIAS You've recalled the argument beautifully, stranger.

ATHENIAN 672e Let's consider half of choral performance completed, then. The other half we'll complete, or else leave aside, as we see fit.

CLINIAS What halves do you mean, and how are you dividing them?

ATHENIAN Choral performance as a whole, surely, was for us the whole of education. And one part of it is rhythms and harmonies, the part belonging to the voice.

CLINIAS Yes.

ATHENIAN And the part belonging to the movement of the body had rhythm in common with the movement of the voice, but posture as its own. 673a In the other part, the movement of the voice was melody.

CLINIAS Very true.

ATHENIAN Now the part belonging to the voice, which reaches as far as the soul in education toward virtue, we somehow came to name music.

CLINIAS Quite rightly.

ATHENIAN And the part belonging to the body, which we called the dancing of creatures at play: when such movement extends to the virtue of the body, let's call the skilled training of the body toward that end gymnastics.

CLINIAS Quite right.

ATHENIAN 673b As for music, which we said just now was roughly half of choral performance, gone through and completed, let that stand as said for now. Shall we discuss the other half? Or how and in what way should we proceed?

CLINIAS My excellent friend, you're talking with Cretans and Spartans. We've gone through music and have left gymnastics out. What answer do you suppose either of us will give you to that question?

ATHENIAN I'd say that by asking that you've pretty much given 673c a clear answer. I understand that this question of yours is at the moment an answer, as I said, and an order besides to complete the subject of gymnastics.

CLINIAS You've understood perfectly. So go ahead.

ATHENIAN I must. And it isn't very hard to talk about things you both know well; you have far more experience of this art than of the other.

CLINIAS That's about right.

ATHENIAN Well, the origin of this kind of play, too, is that every animal is by nature 673d given to leaping about. The human animal, as we said, got a sense of rhythm and gave birth to dance; and since melody reminded and awakened rhythm, the two joined together and gave birth to choral performance and play.

CLINIAS Very true.

ATHENIAN One part of it, we say, we've already gone through; the other we'll try to go through next.

CLINIAS Certainly.

ATHENIAN But first let's put the finishing touch 673e on the use of drunkenness, if you both agree.

CLINIAS What finishing touch? What do you mean?

ATHENIAN If a city is going to treat the practice we've just described as a serious matter and pursue it with laws and order, using it as training for the sake of moderation, and in the same way and on the same principle won't keep away from the other pleasures either, but will devise means of mastering them, then it should make use of all of them in this way. But if it treats it as play, and anyone who likes may drink whenever he likes and with whomever he 674a likes, along with any other pursuits whatever, then I wouldn't cast my vote for this city or this man ever making use of drunkenness. I'd go even further than the Cretan and Spartan practice and support the law of the Carthaginians: that no one on campaign should ever taste this drink, but should keep to water for that whole period; that in the city no slave, male or female, should ever taste it; nor officials in the 674b year of their office; nor should ship captains or judges on duty taste wine at all, nor anyone who is going to a council to deliberate on anything of importance; nor anyone at all during the day, except for the sake of training or illness; nor again at night, when a man or woman intends to conceive children. And one could mention a great many other occasions on which people with sense and a right law shouldn't drink 674c wine. So by this reasoning no city would need many vineyards either. The other crops would be regulated, and the whole way of life, and wine in particular would come to be about the most limited and smallest of them all. This, strangers, if you agree, let us call the finishing touch to our discussion of wine.

CLINIAS Well said, and we agree.

Book III

The origins of government: Troy, Sparta, Persia and Athens.

ATHENIAN 676a So much, then, for that. But what are we to say was the origin of a constitution? Wouldn't this be the vantage point from which one could see it most easily and best?

CLINIAS Which?

ATHENIAN The one from which we should always view the progress of cities, too, as they move toward virtue and vice alike.

CLINIAS And which is that?

ATHENIAN I think it's the vast length of time, stretching without limit, 676b and the changes that happen within it.

CLINIAS What do you mean?

ATHENIAN Tell me: since there have been cities and people living as citizens, do you think you could ever work out how great a span of time has passed?

CLINIAS No, certainly not easily.

ATHENIAN But it would be something immense and incalculable?

CLINIAS Very much so.

ATHENIAN Then haven't tens of thousands upon tens of thousands of cities come into being in this time, and by the same reckoning 676c no fewer been destroyed? And haven't they, many times and everywhere, lived under every kind of constitution? Sometimes growing larger from smaller, sometimes smaller

from larger, and becoming worse from better and better from worse?

CLINIAS Necessarily.

ATHENIAN Let's try, then, if we can, to grasp the cause of this change. Perhaps it would show us the first origin of constitutions and how they change.

CLINIAS Well said. We must set about it eagerly—you by explaining what you think about them, and we by following along.

AFTER THE FLOOD

Survivors of a great flood live simply in the hills; households grow into villages and the first laws.

ATHENIAN 677a Well, do you think the ancient stories contain some truth?

CLINIAS Which ones?

ATHENIAN That there have been many destructions of humankind, by floods and diseases and many other things, in which only a small remnant of the human race survived.

CLINIAS Everyone finds all that quite believable.

ATHENIAN Come, then, let's consider one of these many: the one that once happened through the flood.

CLINIAS And what should we think about it?

ATHENIAN 677b That those who escaped the destruction then would have been, more or less, hill shepherds—small embers of the human race kept alive on mountaintops somewhere.

CLINIAS Clearly.

ATHENIAN And such people, surely, must have been inexperienced in the arts generally, and especially in the devices that city people use against one another to get the better of each other and win their rivalries, and in all the other mischief they think up against one another.

CLINIAS Likely enough.

ATHENIAN 677c Shall we assume, then, that the cities on the plains and by the sea were utterly destroyed at that time?

CLINIAS Let's assume it.

ATHENIAN Then shall we say that all tools were lost, and that whatever worthwhile discoveries there had been in any art—political art or any other kind of wisdom—all of them perished at that time? After all, my excellent friend, if things had stayed for all time just as they're arranged now, how would anything new ever have been discovered?

CLINIAS 677d The point is that all this apparently escaped the people of those times for tens of thousands of years, and it's only a thousand years, or twice that, since some of it came to light through Daedalus, some through Orpheus, some through Palamedes, musical arts through Marsyas and Olympus, the lyre through Amphion, and a great many other things through others. It all happened, you might say, just yesterday or the day before.[1]

ATHENIAN It's very nice, Clinias, that you've left out your friend, the one who was born quite literally yesterday.

CLINIAS You don't mean Epimenides?

ATHENIAN 677e Yes, him. With his invention, my friend, he leapt far beyond all the others among you. Hesiod foretold it in words long ago, but he brought it about in deed, as you Cretans say.[2]

CLINIAS Yes, we do say so.

ATHENIAN Then shall we say that when the destruction happened, human affairs were in this state: there was a vast and fearful emptiness and an enormous quantity of land for the taking; the other animals had perished, and a few herds of cattle,

1 Legendary inventors: Daedalus the master craftsman, Palamedes (credited with writing, numbers and board games), Marsyas and Olympus (music for the pipes), Amphion (the lyre).
2 Epimenides was said to have made a hunger-suppressing food from mallow and asphodel, plants Hesiod praises in *Works and Days*.

and any stock of goats that happened to survive somewhere—these too few, at first, 678a for herdsmen to live on at that time?

CLINIAS Certainly.

ATHENIAN And as for a city, a constitution and legislation, which our discussion has now reached, do we suppose there was any memory of them at all, so to speak?

CLINIAS None whatever.

ATHENIAN So from those people in that condition came everything we have now—cities and constitutions, arts and laws, and a great deal of wickedness, but a great deal of virtue too?

CLINIAS What do you mean?

ATHENIAN 678b My remarkable friend, do we suppose that the people of that time, inexperienced in many of the fine things found in cities, and many of the opposite things too, had become perfect in either virtue or vice?

CLINIAS Well put; we understand what you mean.

ATHENIAN Then as time went on and our race multiplied, everything advanced to the whole present state of things?

CLINIAS Quite right.

ATHENIAN Not suddenly, it seems likely, but little by little over a very long time.

CLINIAS 678c That certainly makes sense.

ATHENIAN For I think the fear of coming down from the heights into the plains was still ringing in all their ears.

CLINIAS Of course.

ATHENIAN Wouldn't they have been glad to see one another, because there were so few of them around at that time? But the means of getting to one another, by land or by sea, had pretty much all perished along with the arts. So they weren't able, I think, to mix with one another very much. For iron 678d and bronze and all the metals had been buried in the upheaval and had disappeared, so that there was no way at all to extract and

refine them, and they had little means of cutting timber. Even if some tool had survived in the mountains somewhere, it soon wore out and disappeared, and no others would be made until the art of mining came to humankind again.

CLINIAS How could they be?

ATHENIAN How many generations later do we suppose this happened?

CLINIAS 678e Obviously a great many.

ATHENIAN And the arts that need iron and bronze and all such things would have disappeared during that same period, or even longer?

CLINIAS Certainly.

ATHENIAN What's more, faction and war had largely disappeared at that time, for several reasons.

CLINIAS How?

ATHENIAN First, their isolation made them fond of one another and friendly; and second, food was nothing to fight over. 679a There was no shortage of pasture, except perhaps for some at the beginning, and it was mostly on their flocks that they lived at that time. They weren't short of milk and meat at all, and by hunting they got themselves food that was neither poor nor scanty. And they were well supplied with clothing, bedding, houses and vessels, both those that go on the fire and those that don't. For the arts of molding and weaving need no iron whatever, 679b and a god gave these two arts to provide all these things for human beings, so that whenever they fell into such want, the human race might have a means of sprouting and growing again. So because of this they weren't very poor, nor did poverty force them into quarrels with one another. But they could never have become rich either, since they had no gold or silver, which was their condition at that time. And in a community where neither wealth nor poverty lives, the noblest characters, more or less, will arise; 679c for neither arrogance nor injustice, nor rivalries and envy, arise there. So they were good

for these reasons, and because of their so-called simplicity. Whatever they heard called fine or shameful, they were simple enough to think was said with complete truth, and they believed it. No one had the wisdom, as people now do, to suspect a lie; they held what was said about gods and human beings to be true, and lived by it. That's why they were in every way the sort of people we've just described.

CLINIAS 679d Megillus and I, at any rate, agree that this is so.

ATHENIAN Then shall we say that many generations, living this way, would be less skilled and less learned than those who lived before the flood, and those of today, both in the other arts and in the arts of war—those practiced nowadays on land and at sea, and those practiced within a city alone, called lawsuits and factions, where every device, in word 679e and deed, has been contrived for harming and wronging one another—but more simple, more courageous, and also more moderate and more just in every way? And we've already gone through the reason for this.

CLINIAS You're right.

ATHENIAN Let this be said, then, and let everything that follows from it be stated too, for this purpose: so that we can understand what need the people of that time 680a could have had for laws, and who their lawgiver was.

CLINIAS And that's well said.

ATHENIAN Is it true that they didn't need lawgivers, and that such a thing wasn't yet usual in those times? For people born in this part of the cycle don't yet have writing; they live by following customs and what are called ancestral laws.

CLINIAS Likely enough.

ATHENIAN But this is already a kind of constitution.

CLINIAS What kind?

ATHENIAN

680b I think everyone calls the constitution of that time a chieftainship, and it still exists in many places even now, among both Greeks and non-Greeks. Homer, I think, says it was found where the Cyclopes lived, when he says: "They have no assemblies for counsel, no ordinances;
they dwell on the peaks of lofty mountains
in hollow caves, and each lays down the law 680c
for his children and wives, and they pay no heed to one another."[3]

CLINIAS This poet of yours seems to have been a charming one. We've also gone through other things of his, very elegant ones—though not many, since we Cretans don't make much use of foreign poetry.

MEGILLUS We, on the other hand, do make use of it, and he seems to be the best of such poets—though the life he describes every time is not Spartan but 680d rather Ionian. But now he does seem to bear good witness to your argument, when he uses myth to trace their ancient condition back to savagery.

ATHENIAN Yes, he bears witness to it with us. Let's take him as evidence that constitutions of this sort do sometimes arise.

CLINIAS Good.

ATHENIAN Don't they arise from these people, scattered in single households and by families because of the want that followed the destructions? 680e Among them the eldest rules, because authority for them has come down from father and mother. Following them, like birds, they will form a single flock, governed by their fathers and ruled by the most just of all kingships.

CLINIAS Certainly.

ATHENIAN After this, more of them come together in common and make larger cities. They turn first to farming, in the [681a] foothills, and build enclosures like dry-stone walls as defenses against wild beasts, making a single large common household in turn.

CLINIAS That's likely how it happened, at any rate.

ATHENIAN Well then, isn't this likely too?

CLINIAS What?

ATHENIAN As these settlements grew larger from the smaller, original ones, each of the small ones would be there, family by family, with its eldest as ruler and [681b] with certain customs of its own, because they had lived apart from one another. These customs would differ according to the different parents and those who reared them, and would be what they had grown used to regarding the gods and themselves: more orderly among the descendants of the more orderly, braver among those of the braver. And so each group, naturally, would stamp its own preferences on its children and its children's children, and, as we're saying, they would come into the larger community with their own laws.

CLINIAS Of course.

ATHENIAN [681c] And each group, surely, must have liked its own laws, and the others' less.

CLINIAS That's so.

ATHENIAN So it seems we've stepped, without noticing, into the beginning of legislation.

CLINIAS Quite so.

ATHENIAN At any rate, after this the people who had come together must choose some of their number to act for them all. These would look over the customs of all the groups, pick out those they liked best, and present them for the common good to

3 Homer, *Odyssey* 9.112–115.

the leaders who had led the peoples—the 681d kings, as it were—setting them out plainly and giving them the choice. They themselves will be called lawgivers; and once they've appointed the rulers, making some kind of aristocracy out of the chieftainships, or even a kingship, they will live under this altered constitution.

CLINIAS That would come next, at any rate, and would happen in this way.

ATHENIAN Now let's go on to describe a third form of constitution that arises, one in which all the kinds and conditions of constitutions, and of cities too, turn out to be combined.

CLINIAS What is that?

ATHENIAN

681e The one Homer, too, pointed to after the second, when he said the third came about like this. He says, I think: "He founded Dardania, since holy Ilium
was not yet built upon the plain, a city of mortal men,
but they still dwelt on the foothills of Ida, rich in springs."
682a He speaks these verses, and the ones about the Cyclopes, in a way that is somehow in keeping with the gods and with nature. For the race of poets is divine and inspired when it sings its hymns, and each time, with the help of certain Graces and Muses, it lays hold of many things that really happened.[4]

CLINIAS Very much so.

ATHENIAN Then let's go still further into the story that has come to us now; perhaps it may give some indication of what we're after. Shouldn't we?

CLINIAS 682b Certainly.

ATHENIAN Ilium was founded, we say, when people moved down from the heights into a large and beautiful plain, on a hill

4 Homer, *Iliad* 20.216–218, on Dardanus, ancestor of the Trojan kings, whose town preceded Troy (Ilium).

that wasn't high and had many rivers rushing down from Ida above.

CLINIAS So they say, at any rate.

ATHENIAN And don't we suppose this happened a long time after the flood?

CLINIAS Of course it was a long time.

ATHENIAN At any rate they seem to have been terribly forgetful at that time of the 682c destruction we're now talking about, since they placed their city like that, beneath many rivers flowing down from the heights, putting their trust in hills that weren't very high.

CLINIAS So clearly they were separated from that kind of disaster by a very long time.

ATHENIAN And many other cities, I think, had already been founded by then, as humanity multiplied.

CLINIAS Certainly.

ATHENIAN And they, surely, also marched against Ilium—by sea too, perhaps, since by then everyone was using the sea without fear.

CLINIAS 682d Evidently.

ATHENIAN And the Achaeans stayed for about ten years and then sacked Troy.[5]

CLINIAS Certainly.

ATHENIAN During this time, the ten years that Ilium was under siege, things went very badly at home for each of the besiegers, with the young men rising up in factions. When the soldiers came back to their own cities and homes, these young men didn't receive them well or justly, 682e and the result was a great many deaths, murders and exiles. The exiles returned again under a changed name: they were called Dorians instead of Achaeans, because the man who gathered the exiles of that time

5 Achaeans: Homer's name for the Greeks who besieged Troy.

was Dorieus. And everything from this point on you Spartans tell in your stories and relate in full.

MEGILLUS Certainly.

THE DORIAN LEAGUE

Argos, Messene and Sparta are founded as allies under sworn kings; the Athenian asks why the league failed.

ATHENIAN So we've come back again, as if by divine guidance, to the very point where, at the start of our conversation about laws, we turned aside and stumbled into music and drinking; and the argument is offering us, so to speak, a handhold. For it has arrived at the settlement of Sparta 683a itself, which you said was rightly established, like Crete's, with sister laws. So this much we gain from our argument's wandering, having gone through various constitutions and settlements: we've observed a first, a second and a third city, following one another, as we think, in their founding across vast stretches of time; and now this fourth city—or nation, if you like—has come before us, one that was being founded once and has now been founded. 683b From all of this, Megillus and Clinias, perhaps we can understand what was well founded and what wasn't, which laws preserve what is preserved in them and which destroy what is destroyed, and what changes, of which laws for which, would produce a happy city. If so, we must discuss these things again, as if from the beginning—unless we have some complaint against what's been said.

MEGILLUS Well, stranger, if some god promised us that if 683c we made a second attempt at examining legislation, we would hear an argument no worse and no shorter than the one we've just heard, I for one would go a long way, and today would seem short to me—and yet it is just about the day when the god turns from summer toward winter.[6]

ATHENIAN Then it seems we must examine these matters.

6 The summer solstice, the longest day of the year, when the sun god turns back.

MEGILLUS Certainly.

ATHENIAN Let's put ourselves, in thought, back in that time when Sparta and Argos and Messene and their [683d] dependencies had come firmly under the control of your ancestors, Megillus. What they decided next, as the story goes, was to divide their army into three and found three cities: Argos, Messene and Sparta.

MEGILLUS Certainly.

ATHENIAN And Temenus became king of Argos, Cresphontes of Messene, and Procles and Eurysthenes of Sparta.[7]

MEGILLUS Of course.

ATHENIAN And everyone at that time swore to come to their aid [683e] if anyone tried to destroy their kingship.

MEGILLUS Certainly.

ATHENIAN But when a kingship is overthrown—in the name of Zeus—or when any rule has ever been overthrown, is it by anyone but the rulers themselves? Or did we lay this down just now, when we came across these arguments a little while ago, only to forget it?

MEGILLUS How could we have?

ATHENIAN Then now we'll confirm this point more firmly. For having come upon events that actually happened, it seems, we've arrived at the same argument, so that we won't be examining it [684a] in the abstract, but in connection with something that happened and has truth to it. What happened was this. Three kingships and the three cities they ruled swore oaths to each other, according to the laws they had laid down to govern both ruling and being ruled. The kings swore not to make their rule harsher as time went on and the line continued; the others swore that, as long as the rulers kept to this, they would never

7 The Heraclids, descendants of Heracles, were said to have led the Dorians into the Peloponnese and divided Argos, Messene and Sparta among themselves; Procles and Eurysthenes were the ancestors of Sparta's two royal houses.

themselves overthrow the kingships nor allow 684b others to attempt it; and that kings would come to the aid of kings who were wronged, and of peoples, and peoples to the aid of peoples who were wronged, and of kings. Isn't that so?

MEGILLUS It is.

ATHENIAN Then in establishing the constitutions laid down in the three cities, the greatest advantage was theirs—whether it was the kings who legislated or others?

MEGILLUS What advantage?

ATHENIAN That there would always be two cities to come to the rescue against the one that disobeyed the laws laid down.

MEGILLUS Clearly.

ATHENIAN 684c And yet most people demand this of lawgivers: that they lay down laws of a kind that the peoples and the masses will accept willingly—as if someone were to demand of trainers or doctors that they treat and cure the bodies in their care pleasantly.

MEGILLUS Absolutely.

ATHENIAN But often one should be content if one can produce fit and healthy bodies even with pain that isn't too great.

MEGILLUS Certainly.

ATHENIAN 684d The people of that time had another advantage, too, and no small one, that made laying down laws easier.

MEGILLUS What was that?

ATHENIAN Their lawgivers didn't face the greatest of reproaches when they were establishing some equality of property among them. That reproach arises in many other cities when laws are being made, if someone tries to disturb land ownership and cancel debts, seeing that without these steps equality could never be adequately achieved. When a lawgiver tries to disturb anything of this sort, everyone confronts him, 684e telling him not to disturb what must not be disturbed, and curses him for proposing redistributions of land and cancellations of debts,

so that anyone who tries is left helpless. But the Dorians had this advantage too, a fine one that roused no resentment: they could divide the land without dispute, and there were no large, long-standing debts.

MEGILLUS True.

ATHENIAN Then how on earth, my excellent friends, did their settlement and legislation turn out so badly?

MEGILLUS 685a What do you mean? What fault do you find with them?

ATHENIAN That of the three settlements that came into being, two quickly ruined their constitution and laws, and only one survived: your city's.

MEGILLUS That's not an easy question you're asking.

ATHENIAN And yet this is exactly what we need to look into and examine now, playing at laws the sober game that suits old men, so that we get through our journey painlessly, as we said when 685b we set out.

MEGILLUS Of course. And we should do as you say.

ATHENIAN Well then, what finer inquiry into laws could we make than one into the laws that ordered these cities? Or what cities could we study with more celebrated or greater foundings?

MEGILLUS It isn't easy to name others in their place.

ATHENIAN Now it's fairly clear that the men of that time meant this arrangement to be an adequate defense not for the Peloponnese alone 685c but for all the Greeks, if any non-Greeks should wrong them—as the people living around Ilium had done back then, when, relying on the power of the Assyrians that had grown up around Ninus, they boldly provoked the war against Troy. For what survived of the form of that empire was still no small thing: just as we now fear the Great King, so people then dreaded that combined power. The capture of Troy the second time 685d had been a great grievance against the Greeks, since Troy was part of the Assyrian empire.[8] Against all this stood the single arrangement of the army of that time, divided among three cities under kings who were brothers, descendants of Heracles. It was well devised and well ordered, as people thought, and far superior to the one that had gone to Troy. First, they believed that in the Heraclids they had better commanders than the Pelopids; and then again, that this army 685e surpassed in virtue the one that went to Troy, since these men had won and the others had been beaten by them—Achaeans by Dorians. Isn't this how we imagine the men of that time arranged things, and with some such intention?[9]

MEGILLUS Certainly.

ATHENIAN And isn't it likely they also thought it would be secure 686a and would last a long time? They had shared many toils and dangers with one another; they were being organized by a single family, since the kings were brothers; and besides, they had consulted many seers, including the Delphic Apollo.

MEGILLUS How could it not be likely?

ATHENIAN Yet these great expectations flew apart quickly back then, it seems—all except, as we said just now, the small 686b part

8 Ninus was the legendary founder of the Assyrian empire and of Nineveh. Troy had been sacked once before, by Heracles, so the Greek capture in the Trojan War was the second.

9 The Pelopids, descendants of Pelops, included Agamemnon and Menelaus, who led the Achaeans to Troy.

in your region; and that part has never stopped fighting the other two, right down to the present. Yet if the original plan had come about and united into one, it would have had irresistible power in war.

MEGILLUS Of course.

ATHENIAN So how did it perish, and in what way? Isn't it worth examining what fortune it was that destroyed so great and so remarkable an alliance?

MEGILLUS Yes—look anywhere else, and you'd hardly find laws 686c or constitutions that preserve great and fine things, or on the contrary ruin them altogether, if you neglected these.

ATHENIAN Then it seems we've had the good luck to stumble into an inquiry worth making.

MEGILLUS Certainly.

ATHENIAN Well then, my remarkable friend, haven't we all failed to notice something—all of us human beings, and we ourselves just now? Every time we see some fine thing arise, we think it would have achieved marvels if only 686d someone had known how to use it well in some way. And perhaps our thinking about this very point isn't correct or in accordance with nature—nor is everyone else's about everything else they think of in this way.

MEGILLUS What do you mean? What should we say this remark of yours is chiefly about?

ATHENIAN My good man, I was laughing at myself just now. When I looked at this expedition we're discussing, it struck me as a splendid thing, a marvelous possession to fall into the Greeks' hands, as I said—if only someone had 686e used it well back then.

MEGILLUS Well, didn't you say all that well and sensibly, and didn't we approve?

ATHENIAN Perhaps. But it occurs to me that anyone who sees something great, with a great deal of power and strength, immediately reacts this way: if its owner knew how to use a thing of

such a kind and such a size, he'd accomplish many marvels and be happy.

MEGILLUS 687a Well, isn't that right too? Or what do you say?

ATHENIAN Consider, then, what someone who bestows this praise on each thing is looking at, if he's to speak correctly. Start with the present case. If the men who organized the army back then had known how to arrange it properly, how would they have hit the mark? Wouldn't it be by establishing it securely and preserving it for all time, so that they would be free themselves, rule over whomever they wished, and in general among all mankind, 687b Greek and non-Greek, do whatever they and their descendants desired? Isn't this why they'd praise it?

MEGILLUS Certainly.

ATHENIAN And anyone who sees great wealth, or exceptional family honors, or anything of that kind, and says the same things—isn't he saying it with this in view: that through it he'll get everything he desires, or most things, and the ones most worth mentioning?

MEGILLUS So it seems.

ATHENIAN 687c Come then: is there one desire common to all human beings, the one our argument is now bringing to light, as the argument itself claims?

MEGILLUS What's that?

ATHENIAN That whatever happens should happen as one's own soul commands—everything, ideally, or failing that, at least human affairs.

MEGILLUS Of course.

ATHENIAN Then since we all want this always, as children and as old men, wouldn't we necessarily also pray for this very thing our whole lives?

MEGILLUS How could we not?

ATHENIAN 687d And surely we'd join our friends in praying for what they pray for themselves.

MEGILLUS Of course.

ATHENIAN A son is dear to his father—a boy to a man.

MEGILLUS Of course.

ATHENIAN And yet many of the things the boy prays to get, the father would pray the gods never to grant as the son prays.

MEGILLUS You mean when he prays while he's still young and foolish?

ATHENIAN Yes, and also when the father, whether old or a very hotheaded youth, 687e knows nothing of what's fine and just, and prays with great fervor in a state like the one Theseus was in against Hippolytus, who met his unhappy end—while the son does know. Then, do you think, will the son join his father in his prayer?[10]

MEGILLUS I understand what you mean. You seem to be saying that one shouldn't pray or strive for everything to follow one's own wish, but rather for one's wish to follow one's own wisdom; and that this is what a city and each of us should pray and work for: to have intelligence.

ATHENIAN 688a Yes. And in particular, that a statesman and lawgiver should always keep this in view when setting down the ordinances of his laws—I've just remembered it myself, and I remind you both, if we remember what was said at the start. Your advice was that the good lawgiver should enact all his laws for the sake of war; I said this meant laying down laws with a view to one virtue out of four, 688b whereas one should look to the whole of virtue, and above all to the first, the leader of all virtue —which is wisdom and intelligence and opinion, with love and desire following them. So the argument has come back to the same point, and I, the speaker, now say again what I said then—as a joke if you like, or in earnest if you like: I say that prayer is a dangerous thing for someone who lacks intelligence, since what happens to him is the opposite of what he wishes. 688c If you'd

10 Believing a false charge against his son Hippolytus, Theseus cursed him, and the god Poseidon answered the curse by killing him.

like to take me as being in earnest, do; for I fully expect that you'll now find, if you follow the argument we set out a little while ago, that the cause of the ruin of the kings and of their whole plan wasn't cowardice, or the fact that the rulers, and those it was their place to rule, didn't understand warfare. They were ruined by all the rest of vice, and above all by ignorance about the greatest 688d of human affairs. That this is how things happened back then, and happen now wherever they do, and will turn out no differently in the future—if you're willing, I'll try, as I go through the argument in order, to discover it and show it to you as best I can, since you're my friends.

CLINIAS To praise you in words, stranger, would be rather tiresome, but we'll praise you vigorously in deed: we'll follow what you say eagerly. That's where a free man shows most clearly whether he approves or not.

MEGILLUS 688e Excellent, Clinias. Let's do as you say.

CLINIAS So we shall, god willing. Just speak.

THE GREATEST IGNORANCE

The worst ignorance is loving what one judges bad; it, not cowardice, ruined the Dorian kings.

ATHENIAN Then let's say, as we go on down the road of our argument, that it was the greatest ignorance that destroyed that power back then, and that it naturally does the same thing now. So the lawgiver, if this is so, must try to instill as much wisdom as possible in cities, and remove folly as far as he can.

CLINIAS Clearly.

ATHENIAN 689a So what could rightly be called the greatest ignorance? See whether you two agree with what I say. I set it down as this sort.

CLINIAS What sort?

ATHENIAN When someone thinks something is fine or good, and yet doesn't love it but hates it, while he loves and embraces what he thinks is bad and unjust. This discord between pain and

pleasure on the one hand and reasoned judgment on the other I call the utmost ignorance—and the greatest, because it belongs to the mass of the soul; [689b] for the part of the soul that feels pain and pleasure is what the common people and the masses are in a city. So when the soul opposes knowledge or opinion or reason, its natural rulers, I call this folly. The same goes for a city, when the masses don't obey the rulers and the laws; and for an individual too, when fine reasoning present in his soul achieves nothing, and in fact the very opposite. All these I would count as the most discordant forms of ignorance, [689c] both of a city and of each individual citizen—not the ignorance of craftsmen—if you follow what I mean, strangers.

CLINIAS We follow, my friend, and we agree with what you say.

ATHENIAN Then let this be laid down as decided and declared: citizens who are ignorant in this way must be entrusted with nothing that involves ruling, and must be reproached as ignorant, even if they're very good at calculation and have worked hard at all the refinements and everything [689d] that naturally makes for quickness of mind. Those in the opposite condition must be called wise, even if, as the saying goes, they know neither their letters nor how to swim, and they must be given the offices as the sensible ones. For how, my friends, without concord could even the smallest form of wisdom come about? It can't. The finest and greatest of concords would most justly be called the greatest wisdom. The man who lives according to reason shares in it, while the one who lacks it will turn out, every time, to be a wrecker of his household and no savior of his city, but quite the opposite, ignorant [689e] in these matters. So let these things be set down as stated, as we just said.

CLINIAS Yes, let them stand.

CLAIMS TO RULE

Seven claims to rule are listed, and the kings of Argos and Messene are shown to have overreached.

ATHENIAN Now in cities, I suppose, there must be rulers and ruled.

CLINIAS Of course.

ATHENIAN 690a Very well. What claims to rule and to be ruled are there, and how many, in cities large and small, and likewise in households? Isn't one the claim of father and mother? And in general, wouldn't it be a proper claim everywhere, that parents rule their offspring?

CLINIAS Certainly.

ATHENIAN Following on from this, that the well-born rule the low-born. And a third comes next: that the older should rule and the younger be ruled.

CLINIAS Of course.

ATHENIAN 690b A fourth, again, that slaves be ruled and masters rule.

CLINIAS Of course.

ATHENIAN A fifth, I think, that the stronger rule and the weaker be ruled.

CLINIAS That's a kind of rule there's no escaping.

ATHENIAN Yes, and the most widespread among all living things, and according to nature, as Pindar of Thebes once said. But the greatest claim, it seems, would be the sixth, which bids the ignorant follow and the wise lead 690c and rule. And yet this, most wise Pindar, I'd hardly call contrary to nature. It's according to nature: the rule of law over willing subjects, not by force.[11]

11 Pindar wrote of law as "king of all," which "makes the utmost violence just"; the Athenian reads him as endorsing the rule of the stronger.

CLINIAS Quite right.

ATHENIAN And a seventh kind of rule, which we call dear to the gods and fortunate, we assign by some sort of lottery: we say it's most just for the one who draws the lot to rule, and for the one who loses to go off and be ruled.

CLINIAS Very true.

ATHENIAN 690d "You see, lawgiver," we might say, teasing one of those who take up lawmaking lightly, "how many claims to rule there are, and that they are naturally at odds with one another? We've now found a source of civil strife, and you must treat it. But first join us in considering how the kings of Argos and Messene went wrong against these claims, and in what way, so that they destroyed both themselves and the power of the Greeks, 690e marvelous as it was at that time. Wasn't it by not knowing Hesiod's very true saying that the half is often more than the whole? When taking the whole is harmful and the half is moderate, then the moderate, he held, is more than the immoderate, since the better is more than the worse."[12]

CLINIAS Quite right.

ATHENIAN Then do we think this condition tends to arise and do its damage first among kings, or among peoples?

CLINIAS 691a Probably, and usually, it's a disease of kings, who live arrogantly because of luxury.

ATHENIAN So isn't it clear that the kings of that time were the first to catch it: they wanted more than the established laws allowed, and they weren't in harmony with what they had approved in word and on oath? And this discord, which, as we say, is the greatest ignorance though it seems to be wisdom, destroyed all of that through its false notes and bitter lack of harmony.

CLINIAS So it seems.

12 Hesiod, *Works and Days* 40: "Fools, who don't know how much more the half is than the whole."

WHY SPARTA SURVIVED

Sparta's double kingship, elders and ephors held power in due measure, so its constitution lasted.

ATHENIAN [691b] Very well. What should the lawgiver of that time have guarded against when he legislated, where this affliction was concerned? Heavens, isn't it true that now it takes no wisdom to see this, and it isn't hard to say—but if one could have foreseen it then, whoever did would have been wiser than we are?

MEGILLUS What do you mean?

ATHENIAN By looking at what has happened among you, Megillus, one can now see, and having seen, easily say, what should have happened then.

MEGILLUS Say it still more clearly.

ATHENIAN Well, the clearest way to put it would be this.

MEGILLUS What?

ATHENIAN [691c] If you give too much power to something too small for it, neglecting due measure—sails to ships, food to bodies, offices to souls—everything is overturned. Running riot, some run into disease, others into injustice, the offspring of insolence. What are we saying, then? Surely something like this: that there is no mortal soul, my friends, whose nature will ever be able, while young and unaccountable, to bear the greatest power among human beings [691d] without its mind filling up with the greatest disease, folly, and without incurring the hatred of its nearest friends. And when that happens it quickly destroys the soul and wipes out all its power. To guard against this by recognizing due measure is the task of great lawgivers. Now as for what happened then, we can make a very reasonable guess, and it seems to have been—

MEGILLUS What?

ATHENIAN That some god was looking after you. Foreseeing the future, he made your line of kings twins 691e out of a single one, and so drew it closer to due measure. And after this some human nature mixed with a divine power, seeing that your rule was still feverish, blended 692a the moderate power of old age with the headstrong strength of birth, by giving the twenty-eight elders an equal vote with the power of the kings in the most important matters. And your third savior, seeing your rule still swelling and spirited, put the power of the ephors on it like a bridle, bringing it close to power assigned by lot. By this reckoning the kingship among you, blended from the right elements and possessing due measure, was preserved itself and became the 692b cause of preservation for the rest.[13] For if it had been up to Temenus and Cresphontes and the lawgivers of that time, whoever they actually were, not even Aristodemus' share would ever have survived—they weren't experienced enough in legislation. Otherwise they'd hardly have thought they could moderate a young soul with oaths once it had taken power from which a tyranny could arise. As it is, the god has shown what sort of rule there had to be, and must be, if it is to last as long as possible. For us 692c to recognize these things now, as I said before, takes no wisdom—it's not hard to see from an example that has already happened. But if someone back then had foreseen these things and been able to moderate the offices and make one out of the three, he would have preserved all the fine things conceived at that time, and neither the Persian expedition nor any other would ever have set out against Greece, holding us in contempt as people of little account.[14]

CLINIAS What you say is true.

ATHENIAN 692d At any rate they defended themselves shamefully, Clinias. By "shamefully" I don't mean that the men of that

13 Sparta had two royal houses. The "human nature" is usually taken to be Lycurgus, credited with the council of twenty-eight elders, and the "third savior" King Theopompus, credited with the ephors, five magistrates chosen each year.
14 Aristodemus, the third Heraclid brother, received Sparta; Procles and Eurysthenes were his sons.

time didn't win, and win fine battles on land and at sea. What I call shameful then is this: first, that of those three cities only one defended Greece, while the other two were so badly corrupted that one of them even kept Sparta from coming to Greece's defense by making war on it with all its might, while the other—the city around Argos, which held first place in the old days 692e of the division—when called on to help fight off the invader, neither listened nor helped. One could say a great deal about what happened then in that war, and it would all be charges against Greece that do it no credit. Nor would one be right to say that Greece defended itself. If the common resolve of the Athenians and the Spartans 693a hadn't fought off the slavery that was coming, practically all the Greek peoples would by now be mixed up with one another, non-Greek among Greek and Greek among non-Greek, just as the peoples the Persians now rule live dispersed and jumbled together, wretchedly scattered. This, Clinias and Megillus, is what we can find fault with in the so-called statesmen and lawgivers of old, and in those of today, so that by looking for the causes 693b we may discover what else should have been done instead. For instance, we've just said that one should not legislate for great offices, or unmixed ones, bearing in mind this: a city must be free and wise and a friend to itself, and the lawgiver must legislate with these things in view. And let's not be surprised if we've often before now proposed certain aims and said the lawgiver must legislate with these in view, 693c and yet the aims proposed don't look the same to us each time. Rather, we should reason it out: when we say one must aim at moderation, or at wisdom, or at friendship, this target is not different but the same. And if many other expressions of this kind come up, don't let them confuse us.

CLINIAS We'll try to do that when we go back over the arguments. For now, tell us about friendship and wisdom and freedom—what you were going to say the lawgiver 693d should aim at.

TWO MOTHER CONSTITUTIONS

Monarchy and democracy are the two sources of constitutions; Persia shows the decline of monarchy.

ATHENIAN Listen, then. There are, as it were, two mothers of constitutions, from which one could rightly say the others have come. One is rightly called monarchy, the other democracy: the Persian race holds the extreme of the first, and we hold the extreme of the second. Nearly all the others, as I said, are variations woven from these. Now it's essential and necessary to have a share of both, if there is to be freedom and [693e] friendship together with wisdom. That's what our argument means to prescribe, when it says that a city with no share of these could never be well governed.

CLINIAS How could it?

ATHENIAN Well, the one embraced monarchy and the other freedom more than it should, and exclusively, so neither has these in due measure. Yours, the Spartan and the Cretan, do better. The Athenians and the Persians were once more or less that way, [694a] but less so now. Let's go through the causes—shall we?

CLINIAS By all means, if we mean to finish what we set out to do.

ATHENIAN Let's hear it, then. When the Persians under Cyrus kept more to the mean between slavery and freedom, first they became free themselves, and then masters of many others. For when the rulers gave the ruled a share of freedom and brought them toward equality, soldiers were friendlier to their generals [694b] and offered themselves eagerly in danger. And again, if there was a wise man among them who was able to give counsel, since the king wasn't jealous but allowed free speech and honored those who could advise on anything, he offered his power of thought for the common good. So everything advanced for them at that time through freedom, friendship, and a sharing of intelligence.

CLINIAS It does seem that what you describe happened more or less like that.

ATHENIAN 694c How then was it lost under Cambyses, and nearly recovered again under Darius? Would you like us to use a sort of divination as we think it through?

CLINIAS At least it brings us to the inquiry we've set out on.

ATHENIAN Then here is my divination about Cyrus: in other respects he was a good general and loved his country, but he never touched correct education at all, and paid no attention whatever to the management of his household.

CLINIAS How are we to take that?

ATHENIAN 694d It seems he was on campaign from his youth all his life, and handed his children over to the women to raise. They raised them as though they were already happy and blessed from childhood, lacking nothing. They prevented anyone from opposing them in anything, since they were happy enough already, and forced everyone to praise whatever they said or did; and so they raised them to be what you'd expect.

CLINIAS A fine upbringing you've described, it seems!

ATHENIAN 694e A women's upbringing, rather: royal women who had recently become rich, raising the children without men around, since the men had no leisure because of wars and many dangers.

CLINIAS That makes sense.

ATHENIAN Their father, for his part, was acquiring flocks and herds for them, and many herds of men and of much else besides, 695a but he didn't realize that the ones he was going to hand all this to were not being trained in their ancestral art. That art was Persian—the Persians being shepherds, children of a rugged land—and it was a hard one, able to make shepherds very tough, able to sleep in the open and stay awake and go on campaign if need be. Instead he let his sons be educated by women and eunuchs 695b in the Median education, corrupted by so-called happiness; and so they became what you'd expect

them to become, raised in an upbringing that never rebuked them. So when Cyrus died, his sons took over, full of luxury and indiscipline. First one killed the other, resenting that he had an equal share. After that he himself, maddened by drink and lack of education, lost the empire to the Medes and to the man then called the eunuch, who despised Cambyses' folly.[15]

CLINIAS 695c That's what they say, at least, and it seems to have happened roughly like that.

ATHENIAN And, as the story goes, the empire came back to the Persians through Darius and the Seven.[16]

CLINIAS Of course.

ATHENIAN Let's watch, then, as we follow the story. Darius was not a king's son, and had not been brought up in a pampering education. When he came to power, taking it as one of the seven, he divided the empire into seven parts, of which some faint dream-traces remain even now. He saw fit to govern by laying down laws, introducing a kind of common 695d equality, and he made the tribute Cyrus had promised the Persians part of the law, creating friendship and community among all Persians and winning over the Persian people with money and gifts. As a result his armies, loyal to him, won lands no smaller than those Cyrus had left. After Darius came Xerxes, educated once again in the royal, pampering education—"Darius," one might most justly say, "you didn't 695e learn from Cyrus' mistake, and you raised Xerxes in the same habits in which Cyrus raised Cambyses"—and Xerxes, as the product of the same education, came to grief much as Cambyses did. And practically ever since then, no king among the Persians has been truly great, except in name. The cause, as I see it, isn't fortune, but the bad life that the sons of the 696a extremely rich and of tyrants mostly lead: never will a boy or a man or an old man excel in virtue who has come out of

15 Cambyses had his brother killed; while he was away in Egypt the throne was seized by a Magus, a Median priest, posing as the dead brother. Plato calls him "the eunuch."

16 Darius was one of seven Persian nobles who overthrew the usurper in 522 BC.

that upbringing. This, we say, is what the lawgiver must consider, and what we must consider at present. It's only fair, my Spartan friends, to give your city credit for this: you assign no distinctive honor or upbringing for poverty or wealth, for private status or kingship, beyond what your 696b divine oracle at the beginning proclaimed from some god. For honors in a city ought not to be outstanding because someone excels in wealth—any more than because he's swift or handsome or strong without some virtue, or even has a virtue from which moderation is missing.

MEGILLUS What do you mean, stranger?

ATHENIAN Courage is surely one part of virtue?

MEGILLUS Of course.

ATHENIAN Then, having heard the argument, judge for yourself: would you accept as a housemate or neighbor someone very courageous, but not moderate—undisciplined instead?

MEGILLUS 696c Heaven forbid!

ATHENIAN What about someone skilled, and wise in his field, but unjust?

MEGILLUS Certainly not.

ATHENIAN But surely justice doesn't grow apart from moderation.

MEGILLUS How could it?

ATHENIAN Nor does the man we put forward just now as wise, the one whose pleasures and pains agree with right reasoning and follow it.

MEGILLUS No indeed.

ATHENIAN Let's consider this further point too, about the honors given in cities, 696d which ones are correct in each case and which aren't.

MEGILLUS What point?

ATHENIAN Would moderation on its own in a soul, cut off from all the rest of virtue, justly be honored or dishonored?

MEGILLUS I don't know how to answer.

ATHENIAN And that was a moderate answer. If you had given either of the alternatives I asked about, I think you would have struck a false note.

MEGILLUS Then it's turned out well.

ATHENIAN Very well. Something that's merely an addition to what receives honor or dishonor 696e would deserve not speech but rather a kind of wordless silence.

MEGILLUS You seem to me to mean moderation.

ATHENIAN Yes. And of the others, the one that benefits us most, together with this addition, would be most correctly honored if honored most, and the second second; and so each one, receiving its honors in the order that follows, would receive them rightly.

MEGILLUS 697a That's so.

ATHENIAN Well then, shan't we say that distributing these, too, is the lawgiver's business?

MEGILLUS Certainly.

ATHENIAN Then shall we leave it to him to distribute everything, down to each activity and in detail, while we, since we too are in a way enthusiasts for laws, try to divide things three ways and separate out the most important, the second, and the third?

MEGILLUS Certainly.

ATHENIAN We say, then, it seems, that a city that is to 697b survive and be happy, as far as is humanly possible, must necessarily distribute honors and dishonors correctly. And the correct way is to set as most honorable and first the goods of the soul, provided it has moderation; second, the fine and good things of the body; and third, the things said to concern property and money. If any lawgiver or city steps outside this order, either

promoting money to honor 697c or ranking any of the lower things above in honor, it will be doing something neither pious nor statesmanlike. Shall we say this, or what?

MEGILLUS Yes, let it be said plainly.

ATHENIAN It was our examination of the Persian constitution that made us say this at greater length. We find that they became still worse, and the cause, we say, is that by taking too much freedom away from the people and introducing more despotism than was fitting, they destroyed friendship 697d and community in the city. Once that is destroyed, the rulers no longer plan on behalf of the ruled and the people, but for the sake of their own rule. If they think there'll be even a little more in it for them each time, they overturn cities, overturn friendly nations, and destroy them by fire, so that they hate cruelly and pitilessly and are hated in return. And when they come to need the people to fight on their behalf, they find no community in them, no eagerness to be willing to take risks and 697e fight. They possess countless tens of thousands, but possess them all useless for war; and as if they were short of men, they hire them, and think they'll be saved someday by hired soldiers and foreigners. On top of 698a this, they're forced into ignorance, proclaiming by their actions that the things a city calls honorable and fine are always trash compared with gold and silver.

MEGILLUS Certainly.

ATHENIAN So let this be the end of the subject of the Persians—how they're badly governed nowadays because of excessive slavery and despotism.

MEGILLUS Certainly.

ATHENS AND THE PERSIAN WARS

Reverence for law united Athens against Persia, but freedom later grew into license, starting with music.

ATHENIAN Next we must go through the Attic constitution in the same way, and show how complete 698b freedom from all rule

is not a little worse than rule by others that has due measure. At the time when the Persians attacked the Greeks—and perhaps almost everyone living in Europe—we had an ancient constitution, with certain offices based on four property classes. A certain reverence was our mistress, and because of it we were willing to live as slaves to the laws of that time. On top of this, the size of the expedition by land and sea struck us with helpless fear 698c and made us still greater slaves to our rulers and our laws; and because of all this a strong friendship with one another came over us.[17] About ten years before the sea battle at Salamis, Datis arrived leading a Persian expedition. Darius had sent him expressly against the Athenians and the Eretrians, to enslave them and bring them back, and had warned him he would die if he failed. And Datis, in 698d a short time, with many tens of thousands, took the Eretrians completely by force, and sent a frightening report to our city that no Eretrian had escaped him: Datis's soldiers, it said, had joined hands and swept the whole of Eretria like a net.[18] Whether the report was true or however it came about, it terrified the other Greeks and especially the Athenians. They sent envoys 698e everywhere, but no one was willing to help them except the Spartans; and they, because of the war against Messene then going on, and whatever else may have held them back—we don't know of any account of it—arrived a day too late for the battle at Marathon. After this came reports of great preparations and countless threats from the King. As time went on, word came that Darius had died, and that his son, young and violent, had inherited the empire and was in no way 699a giving up the attempt. The Athenians thought this whole preparation was aimed at them because of what had happened at Marathon. And when they heard that Athos was being dug through and the Hellespont bridged, and of the number of ships, they concluded there was no safety for them by

17 The four property classes, traditionally ascribed to Solon, determined which Athenians could hold which offices.

18 Datis's expedition of 490 BC destroyed Eretria on Euboea and was then defeated at Marathon; the battle of Salamis was in 480 BC.

land or by sea. No one would help them, they thought, remembering that when the Persians came before and did what they did at Eretria, no one had helped them then or risked fighting alongside them; they expected 699b the same thing to happen this time, at least on land. And at sea, too, they saw no possible way to survive, with a thousand ships and more bearing down on them.[19] They could think of only one hope of safety, slight and desperate, but the only one. Looking back to what had happened before, when victory in battle had likewise seemed to come out of a desperate situation, and riding on this hope, they found that their refuge lay in themselves alone 699c and in the gods. All this produced friendship among them: the fear then present, and the fear that came from the old laws, which they had acquired by being slaves to the laws of the past. This is what we have often called reverence in our earlier arguments, and we said that those who are to be good must be its slaves; the coward is free of it and fearless. If fear hadn't seized the coward then, he would never have joined the others to fight back, or defended temples and tombs and fatherland and his other kin and friends as well, 699d as they did defend them then. Instead, each of us would then have been scattered in small groups, dispersed in every direction.

MEGILLUS What you've said is quite right, stranger, and worthy of yourself and your country.

ATHENIAN So it is, Megillus. And it's right to speak to you of what happened at that time, since you share by nature in what your forefathers did. But you and Clinias should consider whether what we're saying has any bearing on legislation. I'm not going through this for the sake of stories, 699e but for the sake of what I'm talking about. You see, in a way the same thing had happened to us as to the Persians: they led their people into total slavery, while we, on the contrary, drove the masses toward

19 Xerxes had a canal cut through the Athos peninsula and a bridge of boats built across the Hellespont for his invasion of 480 BC.

total freedom. So how and what we should say from here on, the arguments we've already had have in a way prepared well.

MEGILLUS 700a Well said. But try to make what you're saying clearer still for us.

ATHENIAN I will. Under the old laws, my friends, our people were not master of anything; in a sense they were willing slaves to the laws.

MEGILLUS What laws do you mean?

ATHENIAN First, the laws concerning music as it was then, so that we can trace from the beginning the excessive growth of the free life. Our music was divided at that time into certain kinds 700b and forms of its own. One kind of song was prayers to the gods, called hymns. Opposite to this was another kind of song—laments would be the best name for them. Paeans were another kind, and another, the birth of Dionysus, I think, was called the dithyramb. And they called another by this very name, *nomoi*, as though it were a different kind of song; they added the word "citharodic."[20] With these and some others fixed, it wasn't permitted to use one kind of melody for 700c another. The authority to know these rules, and having known them to judge, and in turn to penalize anyone who disobeyed, was not the pipe or the unmusical shouts of a crowd, as it is now, nor applause handing out praise. Those who had been educated had made it their rule to listen in silence right to the end, while children, their attendants, and the general crowd were kept in order by a warning from the rod. 700d So in these matters the mass of citizens was willing to be ruled in an orderly way, and didn't dare to judge by making an uproar. But later, as time went on, poets became leaders of unmusical lawlessness. They had natural poetic talent, but they were ignorant of what is just and lawful in the Muse's art. In a Bacchic frenzy, possessed by pleasure more than they should be, they mixed laments with hymns and paeans with dithyrambs, imitated pipe-songs on the lyre, and

20 *Nomoi*, the Greek word for "laws," also named a traditional type of solo song performed to the kithara, a large lyre; the Athenian plays on the double sense.

jumbled everything together with everything. 700e Unwittingly, in their folly, they told lies about music, claiming that music has no correctness of any kind, but is most correctly judged by the pleasure of whoever enjoys it, whether he is a better man or a worse. By making such works and adding such arguments to them, they instilled in the many lawlessness in music, and the audacity to think themselves competent judges. As a result 701a the theaters went from silent to vocal, as though they knew what is fine in the arts of the Muses and what isn't; and in place of an aristocracy in music, a kind of wretched theatrocracy arose. If only a democracy of free men had arisen in it, what happened wouldn't have been so terrible. As it is, for us, the belief that everyone is wise about everything, and lawlessness, began from music, and freedom followed along. People became fearless, as though they knew, and this lack of fear bred shamelessness. For to be too bold to fear the opinion of one's betters 701b —that's more or less what wicked shamelessness is, produced by a freedom that has become far too daring.

MEGILLUS Very true.

ATHENIAN Next after this freedom would come the unwillingness to be slaves to the rulers; and following this, escaping the rule and admonition of father and mother and elders; and near the end, seeking not to be subject to laws; 701c and at the very end, paying no heed to oaths and pledges or to the gods at all. They display and imitate the so-called ancient nature of the Titans, arriving back at that same condition, and they live a hard life, never free from evils. Now why, once again, have we said all this? It seems to me that each time we must rein in the argument like a horse, and not let it get the bit in its teeth and be carried off by force 701d and, as the proverb says, fall off a donkey. We must ask again what we asked just now: for the sake of what have these things been said?[21]

21 The Titans rebelled against the Olympian gods and were cast down into Tartarus. "Falling off a donkey" was a proverb for coming to grief through carelessness.

MEGILLUS Good.

ATHENIAN Well, they were said for the sake of those points.

MEGILLUS Which?

ATHENIAN We said that the lawgiver must legislate aiming at three things: that the city he legislates for be free, a friend to itself, and possess intelligence. That was it, wasn't it?

MEGILLUS Certainly.

ATHENIAN 701e It's for the sake of these that we chose the most despotic constitution and the freest, and are now examining which of them is correctly governed. When we took a certain moderation in each—in the one, of despotism, in the other, of freedom—we saw that they did exceptionally well at that time; but when each carried it to the extreme, the one of slavery and the other of its opposite, it did neither of them any good.

MEGILLUS 702a Very true.

ATHENIAN And it was for their sake, too, that we looked at the Dorian army's settlement, the settlement in the foothills of Dardanus and the one by the sea, and the first people, the survivors of the destruction—and, before that, our earlier discussions of music and drinking, and what came earlier still. All of this has been said in order to see how a city might best be run, and how in private 702b a person might best live his life. But if we've achieved anything useful, what test could we set ourselves to prove it, Megillus and Clinias?[22]

A COLONY FOR CRETE

Clinias reveals he is helping found a new colony, and the three agree to design its laws in words.

CLINIAS I think I see one, stranger. It seems that it was by some stroke of luck that we went through all these arguments. For I've

22 These are the stages of the historical survey earlier in Book 3: the survivors of the great flood, Dardania on the slopes of Mount Ida, Troy on the plain, and the Dorian settlement of the Peloponnese.

come to need them just now, and you've turned up at just the right moment, and 702c Megillus here too. I won't hide from you two what's happening to me; in fact I take it as a kind of omen. Most of Crete is undertaking to found a colony, and has charged the Knossians with managing the matter, and the city of Knossos has handed it to me and nine others. It also tells us to lay down laws, choosing any of the local ones that please us, and any from elsewhere, paying no attention to their being foreign, if they seem better. So now let's do this favor for me and 702d for you. Selecting from what's been said, let's construct a city in words, as if we were founding it from the beginning. That way we'll get an examination of what we're looking for, and I may perhaps use this construction for the city that is to be.

ATHENIAN It's no war you're proclaiming, Clinias! Unless Megillus has some objection, you may count on me for everything you have in mind, as far as I'm able.

CLINIAS Good.

MEGILLUS And on me too.

CLINIAS 702e Excellently said, both of you. So let's try first to found the city in words.

Book IV

The site of Magnesia; law as the rule of reason; the preambles.

ATHENIAN 704a Come then, what should we think the city will be like? I'm not asking what its name is now, or what it will have to be called in the future—that might perhaps come from its founding, or from some place, a river or a spring or the gods of the 704b place, lending their name to the newly founded city. What I'm more concerned to ask about it is this: will it be by the sea or inland?

CLINIAS The city we were just speaking of, stranger, is about eighty stades from the sea.[1]

ATHENIAN Well? Are there harbors along that part of the coast, or has it no harbors at all?

CLINIAS On the contrary, stranger, it's as well supplied with harbors there as it could possibly be.

ATHENIAN 704c Oh dear, what a thing to say! And what about the country around it? Does it produce everything, or does it lack some things?

CLINIAS It lacks almost nothing.

ATHENIAN And will there be a neighboring city close by?

CLINIAS Not really—that's why it's being settled. An emigration from the place long ago left this country deserted for longer than anyone can say.

1 A stade was about 600 feet, so eighty stades is roughly nine miles.

ATHENIAN And what about plains, mountains, and forest? How much of each has fallen to our lot?

CLINIAS It resembles the rest of Crete in its whole character.

ATHENIAN 704d You'd call it more rugged than flat, then.

CLINIAS Certainly.

ATHENIAN Then it wouldn't be incurable as regards acquiring virtue. If it were going to be on the coast, with good harbors, and not producing everything but short of many things, it would need some great savior and divine lawgivers if it weren't to have many varied and base characters, being naturally placed like that. As it is, the eighty stades offer some consolation. It does lie nearer the sea than it should, 705a all the more since you say it's so well supplied with harbors; still, even this is something to be glad of. For the sea's presence next to a country is pleasant enough from day to day, but in truth it is a very salty and bitter neighbor. It fills the country with commerce and moneymaking through retail trade, breeds shifty and untrustworthy characters in souls, and makes the city untrustworthy and unfriendly both to itself and likewise to the rest of mankind. Against this it has a consolation, too, in producing everything; 705b and being rugged, it clearly couldn't both produce abundantly and produce everything at once. If it had that, and offered a great deal for export, it would in return be filled up with silver and gold coin—and practically no single thing could be a greater evil for a city with regard to acquiring noble and just characters, as we said in our earlier arguments, if we remember.

CLINIAS Oh, we remember, and we agree that we were right then, and that we're right now.

THE LAND AND THE SEA

The colony's site, timber and harbors are assessed; naval power is said to corrupt a city.

ATHENIAN 705c Well, then: how is this region of ours off for timber for shipbuilding?

CLINIAS There's no fir worth mentioning, and no pine either, and not much cypress. You'd find only a little stone pine and plane, which shipwrights always have to use for the inner parts of their ships.

ATHENIAN That's another feature of the country's nature that wouldn't be a bad thing.

CLINIAS Why?

ATHENIAN It's good for a city not to be able 705d easily to copy its enemies in their bad ways.

CLINIAS What in our earlier discussion did you have in view when you said that?

ATHENIAN My dear friend, keep an eye on me by looking back to what was said at the beginning about the Cretan laws aiming at a single thing. You two said that this was war in particular; and I took you up and said that insofar as such established customs aimed at virtue, that was fine, but that they aimed at a part of it and not at the whole, I didn't 705e quite agree. So now it's your turn to follow along and keep watch over the legislation we're drafting, in case I lay down any law that doesn't tend toward virtue, or toward some part of virtue. For the only law I take to be correctly laid down is one that, like 706a an archer, always aims at whatever alone is constantly attended by something fine, and passes over everything else, whether it be wealth or anything else of that kind that happens to be present without the things we mentioned before. As for the bad imitation of enemies I spoke of, this is how it happens: when people live by the sea and are harassed by enemies. For example—and I'll say this with no wish to rake up old grievances against you—Minos once forced the inhabitants of Attica 706b to pay a harsh tribute, since he had acquired great power at sea. They didn't yet have warships, as they do now, nor was their land full of shipbuilding timber, so that they could easily provide a naval force. So they weren't able to become sailors themselves right away by imitating their enemies' seafaring and so fend them off then and

there.[2] Yet it would have been better for them to lose seven children many times over 706c than to turn from steady hoplites fighting on foot into seamen and get used to leaping ashore again and again and then running quickly back to their ships; to think they were doing nothing shameful when they didn't dare to stand their ground and die as the enemy charged; and to have plausible and very ready excuses whenever they throw away their weapons and take to certain kinds of flight that are "not shameful," as they say. These are the expressions that tend to come from hoplites serving at sea, and they hardly deserve praise over and over, 706d ten thousand times; quite the reverse. For one should never train anyone in bad habits, least of all the best part of the citizen body. One could have learned from Homer, too, that this sort of practice was not a fine one. In his poem Odysseus rebukes Agamemnon when the Achaeans were hard pressed in battle by the Trojans and Agamemnon was ordering the ships to be hauled down to the sea. Odysseus is angry with him and says: 706e "You, who bid us, while war and the battle cry close round us, haul our well-benched ships into the sea, so that still more the Trojans may win what they pray for, eager though they already are, and sheer ruin may sink down upon us. For the Achaeans will not hold out in the fighting if the ships are hauled to the sea; they will glance behind them and draw back from the battle. 707a Then your counsel would bring us harm, such as you propose." So he too recognized that triremes standing by at sea are a bad thing for hoplites in battle. Even lions, with habits like these, would learn to run away from deer. Besides, cities whose power rests on their navies award honors, along with their safety, to what is not the finest element of their fighting forces. Since safety comes through the skills of helmsmen, petty officers and oarsmen, 707b and through people of every sort and not very worthy ones, no one could award honors to each correctly. And yet how could a constitution still be a correct one if it were deprived of that?

2 Athens was said to have sent Minos seven youths and seven maidens as tribute, to be fed to the Minotaur.

CLINIAS Next to impossible. But surely, stranger, we Cretans, at any rate, say that the sea battle the Greeks fought against the non-Greeks at Salamis saved Greece.

ATHENIAN Yes, and most Greeks and non-Greeks 707c say so too. But we, my friend—Megillus here and I—say that it was the land battle fought at Marathon and the one at Plataea: the first began the Greeks' salvation, and the second completed it. These battles made the Greeks better, while the others did not make them better—if I may speak that way about the battles that joined in saving us back then. For to the one at Salamis I'll add, for your sake, the sea battle at Artemisium.[3] 707d But the point is that we are now looking to the virtue of a constitution when we examine the nature of the land and the arrangement of the laws. We don't believe, as most people do, that merely surviving and existing is the most valuable thing for human beings, but rather becoming as good as possible and remaining so for as long as they exist. We've said this too earlier, I think.

CLINIAS Of course.

ATHENIAN So let's consider just this one thing: whether we are keeping to the same path, the one that is best for cities when it comes to settlements and legislation.

CLINIAS Very much so.

ATHENIAN 707e Then tell me what comes next. Who are the people you'll be settling? Anyone from all of Crete who wishes, on the grounds that a crowd has grown up in each of the cities too large for the land to feed? For I don't suppose you're gathering any Greek who wants to come. And yet I do see people from Argos, Aegina and other parts of Greece settled in 708a your country. So tell us about the present case: where do you say your host of citizens will come from now?

CLINIAS It looks as though they'll come from all over Crete; and of the other Greeks, I think they'd be most willing to take in

3 Plataea (479 BC) was the final land victory over the Persians; Artemisium (480 BC) was a sea battle fought just before Salamis.

people from the Peloponnese as fellow settlers. What you said just now is true, that there are people here from Argos; and so is the clan now most highly esteemed here, the Gortynian, for it happens to have come as colonists from Gortyn, the one in the Peloponnese.[4]

ATHENIAN 708b Then settlement wouldn't be equally easy for cities when it doesn't happen the way bees swarm: a single people setting out from a single land and settling, friends parting from friends, when hard pressed by shortage of land or driven by other misfortunes of that kind. Sometimes, too, part of a city may be forced by civil strife to emigrate elsewhere; and once in a while a whole city has gone into exile, utterly overpowered by a stronger force in war. All these cases are in some ways 708c easier to settle and legislate for, and in others harder. A people that is one, with one language and one set of laws, has a certain friendliness, since it shares its sacred rites and everything of that kind; but it doesn't readily put up with laws and constitutions different from those at home. Again, a people that has sometimes fallen into civil strife because of bad laws, and that out of habit still seeks to follow the same customs that ruined it before, is hard to handle for the man settling it 708d and legislating for it, and hard to persuade. On the other hand, a mixed people that has flowed together from all over might perhaps be more willing to obey some new laws; but to get them to breathe as one—to pull together, as the saying goes, like a team of horses—takes a long time and is extremely hard. In truth, legislation and the founding of cities are the most consummate of all tasks where men's virtue is concerned.

CLINIAS Probably. But tell me still more clearly what you have in view in saying that.

ATHENIAN 708e My good friend, as I go back over lawgivers and examine them, I'm likely to say something disparaging as well. But if we say it to good purpose, there'll be no harm in it. And

4 Gortyn was one of the chief cities of Crete; there was also a Gortys in Arcadia, in the Peloponnese, from which it claimed descent.

yet why am I making a fuss? Pretty much all human affairs seem to be like this.

CLINIAS What are you talking about?

ATHENIAN 709a I was about to say that no human being ever legislates anything: chances and accidents of every kind, befalling us in every kind of way, make all our laws for us. Either some war violently overturns constitutions and changes laws, or the distress of harsh poverty does. Diseases, too, often force innovations, when plagues strike, and so do bad seasons that last many years at a time. Foreseeing all this, one might leap to say what I just said: that no mortal 709b legislates anything, and that nearly all human affairs are a matter of chance. It's possible to say all this about navigation, piloting, medicine and generalship and seem to be speaking well; but it's equally possible to speak well in saying this other thing about these same matters.

CLINIAS What's that?

ATHENIAN That god governs everything, and with god chance and opportunity steer all human affairs. But it's a milder view 709c to grant that a third thing must accompany these: skill. For in the crisis of a storm, whether or not one has the pilot's skill to help—I'd count that a great advantage. Or how would you put it?

CLINIAS Just so.

ATHENIAN And the same account would hold for the other cases, too; and in particular the same must be granted to legislation. When all the other things coincide that a country needs to have fall its way, if it is ever to be settled happily, such a city must each time happen upon a lawgiver who holds to the truth.

CLINIAS Very true.

ATHENIAN 709d Now wouldn't someone who has the skill for each of the things we've mentioned be able to pray correctly for the thing which, if chance supplied it, would leave him needing nothing but his skill?

CLINIAS Certainly.

ATHENIAN And all the others we just mentioned, if they were told to state their prayer, would state it. Isn't that so?

CLINIAS Of course.

ATHENIAN And a lawgiver, I think, would do the same.

CLINIAS I think so.

THE YOUNG TYRANT

A good constitution comes most quickly when a lawgiver meets a young, moderate tyrant willing to reform.

ATHENIAN "Come then, lawgiver," let's say to him, "what shall we give you, [709e] and a city in what condition, so that once you have it you'll be able to manage the city adequately yourself from then on?"

CLINIAS What's the right answer to that, then?

ATHENIAN It's the lawgiver's answer we're stating, isn't it?

CLINIAS Yes.

ATHENIAN This: "Give me the city under a tyrant," he'll say, "and let the tyrant be young, with a good memory, quick to learn, brave and high-minded by nature. And the thing we said earlier must accompany all the parts of virtue—let that accompany [710a] the tyrant's soul now too, if his other qualities are to be of any use."

CLINIAS I think the stranger means, Megillus, that the quality accompanying these must be moderation. Isn't that right?

ATHENIAN The ordinary kind, Clinias, not the kind people speak of solemnly when they insist that being moderate is wisdom, but the kind that blossoms naturally, right from the start, in children and animals, making some unrestrained where pleasures are concerned and others restrained. [710b] When it stands alone, we said, it isn't worth mentioning among the many things called good. You know what I mean, I'm sure.

CLINIAS Certainly.

ATHENIAN Well then, let our tyrant have this nature in addition to those others, if the city is to acquire, as quickly and as well as possible, the constitution under which it will live most happily. For there neither is nor could ever be a quicker or better way of establishing a constitution than this.

CLINIAS 710c And how, stranger, and by what argument, could someone who says this convince himself that he's right?

ATHENIAN It's easy enough to see, Clinias, that this is how things naturally are.

CLINIAS What do you mean? If there were a tyrant, you say, who was young, moderate, quick to learn, with a good memory, brave and high-minded?

ATHENIAN Add "fortunate"—not in any other respect, but in this: that in his time a lawgiver worthy of praise should appear, and some stroke of luck bring the two 710d together. When that happens, god has done nearly everything he does when he wants some city to fare exceptionally well. Second best is if two such rulers should ever arise; third, likewise, and harder in proportion as there are more of them; and the reverse in proportion as there are fewer.

CLINIAS You're saying, it seems, that the best city would arise from a tyranny, with a supreme lawgiver and a well-behaved tyrant, and that the change to it would come most easily and quickly from such a starting point; 710e second, from an oligarchy —or what do you mean?—and third, from a democracy.

ATHENIAN Not at all. First from a tyranny, second from a monarchy, third from some kind of democracy. Fourth, oligarchy would have the hardest time admitting the birth of such a city, since it has the largest number of men in power. What we're saying is that this happens when a true lawgiver arises by nature and comes to share some power with those who have the greatest power in the city. 711a Wherever that power is smallest in number but strongest, as in a tyranny, there and then the change tends to come most quickly and easily.

CLINIAS How so? We don't follow.

ATHENIAN And yet we've said it not once but many times, I think. But perhaps you two have never even seen a city under a tyrant.

CLINIAS No, and I have no desire to see the spectacle, either.

ATHENIAN 711b And yet in it you'd see just what we're talking about now.

CLINIAS What's that?

ATHENIAN A tyrant who wants to change a city's customs needs no toil and no very long time. He must first take the road himself in whatever direction he wants to urge the citizens, whether toward the practices of virtue or the opposite, sketching out the whole pattern by his own conduct, 711c praising and honoring some things and censuring others, and disgracing anyone who disobeys, in every sphere of action.

CLINIAS And how, do we suppose, will the other citizens come to follow quickly the man who has acquired this kind of persuasion, and force along with it?

ATHENIAN Let no one persuade us, my friends, that a city could ever change its laws more quickly and easily by any other route than the leadership of those in power, or that it happens any other way now or ever will in the future. That, you see, is not 711d the impossible part for us, or even something hard to bring about. What is hard to bring about is something else, and it has happened only rarely in the long course of time; but when it does occur, it produces countless blessings of every kind in the city where it arises.

CLINIAS What do you mean?

ATHENIAN When a divine love of moderate and just practices arises in people of great power, whether they hold power as monarchs or stand out through superior wealth 711e or birth; or if someone should ever bring back the nature of Nestor, who, they say, surpassed all men in the power of speech but surpassed them still more in moderation. That was in the time of Troy, so

they say, but in ours not at all. Still, if there has been such a person, or will be, or is one among us now, he himself lives a blessed life, and blessed are those who hear the words that come from that moderate mouth.[5] The same account holds for power of every kind: when 712a the greatest power in a human being coincides with wisdom and moderation, then the best constitution and laws of the same kind come to birth, but otherwise they never will. So let this be taken as an oracle spoken in the form of a myth, and let it stand proved that in one way it is hard for a city to get good laws, but in another way, if what we describe should happen, it is by far the quickest and easiest thing of all.

CLINIAS How so?

ATHENIAN 712b Let's try to mold the laws in words, fitting them to your city, like old men playing at being children.

CLINIAS Let's go ahead, then, and not delay any longer.

ATHENIAN Then let us call on god to help us set up the city. May he hear us, and, hearing, come gracious and kindly to help us set in order both the city and its laws.

CLINIAS Yes, may he come.

THE RULE OF GOD AND OF LAW

Under Cronus spirits ruled mankind; the city should imitate that rule by obeying law as intelligence.

ATHENIAN Well then, what constitution do we have in mind to prescribe for the 712c city?

CLINIAS What exactly do you mean by that? Say it still more clearly. A democracy, for instance, or an oligarchy or an aristocracy or a monarchy? Surely you wouldn't mean a tyranny—at least, we wouldn't think so.

ATHENIAN Come then, which of you would like to answer first, by saying which of these is the constitution back home?

5 Nestor, the aged king of Pylos in Homer's *Iliad*, famous for his eloquent counsel.

MEGILLUS Wouldn't it be fairer for me, as the older, to speak first?

CLINIAS 712d Perhaps.

MEGILLUS Well, stranger, when I think about the constitution in Sparta, I can't tell you offhand what it ought to be called. It seems to me to resemble a tyranny—the power of the ephors in it has become amazingly tyrannical—and yet sometimes it seems to me, of all cities, the most like a democracy. Then again, to deny that it's an aristocracy 712e would be utterly absurd. And there's a kingship in it, too, held for life, the oldest of all kingships, as all mankind and we ourselves say. So being asked suddenly like this, I really can't, as I said, define it and tell you which of these constitutions it is.

CLINIAS I find I'm in the same position as you, Megillus. I'm quite at a loss to state with confidence that the constitution in Knossos is any one of these.

ATHENIAN That's because you really do take part in constitutions, my excellent friends. The ones we just named aren't constitutions but arrangements for cities 713a in which some parts are masters and others slaves, and each is named after the power of the master. But if a city had to be named after anything like that, it should have been called by the name of the god who is the true master of those who have intelligence.

CLINIAS And who is that god?

ATHENIAN Must we, then, make use of a little more myth, if we're to explain in a fitting way what you're now asking?

CLINIAS Shouldn't we do that, then?

ATHENIAN Certainly. Long before the cities whose 713b foundations we went through earlier, there was, it is said, a government and a settlement in the time of Cronus that was very happy; and whichever city is best governed today is an imitation of it.[6]

CLINIAS Then it seems we very much need to hear about it.

6 Cronus, father of Zeus, whose reign was remembered as a golden age.

ATHENIAN So it seems to me, at any rate; that's why I brought it into the discussion.

CLINIAS You were quite right to. And you'd do very well to finish [713c] the story that follows, if it's relevant.

ATHENIAN I must do as you say. Well, we have received a tradition about the blessed life of the people of that time: they had everything in abundance and of its own accord. The cause of this is said to be something like the following. Cronus knew, as we have explained, that no human nature is capable of managing all human affairs with absolute power without becoming filled with insolence and injustice. With this in mind, he set over our cities as kings and [713d] rulers not human beings but beings of a more divine and better race: spirits. It's just what we do now with our flocks and with all herds of tame animals. We don't make oxen rulers over oxen or goats over goats; we ourselves, a better race than they, are their masters. In the same way the god, being a friend to humankind, set over us the better race of spirits. They took care of us, with great ease to themselves [713e] and to us, providing peace, respect, good laws and justice without stint, and made the races of mankind free from civil strife and happy. And this account, which holds to the truth, says even now that for cities ruled not by a god but by some mortal, there is no respite from evils and toils. It thinks we should imitate by every means the life said to have existed under Cronus, and that, obeying whatever of immortality there is in us, we should manage our households and cities, in public [714a] and in private, giving the name "law" to the distribution made by intelligence.[7] But if a single person, or an oligarchy, or even a democracy, has a soul that reaches for pleasures and appetites and needs to be filled with them, yet holds nothing in, gripped by an endless and insatiable evil disease—if such a one rules a city or an individual, trampling on the laws, then, as we were saying just now, there is no means of salvation. So we must

7 A play on words: *nomos* (law) and *nou dianomē* (distribution by intelligence).

examine this account, [714b] Clinias, and decide whether we will obey it or what we will do.

CLINIAS We must obey it, surely.

ATHENIAN Do you realize, then, that some people say there are as many kinds of laws as there are of constitutions? And we've just gone through how many constitutions most people say there are. Don't think that the present dispute is about something trivial; it's about the most important thing. For the question of what justice and injustice should look to has come back to us to be disputed. These people say that the laws should look neither to war nor to virtue [714c] as a whole, but to the interest of whatever constitution is established, how it may rule forever and never be overthrown; and that the natural definition of justice is best stated this way.

CLINIAS How?

ATHENIAN That it is the interest of the stronger.

CLINIAS Put it more clearly still.

ATHENIAN Like this. It is surely, they say, whatever is dominant in a city at any given time that lays down its laws. Isn't that so?

CLINIAS True.

ATHENIAN [714d] "Do you suppose, then," they say, "that a people that has won power, or any other constitution, or a tyrant, would ever of its own accord lay down laws with any other primary aim than its own interest in keeping its rule?"

CLINIAS How could it?

ATHENIAN "And whoever breaks these laws once they're laid down, the one who laid them down will punish as a wrongdoer, calling the laws just?"

CLINIAS It seems so, at any rate.

ATHENIAN "Then this is how justice would always stand: this way, and on these terms."

CLINIAS That's what this account says, at any rate.

ATHENIAN Yes, for this is one of those claims 714e about ruling.

CLINIAS Which ones?

ATHENIAN The ones we examined back then: who should rule whom. It appeared that parents should rule their offspring, the older the younger, the well-born the low-born, and there were a good many others, if we remember, some of them standing in the way of others. And one of 715a them was this very one; and we said, I think, that Pindar "leads it according to nature, making the utmost violence just," as he put it.

CLINIAS Yes, that's what was said then.

ATHENIAN Consider, then, to which sort of people our city should be handed over. For this sort of thing has happened countless times in some cities.

CLINIAS What sort of thing?

ATHENIAN When offices have been fought over, the winners take over the city's affairs so completely that they give no share of office whatever to the losers, neither to them nor to their descendants, and they live watching each other, 715b lest anyone should ever come to office and rise up, remembering the wrongs done before. These, we now say, are not constitutions, and laws are not correct unless they were laid down for the common good of the whole city. Where laws are laid down for the sake of some, we call those people partisans, not citizens, and what they call justice is an empty word. We say this because we are not going to give offices in your city to anyone because he is rich, or because he 715c possesses any other such thing, such as strength or size or birth. Whoever is most obedient to the established laws and wins that victory in the city—to him, we say, must be given the highest service of the gods, to the winner of first place; the second to the one who comes second in that contest; and so on in proportion, each of the subsequent offices to those who come next. Those now called rulers I've called servants of the laws, 715d not for the sake of coining new names, but because I believe that this more than anything determines a city's salva-

tion or the opposite. For where the law is ruled over and lacks authority, I see ruin ready at hand for such a city; but where the law is master of the rulers and the rulers are slaves of the law, I see salvation there, and all the good things the gods have given to cities.

CLINIAS Yes, by Zeus, stranger; you see sharply, as befits your age.

ATHENIAN Yes: every human being, when young, sees such things more dimly 715e than he ever will, and when old, most sharply.

CLINIAS Very true.

THE ADDRESS TO THE SETTLERS

The settlers are told to follow the god, honor gods, ancestors and parents, and live moderately.

ATHENIAN What comes next, then? Shouldn't we suppose that the settlers have arrived and are here before us, and go through the rest of what we have to say to them?

CLINIAS Of course.

ATHENIAN Then let us say this to them. Men, the god who, as the ancient saying has it, holds the beginning, the end and 716a the middle of all things that are, travels a straight path to his goal as he goes round according to nature. And Justice always follows him, avenger of those who fall short of the divine law. Whoever means to be happy holds fast to her and follows, humble and orderly. But someone who is carried away by boastfulness, or puffed up by wealth or honors, or by good looks along with youth and folly, burns in his soul with insolence, as if he needed neither ruler nor any guide, but was capable of guiding others too. 716b Such a man is left abandoned by god; and once abandoned, he takes up others like himself and leaps about, throwing everything into confusion at once. To many people he seems to be somebody. But before long he pays Justice a penalty that is not to be scorned, and brings himself, his

household and his city to utter ruin.[8] In view of this ordering of things, then, what should the sensible person do or think, and what not?

CLINIAS This much is clear: every man must resolve to be one of those who will follow the god.

ATHENIAN 716c What conduct, then, is dear to god and follows him? There is one kind, expressed in one ancient saying: like is dear to like, when it has measure, while things without measure are dear neither to each other nor to things with measure. For us, god would be the measure of all things in the highest degree, far more than any human being, as some say. So whoever is to become dear to such a being must become as much like him as he possibly can; 716d and by this account the moderate person among us is dear to god, since he is like him, while the person who is not moderate is unlike him and at odds with him, and so is the unjust person; and the same principle holds for the rest.[9] Let us note that from this follows another principle, the finest and truest of all principles, I think: that for the good person, to sacrifice and commune with the gods constantly through prayers, offerings and every kind of worship is the finest, best and most effective thing for a happy 716e life, and exceptionally fitting as well; while for the bad person the opposite is naturally true. For the bad person is impure in soul, and his opposite is pure; and it is never right 717a for a good man or a god to accept gifts from a polluted person. So all the great effort the unholy spend on the gods is wasted, while for the holy it is most rewarding of all. This, then, is the target we must aim at. But what are its arrows, so to speak, and how should they be launched? What could we name that would fly most truly to it? First, we say, one would hit the target of piety most truly if, after the honors due to the Olympians and the gods who hold the city, one assigned to the gods of the underworld the even numbers, second place, and

8 The "ancient saying" is usually taken to be an Orphic verse: "Zeus is the beginning, Zeus the middle, and from Zeus all things are made."
9 Protagoras, the fifth-century BC sophist, had said that "man is the measure of all things."

the left, [717b] and the things above these—the odd numbers and their counterparts—to the gods just mentioned. After these gods, the sensible person will also worship the spirits, and after them the heroes.[10] Next should come private shrines of ancestral gods, worshiped according to law; and after these, honors for parents while they live. It is right to pay the first and greatest debts, the oldest of all obligations, and to consider that everything one owns and has belongs to those [717c] who gave one birth and raised one, and so to put it at their service with all one's power: first one's property, second what belongs to the body, third what belongs to the soul. So one repays the loans of care, and of the labor pains they suffered for their young long ago, and gives them back to the old in their old age, when they are in great need. Throughout one's whole life one must have, and have had, especially respectful speech toward one's parents, [717d] because light and winged words bring the heaviest penalty: Nemesis, messenger of Justice, has been appointed to watch over all such matters. So one must give way to parents when they are angry and let them vent their anger, whether they do it in words or in deeds, and forgive them, recognizing that a father who thinks he is wronged by his son would naturally be especially angry. When parents die, the most modest burial is the finest: one that neither exceeds the customary pomp nor falls short [717e] of what our forefathers gave their own parents. Likewise one should pay the yearly attentions to those who have reached their end, the rites that bring them honor. And one should honor them above all by not [718a] neglecting to keep their memory constantly alive, and by spending on the dead a moderate share of whatever means fortune grants.[11] If we do these things and live by them, each of us, always, we would receive what we deserve from the gods and from those greater than us, and would spend most of our lives in good hope. As for what one owes to offspring, relatives, friends and fellow citizens, and the

10 Greek ritual associated odd numbers and the right hand with the heavenly gods, and even numbers and the left with the gods of the underworld.
11 Nemesis, goddess of retribution, who punished arrogance and wrongdoing.

services to strangers that the gods enjoin, and the dealings with all of these by which one should brighten 718b one's own life and adorn it as the law requires—the detailed account of the laws themselves, persuading in some cases and, where characters don't yield to persuasion, punishing with force and justice, will with the gods' consent make our city blessed and happy. But there are things that a lawgiver who thinks as I do must say, and needs to say, which are out of tune when spoken in the form of law. On these matters, I think, he should offer a sample 718c to himself and to those for whom he will legislate, go through all the rest as far as he can, and after that begin laying down the laws. But in what form can such things best be set out? It isn't very easy to take them in and state them in a single mold, as it were. But let's approach it in something like this way, and see whether we can establish anything firm about them.

CLINIAS Tell us what way.

ATHENIAN I would want them to be as readily persuaded toward virtue as possible; and clearly the lawgiver will try to achieve this throughout his legislation.

CLINIAS 718d Of course.

ATHENIAN Well, it seemed to me that what we've said would help make people hear what he urges more gently and kindly, as long as it doesn't take hold of an utterly savage soul. So if it makes the listener even a little more well disposed—if not much —and so readier to learn, as it aims to, we should be glad of it. For there's no great ease or abundance of people eager to become as good as possible as quickly as possible. 718e Most people regard Hesiod as wise for saying that the road to badness is smooth and can be traveled without sweat, being very short; but "before virtue," he says, "the immortal gods have set sweat, and long and steep is the path to it, 719a and rough at first; but when you reach the top, then it is easy to bear, hard though it is."

CLINIAS And he seems to put it well.

ATHENIAN Certainly. But I want to lay before you the effect that the preceding argument has had on me.

CLINIAS Go ahead.

ATHENIAN Let's address the lawgiver and say this: "Tell [719b] us, lawgiver: if you knew what we should do and say, isn't it clear that you would tell us?"

CLINIAS Necessarily.

ATHENIAN "Now a little while ago didn't we hear you say that the lawgiver must not let the poets compose whatever they like? For they wouldn't know whether they might say something contrary to the laws and harm the city."

CLINIAS That's certainly true.

ATHENIAN Well, if we said the following to him on the poets' behalf, would it be reasonable?

CLINIAS What?

ATHENIAN [719c] Something like this. There is an ancient story, lawgiver, which we poets are forever telling and which everyone else agrees with: that whenever a poet sits on the tripod of the Muse, he is not in his right mind, but like a fountain lets whatever comes to him flow out freely. And since his art is imitation, he is forced, when he portrays people at odds with one another, often to contradict himself, and he doesn't know whether this or [719d] that of the things he says is true. But the lawgiver cannot do this in his law, saying two things about one matter; he must always declare one account about one matter. Consider it from what you yourself said just now. There are three kinds of burial: the excessive, the deficient and the moderate. You chose one of them, the middle one, and you prescribed it and praised it without qualification. But if I had in my poem a woman of exceptional wealth who gave orders for her burial, I would praise the extravagant [719e] tomb, while a stingy or poor man would praise the meager one, and a man of moderate means, moderate himself, would praise the same one you did. But you shouldn't speak as you did just now, saying "moderate"; you must say what the moderate is and how much, or else not think that such a statement of yours is becoming law yet.

CLINIAS Very true.

TWO KINDS OF DOCTOR

Like a free doctor who explains, a lawgiver should persuade as well as command.

ATHENIAN So should the person put in charge of our laws make no such preliminary statement at the beginning of the laws, but say straight off what must be done and what must not, add the threat of a penalty, and turn [720a] to another law, without adding a single word of encouragement or persuasion for those he is legislating for? It's like doctors: one usually treats us this way, another that way. Let's recall the two methods, so that we can make our request of the lawgiver, just as children might ask a doctor to treat them in the gentlest way. What do I mean? There are doctors, we say, and there are doctors' assistants, whom we also call doctors, of course.

CLINIAS [720b] Certainly.

ATHENIAN Whether they are free or slaves, they acquire the art by following their masters' orders, by watching and by experience, not by the natural method, the way free doctors have learned it themselves and teach it to their own children. Would you say these are two kinds of so-called doctors?

CLINIAS Of course.

ATHENIAN And do you also realize that, since the sick in cities are both slaves and [720c] free, the slaves are mostly treated by slaves, who run around or wait in the dispensaries? None of these doctors gives or accepts any account of each ailment of each servant; he prescribes what seems right from experience, as if he had exact knowledge, with the self-assurance of a tyrant, and off he rushes to another sick servant; and in this way he relieves the master of the trouble of caring for his sick. [720d] But the free doctor mostly treats and examines the diseases of free people. He investigates them from the beginning and according to nature, and he talks things over with the patient himself and

with his friends. At the same time as he learns something from the sick, he also teaches the patient himself as far as he can. He gives no prescription until he has somehow won the patient over; then, keeping him calm by persuasion each time, [720e] he tries to succeed in leading him back to health. Which is the better doctor in healing, or trainer in training: the one who works this way or that? One who achieves a single effect by two means, or one who uses only one, the worse and harsher of the two?

CLINIAS The twofold way is far superior, stranger.

ATHENIAN Would you like us to look at this twofold method, and the single one, as they appear in legislation itself?

CLINIAS Of course I would.

ATHENIAN Come then, in the gods' name: what law would the lawgiver lay down first? Wouldn't he follow nature and set in order by his regulations the starting point of generation [721a] first, where cities are concerned?

CLINIAS Of course.

ATHENIAN And isn't the starting point of generation in all cities the union and partnership of marriage?

CLINIAS Of course.

ATHENIAN Then it looks as though the marriage laws, if laid down first, would be well laid down for getting any city right.

CLINIAS Absolutely.

ATHENIAN Let's first state the simple version. It might go something like this— [721b]

A man shall marry when he is thirty years old, and before he is thirty-five. If he does not, he shall be punished with a fine and with loss of status: a fine of such and such an amount, and loss of status of such and such a kind.

Let the simple law about marriage be something like that. The double one is as follows—

A man shall marry when he is thirty years old, and before he is thirty-five, bearing in mind that there is a way in which the human race by nature shares in immortality, which every per-

son is naturally moved [721c] to desire in every way. For the desire to become famous and not to lie nameless after death is a desire for this. The human race is by nature bound up with the whole of time, which it accompanies and will accompany to the end; and it is immortal in this way: by leaving behind children's children, remaining the same and one forever, it shares in immortality through generation. To deprive oneself of this willingly is never holy; and anyone who neglects to have a wife and children deprives himself of it deliberately. If he obeys [721d] the law, he may go free without penalty; but if he does not obey, and is still unmarried at thirty-five, let him pay a fine of such and such an amount every year, so that he won't think that living alone brings him profit and ease; and let him have no share in the honors that the young in the city pay on each occasion to their elders.

Hearing this law beside the other, one can consider, about each law, whether they should be double like this, [721e] twice as long at the least, because they combine persuasion with threat, or whether they should use threat alone and be single in length.

MEGILLUS The Spartan way, stranger, is always to prefer the shorter. But if someone told me to judge which of these texts I'd want written down and enacted in my city, I'd choose the longer one; [722a] and indeed, for every law on this model, if both versions were available, I'd make the same choice. But of course our friend Clinias here must also approve of what we are now legislating, since it's his city that now intends to use such laws.

CLINIAS Well said, Megillus.

LAWS NEED PREAMBLES

The Athenian proposes that every law open with a persuasive preamble before its command.

ATHENIAN To make our discussion about many or few letters would be very foolish. It's the best, I think, [722b] not the shortest or the longest, that we should value. As for the laws we just stated, one is not merely twice as good as the other in useful-

ness; rather, as was said just now, the comparison with the two kinds of doctors was very apt. But no lawgiver ever seems to have thought of this: though they can use two means in legislating, persuasion and force, as far as that is possible with the uneducated crowd, they use only one of them. 722c They don't temper the battle with persuasion when they legislate, but use nothing but undiluted force. And I, my dear friends, see a third thing still that ought to be done with laws, which is nowhere done at present.

CLINIAS What do you mean?

ATHENIAN Something that has come, by some god's guidance, out of the very conversation we've just had. From the time we began to talk about laws, dawn has turned to noon, and we have come to this lovely resting place, discussing nothing but laws. 722d Yet it seems to me we have only just begun to state laws, and everything before was preambles to laws. Why have I said this? Because I want to say that all speech, and everything the voice takes part in, has preambles and something like warm-ups, which contain a kind of skilled attempt useful for what is to be accomplished.[12] And indeed, for songs sung to the lyre, the ones called *nomoi*, and for music of every kind, preambles composed with wonderful 722e care are set in front. But for the laws that really are laws, which we call political, no one has ever spoken a preamble, or composed one and brought it to light, as if there were no such thing by nature. But our present conversation indicates, I think, that there is. And the laws I stated just now, which seemed to me to be double, are not simply double in that sense; they are two things: a law and a preamble to the law. What we likened to a tyrant's command, the orders 723a of the doctors we called unfree, is the law undiluted; and what was said before it, which our friend here called persuasive, is indeed persuasive, but has the function of a preamble to a speech. For it became clear to me that this whole speech, which the speaker

12 A *prooimion* is a prelude or preamble; Plato's idea is that laws should persuade before they compel.

made in order to persuade, was made for this purpose: that the person to whom the lawgiver addresses the law should accept the command—that is, the law—in a kindly frame of mind, and through that kindliness be readier to learn. So, [723b] in my view at least, it would rightly be called a preamble, not the text of the law. Having said this, what would I like to say next? This: that the lawgiver must never leave his laws without preambles, whether all of them together or each one singly; in this way they will be better than they otherwise would be, by as much as the two just stated differed.

CLINIAS For my part, I wouldn't tell anyone who knows about these matters to legislate for us any other way.

ATHENIAN [723c] Well, Clinias, I think you're right about this much: that all laws have preambles, and that when one begins any legislation one should put before each whole discourse the preamble that naturally belongs to it—for what is to be said next is no small matter, and it makes no small difference whether it is remembered clearly or not. But if we ordered that laws called great and small alike should all have preambles, we would not be right. Not every song [723d] or speech needs this—although it naturally belongs to all, it shouldn't be used for all—but it should be left to the orator, the singer and the lawgiver in each case.

CLINIAS I think what you say is very true. But let's not spend any more time in delay, stranger. Let's go back to our subject and begin, if you don't mind, from what you said back then without treating it as a preamble. So let's go back over it from the start—"second throws are better," [723e] as people say when they play games—completing a preamble this time, and not just any discourse, as we did a moment ago. Let's make a start on it, agreeing that it is a preamble. What was said just now about honoring the gods and caring for ancestors is enough; let's try to state what comes next, until you think the whole preamble has been adequately stated. After that you'll go through the laws themselves.

ATHENIAN [724a] Then about the gods and those that come after the gods, and about parents, living and dead, we gave an adequate preamble back then, as we now say. And now you seem to be urging me to bring to light, as it were, what remains of this kind.

CLINIAS Absolutely.

ATHENIAN Well, after such matters, how people should conduct themselves with regard to their own souls, bodies and property —what they should take seriously [724b] and where they should ease off—is a fitting subject, and one that concerns everyone, for speaker and listeners alike to think through, so as to gain as much education as they can. This, then, truly is what we must say and hear next.

CLINIAS Quite right.

Book V

Honouring the soul; the size of the city and its land.

ATHENIAN 726a Then let everyone who just now heard what was said about the gods and our dear forefathers listen. Of all a person's possessions, after the gods, the soul is the most divine, since it is most truly his own. Everything a person has is of two kinds. The stronger and better are masters; the weaker and worse are slaves. So among one's own things, the masters must always be honored above the slaves. And so, when I say that one must honor one's own soul second, 727a after the gods, who are our masters, and those who follow them, I'm giving the right instruction. Yet hardly any of us honors it rightly, though we think we do. For honor is surely a divine good, and nothing bad is honorable; and whoever thinks he is exalting his soul with words or gifts or indulgences, without making it any better than it was, seems to honor it but doesn't do so at all. For instance, every human being, right from childhood, thinks himself capable of knowing everything, 727b and believes he honors his soul by praising it, and eagerly lets it do whatever it likes. What we're saying now is that by doing this he harms it and doesn't honor it —and he ought, as we say, to honor it second after the gods. Nor does a man honor his soul when he never holds himself responsible for his own errors, or for most of his troubles and the greatest of them, but blames others and always exempts himself as blameless. He thinks he's honoring his soul, but 727c he's very far from doing so: he's harming it. Nor, when he gratifies it with pleasures against the lawgiver's advice and approval, does he honor it in the least; he dishonors it, filling it with evils

and regret. Nor again, in the opposite case, when he doesn't persevere through the labors, fears, pains and griefs that are commended, but gives in—then, by giving in, he doesn't honor it; by doing all such things he makes it a thing without honor. Nor, when 727d he thinks that living is good at any price, does he honor it; then too he dishonors it. For when the soul believes that everything in Hades is bad, he gives in to it instead of resisting—instead of teaching it and proving to it that it doesn't even know whether, on the contrary, the things concerning the gods there may by nature be the greatest of all goods for us. Nor again, when someone prefers beauty to virtue—that is nothing other than the real and utter dishonoring of the soul. For this view says that the body is more to be honored than the soul, 727e and it lies: nothing born of earth is more honorable than the things of Olympus, and whoever thinks otherwise about the soul doesn't know what a marvelous possession he's neglecting. Nor, when someone longs to acquire money 728a dishonorably, or isn't troubled at acquiring it that way, does he then honor his soul with gifts—far from it. He sells what is precious and fine in it for a little gold; but all the gold on earth and under the earth is not worth as much as virtue. To put it in a word: whoever is unwilling to keep away by every means from the things the lawgiver lists and ranks as shameful and bad, and to practice with all his might the things he ranks, on the contrary, as good and fine—such a person, whoever he is, doesn't realize that in 728b all this he is treating his soul, the most divine thing he has, in the most dishonorable and degrading way. For hardly anyone takes into account what is called the greatest "penalty" for wrongdoing. The greatest is to become like men who are bad, and, in becoming like them, to shun good men and good conversation and cut oneself off from them, while clinging to the bad and seeking out their company. And whoever has grown into such people must 728c do and suffer what such people naturally do and say to one another. Now this experience isn't a just penalty at all—for what is just, and justice, are fine things—but retribution, the suffering that follows on injustice. Whoever meets with it and whoever

escapes it are both wretched: the one because he isn't cured, the other because he is destroyed so that many others may be saved. For us, honor, to put it generally, is to follow what is better, and, where what is worse can become better, to make it as good as possible.

So a human being has no possession better suited by nature than the soul [728d] for fleeing what is bad and for tracking down and seizing what is best of all, and, having seized it, for living with it in partnership for the rest of his life. That's why it was ranked second in honor. The third—anyone could see this—is the honor due by nature to the body. But here again one must examine the honors, which of them are true and which counterfeit; and that is the lawgiver's business. He seems to me to indicate that they are these, or something like them: the body to be honored isn't the beautiful one, or the strong, or the swift, or the tall, nor [728e] even the healthy—though many would think so—nor, for that matter, their opposites. Rather, bodies that keep to the mean between all these conditions are by far the most moderate and at the same time the safest. For the one extreme makes souls puffed up and reckless, the other makes them abject and servile. The same goes for the possession of money and property, and their value follows the same pattern. Excess in each [729a] of these breeds hostility and faction in cities and in private life; deficiency, for the most part, breeds servitude. So let no one be a lover of money for his children's sake, in order to leave them as rich as possible. That's better neither for them nor for the city. For the young, the best estate—and the most harmonious of all—is one that attracts no flatterers yet doesn't lack necessities. Being in tune and in harmony with us in every way, it makes our [729b] life free from pain. What we should leave our children is a great sense of shame, not gold. We think we'll leave them this by rebuking the young when they behave shamelessly. But it doesn't come from the advice people give the young nowadays, when they tell them that a young man must feel shame before everyone. A sensible lawgiver would rather urge the old to feel shame before the young, and above all to take care that none of

the young ever sees or overhears one of them doing or 729c saying anything shameful. For where the old are shameless, the young there too are bound to be utterly without shame. The best education of the young, and of the old themselves, isn't admonition; it's being seen, all one's life, to do the very things one would tell someone else when admonishing him. Whoever honors and reveres his kin, and the whole fellowship of the family gods that shares the same blood, would reasonably find the gods of birth well disposed toward the begetting of his own children. Again, a man will find friends and companions 729d kindly in his dealings with them through life if he counts their services to him greater and more valuable than they themselves do, and thinks his own favors to his friends smaller than his friends and companions think them. As for city and fellow citizens, by far the best man is the one who would choose, over victory at Olympia and in all contests of war and peace, to win a reputation for service to his country's laws, as 729e the man who, of all men, has served them best throughout his life. Toward foreigners, one should regard agreements with them as most sacred. For nearly all offenses by and against foreigners, compared with those among citizens, are more closely bound up with an avenging god. For the foreigner, cut off from companions and kin, is more to be pitied by men and gods. So whoever is able to avenge him comes more eagerly to his aid; and the one especially able 730a is each foreigner's guardian spirit and god, who follow in the train of Zeus, god of strangers. So whoever has even a little foresight will take great care to reach the end of his life without having committed any offense against foreigners. Among offenses against foreigners and natives alike, the gravest for anyone is the one against suppliants. For the god whom the suppliant called on as witness when he obtained his pledge becomes the special guardian of the one who suffers, so that he will never suffer without his wrongs being avenged. 730b 1

1 A suppliant sought protection by formally appealing to someone, often at an altar or hearth; to harm one was a grave offense against the gods.

CHARACTER AND THE PLEASANT LIFE

The Athenian praises truthfulness, generosity and gentleness, and argues that the virtuous life is also the most pleasant.

ATHENIAN We've now pretty much gone through our dealings with parents, with oneself and one's own, with the city, friends and kin, foreigners and natives. Next comes going through what sort of person one should be to live one's life most finely—not what law prescribes, but what praise and blame, by educating each person, make him more tractable and well disposed toward the laws that are about to be laid down. That is what we must discuss 730c next. Truth leads the way among all goods for gods, and among all goods for men. Whoever means to be blessed and happy should share in it right from the beginning, so that he may live as long as possible as a truthful man. For such a man can be trusted. Untrustworthy is the man who loves a willing lie; and the man who loves an unwilling one is a fool. Neither is to be envied. For everyone who is untrustworthy and ignorant is friendless; and as time goes on and he is found out, he has prepared complete isolation for himself in harsh old age at the end of his life, so that, whether his companions and children are living 730d or not, his life is almost equally orphaned. Now the man who does no wrong deserves honor; but the man who doesn't even allow wrongdoers to do wrong deserves more than twice the honor. The first counts for one man, the second for many others, since he reports the wrongdoing of others to the magistrates. And the one who also helps the magistrates punish, as far as he can—he is the great and complete man in a city; let him be proclaimed the winner of the prize for virtue. 730e The same praise must be given for moderation and for wisdom, and for any other goods a person possesses that he can not only keep for himself but also share with others. The one who shares should be honored as the highest; the one who can't but would like to, let him rank second; and the one who begrudges them and won't willingly let anyone share in any goods 731a through friendship—

him we must blame, but without valuing the possession itself any the less because of its owner; rather, one must acquire it as far as one can. Let every one of us compete for virtue, without envy. For such a man makes cities grow: he competes himself, but doesn't cut others down with slander. The envious man, thinking he must get ahead by slandering others, makes less effort himself toward true virtue, and drives his rivals to despair by blaming them unjustly. In this way 731b he leaves the whole city untrained for competition in virtue and, for his part, diminishes its good name. Every man should be spirited, but also as gentle as possible. For there's no escaping other people's wrongs that are harsh and hard to cure, or even wholly incurable, except by fighting and defending oneself, winning, and punishing without any relenting; and no soul 731c can do this without noble spirit. But as for those who do wrong but are curable, one must first recognize that no unjust man is unjust willingly. For no one would ever willingly acquire any of the greatest evils anywhere, least of all in what is most precious to him. And the soul, as we've said, is in truth what is most precious to everyone. So no one would willingly take the greatest evil into what is most precious and live his whole life possessing it. The unjust man, then, and the man who has these evils, is altogether to be pitied. It's permissible 731d to pity the one whose ills are curable, to restrain one's spirit and soften it, and not to go on raging bitterly like a woman. But against the man who does wrong without restraint and beyond all correction, bad through and through, one must let one's anger loose. That's why we say the good man must be spirited and gentle as each occasion requires.

But the greatest of all evils for most people is one inborn in their souls, which everyone excuses in himself 731e and so contrives no escape from it. It's what people mean when they say that every human being is by nature his own friend, and that it's right he should be. But in truth, excessive love of oneself is the cause of every error for each person on every occasion. For the lover is blind about what he loves, so that he judges badly about what is just, good and fine, 732a believing he must always honor

what is his own above what is true. But a man who is to be great must cherish neither himself nor what is his, but what is just, whether it happens to be done by himself or rather by someone else. From this same error comes everyone's belief that his own ignorance is wisdom. So, though we know next to nothing, we think we know everything; and since we don't 732b let others do what we don't understand, we're bound to go wrong doing it ourselves. So every human being must shun excessive love of himself and always pursue someone better than himself, without letting any shame stand in the way.

There are other precepts, smaller than these and often repeated, but no less useful, which one should say to remind oneself. For just as, when something is always flowing away, something must flow back in to replace it, so recollection is the inflow of wisdom that is ebbing away. 732c That's why one must refrain from excessive laughter and tears, and every man must urge every other to do the same; and, hiding all excess of joy and grief, try to behave with composure, both when each man's guardian spirit brings him success, and when, as fortune turns, the spirits set themselves against some of his undertakings like a steep, high hill. One must always hope that, for good men, the god, through the gifts he gives, will make the troubles that befall them 732d smaller instead of greater, and change present circumstances for the better; and that with good things, the reverse will hold: they will always come to them, with good fortune. These are the hopes each of us must live by, and these the reminders of all such things—sparing no effort, but always, in play and in earnest, reminding others and himself clearly.

So now, concerning the practices one should pursue 732e and the sort of person each should be, we've said pretty much all that is divine. What is human we haven't yet said, but we must; for we're talking with human beings, not gods. What is most human by nature is pleasures, pains and desires. Every mortal creature is quite literally strung up on these and dangles from them, in its most earnest concerns. So one must praise the finest life not only because 733a its form wins it the highest reputation,

but also because, if one is willing to taste it and not flee from it while young, it wins in what we all seek: more enjoyment and less pain over the whole of life. That this will be so will appear readily and clearly if one tastes it properly. And what is tasting it properly? That we must now take from the argument and examine. Whether this is how we are by nature or not, we must compare life with life, the more pleasant with the more painful, in this way. We want pleasure for ourselves; [733b] pain we neither choose nor want; the neutral state we don't want in place of pleasure, but we do want it in exchange for pain. We want less pain with more pleasure, but we don't want less pleasure with more pain; and where each is equal to the other, we couldn't clearly say that we want it. All these, as regards what we want, are a matter of number, magnitude, intensity and equality, and of the opposites of all these, which make a difference—or [733c] no difference—to our choice of each. Since these things are necessarily arranged in this way, a life that contains many of both, great and intense, but in which the pleasures exceed—that we want; one in which the opposite holds, we don't want. Again, a life with few of each, small and mild, in which the pains exceed, we don't want; one in which the opposite holds, we want. As for the life in which they balance, we should think of it as we did before: we want the balanced life insofar as it exceeds [733d] in what we like, and don't want it insofar as it exceeds in what we dislike. We must think of all our lives as naturally bound up within these, and we must consider which kinds we want by nature. If we say we want anything besides these, we say it out of some ignorance and inexperience of the lives there actually are.

What, then, and how many are the lives among which one must choose? One must set what is wanted and voluntary apart from what is unwanted and involuntary, and, [733e] keeping that in view, make it a law for oneself, choosing what is at once agreeable and pleasant, best and finest, so as to live as happily as a human being can. Let us say that one is the moderate life, one the wise life, one the courageous, and let's count the healthy life

as one more. Opposite these four are four others: the foolish, the cowardly, the dissolute and the diseased. Anyone who knows will set down the moderate life as gentle in every respect, 734a offering mild pains, mild pleasures, soft desires and loves that are not frenzied; and the dissolute life as violent in every respect, offering intense pains, intense pleasures, and desires and loves that are strained, stinging, and as frenzied as can be. In the moderate life the pleasures exceed the discomforts; in the dissolute life the pains exceed the pleasures, in magnitude, number and frequency. So it necessarily follows, by nature, that the one life is more pleasant for us and the other 734b more painful; and whoever wants to live pleasantly can no longer be one who willingly lives dissolutely. It's clear by now that, if what we're saying is right, everyone who is dissolute is necessarily so against his will. For it's through ignorance or lack of self-control, or both, that the whole human multitude lives lacking in moderation. The same must be thought about the diseased and the healthy life: both have pleasures and pains, but in health the pleasures exceed the pains, 734c and in sickness the pains exceed the pleasures. Our aim in choosing among lives isn't that the painful should exceed; the life in which it is exceeded is the one we've judged more pleasant. The moderate man compared with the dissolute, then, and the wise with the foolish, we would say, and the man of courage with the man of cowardice, has fewer, smaller and rarer experiences of both kinds; each outdoes his opposite in pleasures, while in pains the others outdo 734d them. So the courageous man beats the coward, and the wise man the fool, so that these lives are more pleasant than those: the moderate, courageous, wise and healthy more pleasant than the cowardly, foolish, dissolute and diseased. In short, the life that holds to virtue of body or of soul is more pleasant than the life that holds to wickedness, and surpasses it by far in other respects too—in beauty, rightness, virtue and good reputation—so that 734e it makes the one who has it live more happily than the opposite life, completely and in every way.

PURGING THE CITY AND FIXING ITS SIZE

The lawgiver screens out bad settlers and fixes the citizens at 5,040 households.

ATHENIAN Let the preamble to the laws, spoken up to this point, bring this part of our discussion to an end. After the preamble, surely, the law must follow—or rather, to be truthful, an outline of the laws of the constitution. With a woven fabric, or any other kind of plaiting, one can't make the weft and the warp from the same material; the warp must be of better quality, being strong and having acquired a certain 735a firmness of character, while the weft is softer and shows a fitting pliancy. In the same way one must somehow distinguish those who are to hold office in cities from those tested only by a lesser education, in each case as reason requires. For there are two parts of a constitution: one is the appointment of individuals to offices, the other the laws given to those offices.

But before all this, one must consider the following. 735b A shepherd or cowherd, a horse breeder or anyone else of that kind, on taking over any herd, will never try to care for it until he has first given each community the purification suited to it. He will sort out the healthy and the unhealthy, the well-bred and the ill-bred, send the latter off to other herds, and look after the former, reckoning that his labor would be vain and endless on bodies and souls that nature 735c and bad rearing have ruined, and that then ruin as well the healthy and sound stock, in character and in body, of every herd, if one doesn't purge the stock one has. With other animals the matter is less serious, and worth bringing into our discussion only as an example; but with human beings it is of the greatest importance for the lawgiver to investigate and explain what is fitting for each, both in purification and in all 735d the other measures. For instance, the purification of a city would go like this. There are many kinds of purge, some easier, some harder. The ones that are hard and best could be carried out by someone who was tyrant and lawgiver in one;

but a lawgiver without a tyranny, establishing a new constitution and laws, would be content if he could carry out even the gentlest of purifications. The best is painful, like all 735e medicines of that sort. It brings punishment through justice combined with retribution, with death or exile as the final penalty; and it usually rids the city of those who have committed the greatest offenses and are incurable, and so do the city the greatest harm. The gentler kind of purification, for us, is this. When people who lack resources, for want of food, show themselves ready to follow their leaders against the property of those who have it, 736a the lawgiver treats them as a disease that has grown up in the city, gives their removal the gentle name of "colony," and sends them off as kindly as he can. Every lawgiver must do something like this at the start. But for us, the situation here is now even less troublesome. We don't need to devise a colony or any selective purge for the present. Instead, it's as if many streams were flowing together into one lake, some from springs 736b and some from mountain torrents: we must pay attention and take care that the water flowing in is as pure as possible, pumping some of it out, and draining or diverting the rest. There's labor and risk, it seems, in founding any political order. But since what we're doing now is in words and not in deed, let us suppose our gathering complete and its purity just as we'd like. As for the bad 736c among those who try to come together into our new city to become citizens, we'll test them thoroughly by every kind of persuasion over a sufficient time and prevent them from arriving; and the good we'll welcome as kindly and graciously as we can.

And let's not overlook a piece of good fortune that is ours. As we said of the colony of the Heraclids, it was lucky to have escaped the terrible and dangerous strife over land, cancellation of debts and redistribution—strife which, in a 736d city forced to legislate on these matters, makes it impossible to leave the old arrangements undisturbed, and just as impossible to disturb them in any way. All that's left is a prayer, so to speak, and a small, cautious transition, carried out little by little over a long

time. It is this: among those who make the changes there must always be some who themselves own plenty of land and have many debtors, and who are willing somehow to share with those in need 736e out of fairness, forgiving some debts and distributing some land, holding somehow to moderation and believing that poverty isn't a decrease in one's property but an increase in one's greed. For this is the most important starting point for a city's safety, and on it, as on a firm foundation, one can later build whatever political order suits such an arrangement. But if this 737a transition is unsound, no city's political business afterwards would go smoothly. We, as we say, are escaping this. Still, it's more correct to state, even if we weren't escaping it, how we would have made our escape. Let it be said, then, that it is by not being greedy for money, and by justice; there is no other way out of such a predicament, broad or narrow. And let this be laid down for now as a kind of ballast for our city. Free of grievances against one another: 737b that is how people must somehow arrange their properties; or else those who have old grievances against one another, if they have even a little sense, must not willingly go any further with the rest of the arrangements. But for those to whom a god has granted, as he has to us now, to found a new city where there are as yet no enmities among them—for them to become the cause of enmity among themselves through the distribution of land and houses would be an ignorance beyond anything human, joined with every kind of wickedness. 737c

So what would be the method of a correct distribution? First, one must settle the size of the population itself, how large it ought to be. After that, we must agree on the division of the citizens: into how many parts, and of what size, they must be divided. Among these we must distribute the land and the houses as equally as possible. An adequate size of population couldn't be rightly stated except by reference to the land and to the 737d neighboring cities. The land must be as large as will support so many people living moderately, and no more is needed; the population must be as large as can defend itself against

neighbors who wrong it, and help its own neighbors when they are wronged, not wholly without resources. We'll define these things in deed and in word when we've seen the territory and the neighbors. For now, for the sake of an outline and a sketch, so that it can be completed, let our discussion proceed to the legislation. 737e

Let there be five thousand and forty landholders who will defend their allotments—a number chosen for its suitability. Let the land and the houses likewise be divided into the same number of parts, man and allotment forming a pair. First let the whole number be divided by two, then by three; for it is naturally divisible by four and five as well, and so on in sequence up to ten. Every 738a man who legislates must understand at least this much about numbers: what number, and of what kind, would be most useful for every city. Let's say it's the one that contains the most divisors, and especially the most consecutive ones. Number as a whole admits every division for every purpose. But the number 5,040 can be divided, for war and for all the contracts and associations of peacetime, for levies and distributions, by no more than fifty-nine divisors, and consecutively from one 738b to ten.[2]

These facts must be grasped securely, at leisure, by those whom the law instructs to grasp them; for they are so and not otherwise. But they need to be stated to anyone founding a city for the following reason. Whether someone is creating a new city from the beginning or restoring an old one that has decayed, when it comes to gods and temples—which temples must be established in the city for each group, and after which gods or spirits they should be named—no one with sense will try to disturb 738c what has been established by Delphi or Dodona or Ammon, or by ancient stories that persuaded people somehow or other, through apparitions or reported inspiration from gods. Persuaded by these, people established sacrifices combined with rites, whether native to the place or Etruscan or Cypriot or

2 5,040 is $1 \times 2 \times 3 \times 4 \times 5 \times 6 \times 7$, which is why every number from 1 to 10 divides it evenly.

from anywhere else; and by such stories they consecrated oracles, statues, altars and shrines, and marked out sacred precincts for each of them.[3] Of all these, 738d the lawgiver must not disturb even the smallest thing. He must assign to each of the divisions a god or spirit, or else a hero, and in distributing the land he must give these first choice of sacred precincts and all that goes with them, so that when the members of each division assemble at the appointed times, they may have ready means for their various needs, and may be friendly with one another over the sacrifices, become intimate, 738e and get to know one another. There is no greater good for a city than that its people should be known to one another. For where people's characters are in darkness to one another rather than in light, no one will ever rightly obtain the honor he deserves, or office, or the justice due to him. So every man in every city must strive for this one thing above all: never to appear counterfeit to anyone, but always to be simple and true, and never to be deceived by anyone else who is counterfeit. 739a

THE SECOND-BEST CITY

The best city holds everything in common; the second-best fixes allotments and bans gold, silver and lending.

ATHENIAN The next move in establishing the laws, like moving a piece off the "sacred line" in draughts, is unusual and might well surprise the listener at first. But on reflection and trial it will become clear that a city would be organized as second-best compared with the best. Perhaps someone might not accept it, because it's unfamiliar in a lawgiver who isn't a tyrant. But the most correct course is to describe the best constitution, the second and the third, 739b and, having described them, to give the choice to whoever is in charge of the settlement. So let's proceed on this principle now, describing the first constitution in virtue, the second and the third; and let's give the choice to Clinias now,

3 The three most revered oracles known to the Greeks: Apollo's at Delphi, Zeus's at Dodona in northwestern Greece, and Zeus Ammon's in the Libyan desert.

and to anyone else who might ever wish to come to the choice of such things and, according to his own character, take for himself what he values in his own country.[4]

The first city, then, with the best constitution and laws, 739c is where the old saying holds as fully as possible throughout the whole city. The saying is that friends really do have all things in common. Whether this exists anywhere now or ever will—wives in common, children in common, all property in common—where by every means what is called "private" has been utterly rooted out of life everywhere, and it has been contrived as far as possible that even what is private by nature has somehow become common—eyes and ears and hands, so that they seem to see and 739d hear and act in common—and all praise and blame as one, as far as possible, taking pleasure and pain in the same things; in short, whatever laws make the city as unified as possible: no one will ever set up any other standard of supreme virtue that is more correct or better than these. As for such a city—whether gods or children of gods, more than one, live in it—those who dwell there spend their lives in joy. 739e That is why one must not look elsewhere for a model of a constitution, but hold fast to this one and seek, as far as possible, the one most like it. The one we have now undertaken would, if it came into being, be nearest to immortality, and would rank second. The third we will work out afterwards, if the god is willing. For now, then, what is this constitution, and how would it come to be such?

First, let them divide up the land and the houses, and not farm 740a in common, since such a thing is beyond people of the present birth, upbringing and education. But let them divide them with some such thought as this: that the one who receives an allotment must regard it as the common property of the whole city, and, since the land is his fatherland, he must care for it even more than children care for their mother, since it is a goddess and has become the mistress of mortal beings; and he

4 In a Greek board game one line of the board was called "sacred," and moving a piece off it was a last resort; the phrase became proverbial for a bold, decisive step.

must think the same way about 740b the local gods and spirits too. And to ensure that these things stay this way for all time, one must further consider this: the number of hearths now distributed must always remain the same, never becoming any more or any fewer. This could be firmly secured throughout the city in the following way. Whoever has received an allotment must always leave just one of his own children as heir to this household—whichever he likes best—as his successor 740c and as the one who tends the gods of the family and of the city, both the living and those who by then have reached their end. As for the other children, where someone has more than one, the girls must be given in marriage according to the law that will be laid down; the boys must be distributed as sons to those citizens who have no offspring, preferably by goodwill. But if goodwill runs short in some cases, or if there are too many offspring, female or male, in some households, or on the contrary too few, when there has been infertility— 740d in all these cases the office we establish as the greatest and most honored must consider how to deal with the surplus or the shortage and find a way, as far as possible, to keep the households always at 5,040 and no more. There are many ways. Where births come too easily, there are ways of restraining them; and, on the other hand, there are ways of encouraging and promoting births, through honors and disgrace and admonition from the old to the young in 740e words of warning, which can bring about what we're describing. And finally, if every resource fails in keeping the 5,040 households level, and we find ourselves with an overflow of citizens because of the affection of those who live together, and we're at a loss, there is still that old device we've often mentioned: sending out colonies, as friends from friends, of those who seem suitable. If, on the other hand, a wave 741a should come bringing a flood of diseases, or the ruin of wars, and they become far fewer than the fixed number through bereavement, we must not willingly bring in citizens raised in a counterfeit education; but necessity, they say, not even a god can overpower.

Let's say, then, that the argument we're now giving offers this advice: "Best of men, honor likeness and equality and sameness and agreement, as nature bids, and don't give them up, whether in number or in any capacity [741b] for fine and good things. And now, first, keep the number we've stated all your lives; then, the height and size of your property, which you first received in due measure—don't dishonor it by buying and selling among yourselves. For neither the lot that assigned it to you, which is a god, will be your ally, nor will the lawgiver." For now, for the first time, the law gives an order to the disobedient: it announces that on these terms one may take an allotment [741c] or not take one. First, the land is sacred to all the gods; then, priests and priestesses will pray at the first sacrifices, the second, and up to the third, that whoever buys or sells the house or land he received in the lottery should suffer the fitting penalties. They will write this down and place in the temples records inscribed on cypress wood for future times. In addition, they will set up safeguards to ensure it happens, [741d] entrusting them to whichever office seems to have the sharpest eyes, so that any evasions of these rules on any occasion won't escape them, and they can punish the disobedient under both the law and the god. For how great a good this ordinance is for all cities that obey it, once it has the arrangements that go with it, no one who is bad will ever know, as the old proverb has it, but only one who has become experienced and decent in his habits. [741e] For in such an arrangement there isn't much money-making. It follows that no one needs to, or is allowed to, make money by any illiberal occupation, since the menial work people call degrading warps a free character; nor should anyone think it fitting at all to collect money from such sources.

In addition to all this there follows a law that no [742a] private individual may possess gold or silver, only coinage for daily exchange—which it's almost necessary for craftsmen to deal in—and for paying wages to all who need such things: hired workers, slaves and resident foreigners. For these purposes we say they must have a currency that is valued among themselves but

worthless to other people. As for a common Greek currency, for military expeditions and travel abroad to other peoples—embassies, for instance, or 742b any other necessary mission for the city, if someone has to be sent—for these purposes the city must always possess Greek currency. If a private individual ever has to travel abroad, let him go with the permission of the magistrates. And if he comes home with foreign money left over, let him hand it over to the city, receiving the local equivalent in exchange. If anyone is found keeping it for himself, let it be confiscated; and anyone who knows about it and doesn't report it shall be liable to curse and reproach, along with the one who brought it in, and to a fine 742c as well, no less than the amount of foreign money brought in. A man marrying or giving a daughter in marriage must neither give nor receive any dowry at all. No one may deposit money with anyone he doesn't trust, or lend at interest, since the borrower shall be free not to repay either interest or principal. That these are the best practices for a city to pursue, one could rightly 742d judge by considering them in this way, always referring them back to the starting point and the aim. The aim of a sensible statesman, we say, is not what most people would say it is. They'd say the good lawgiver must want the city for which he is wisely legislating to be as large and as rich as possible, possessing gold and silver mines, and ruling as many people as possible by land and sea. They might add that he must want the city to be as good and as happy as possible, 742e if he legislates rightly. Some of these things can come about, others cannot. The one who orders the city will want what is possible; what is impossible he won't want—that would be a vain wish—nor will he attempt it. For it's more or less necessary that people become happy and good at the same time—this, then, he would want—but that they be both very rich and good is impossible, at least rich in the sense most people mean. By "rich" they mean those few people who own possessions worth a great deal of money—which even a bad man could 743a own. If that's so, I would never agree with them that the rich man is truly happy unless he is also good; and to be exceptionally good

and exceptionally rich at once is impossible. "Why?" someone might ask. Because, we'd say, acquisition from both just and unjust sources is more than double acquisition from just sources alone; and the expenses of one who won't spend either honorably or shamefully are half 743b as large as those of good people who are willing to spend on fine things. So the one who does the opposite could never become richer than the one with double the income and half the expenses. Of these two, one is good; the other is not bad when he's thrifty, though sometimes he's thoroughly bad—but good, as we've just said, never. For the man who takes both justly and unjustly and spends neither justly nor unjustly is rich, provided he's also thrifty; the thoroughly bad man, being for the most part a spendthrift, is quite poor. But the man who spends 743c on fine things and acquires from just sources only would not easily become outstandingly rich, nor, again, very poor. So our argument is right: the very rich are not good; and if they're not good, they're not happy either.

The basis of our laws looked to this: that the citizens should be as happy as possible and as friendly as possible to one another. But citizens will never be friends where there are many lawsuits 743d among them and many wrongs, but only where these are as few and as slight as possible. We say, then, that there must be neither gold nor silver in the city, nor much money-making through menial trades and lending at interest or shameful kinds of stock-rearing, but only what farming gives and yields, and only as much of that as won't force a man, by making money, to neglect the things for whose sake money exists. These are the soul and the body, which without gymnastics and 743e the rest of education would never become worth anything. That's why we've said more than once that the care of money must be honored last. Of the three things in all that every person is concerned with, concern for money, rightly pursued, comes last and third; concern for the body is in the middle; and concern for the soul comes first. So the constitution we're now describing, if it ranks honors this way, has been

rightly legislated. But if any of the laws prescribed in it [744a] turns out to make health more honored in the city than moderation, or wealth more than health and moderation, it will be shown to be wrongly laid down. So the lawgiver must often ask himself: "What do I want? And am I achieving it, or missing the mark?" In this way, perhaps, he might come through the work of legislation himself and see others through it as well—but in no other way at all.

PROPERTY CLASSES AND THE TWELVE TRIBES

Citizens are ranked in four property classes, and city and land are divided into twelve parts.

ATHENIAN Let the one who receives an allotment hold it, we say, on the terms [744b] we've stated. It would be fine if everyone came to the colony equal in everything else as well. But since that's impossible, and one man will arrive with more property and another with less, there must, for many reasons, and especially for the sake of equal opportunities in the city, be unequal property classes. That way offices, levies and distributions can be assigned by the value of each person's worth—not only by his own virtue and his ancestors', [744c] nor by strength and good looks of body, but also by his use of wealth and by his poverty—and people, receiving honors and offices as equally as possible by a standard that is unequal but proportionate, will not quarrel. For these reasons there must be four property classes by size of estate: first, second, third and fourth—or called by some other names—both when people stay in the same class and when, becoming richer from poor or poor from rich, [744d] they each move into the class that suits them.

Following on this, I would lay down the following form of law. In a city, we say, that is to have no share in the greatest of diseases—which would more correctly be called disintegration than faction—there must be neither harsh poverty among any of the citizens nor, again, wealth, since both breed both these evils. So the lawgiver must now declare a limit for each. Let the limit

of poverty be the value of the 744e allotment, which must remain intact and which no magistrate will ever allow to become smaller for anyone, nor will anyone else who seeks honor for virtue. Having set this as the measure, the lawgiver will allow a man to acquire twice, three times, and up to four times this amount. If anyone acquires more than this—by finding it, or by gift, or by money-making, or by some other such stroke of luck 745a acquiring what exceeds the measure—if he hands over the surplus to the city and to the gods who hold the city, he will be well regarded and free from penalty. But if anyone disobeys this law, anyone who wishes may inform against him and receive half; the man convicted shall pay a further sum equal to the excess out of his own property, and the other half shall go to the gods. Let all of everyone's possessions apart from the allotment be recorded publicly with the guardian officials designated by law, so that lawsuits 745b about everything involving money may be easy and very clear.

Next, the city must first be founded as nearly as possible at the center of the territory, choosing a site that has all the other advantages a city needs—which are not hard to see or to state. After that, the country must be divided into twelve parts. First a sanctuary should be set apart for Hestia, Zeus and Athena, called the acropolis, and a wall put around it; from 745c this the twelve parts should be cut, both of the city itself and of the whole territory. The twelve parts must be made equal by making those of good land small and those of poorer land larger. Five thousand and forty lots should be marked off, and each of these cut in two, and two portions paired to make a lot, so that each lot has a share of land both near and far: the portion next to the city makes one lot with the portion at the frontier, the 745d second from the city with the second from the frontier, and so on for all the rest. In these halves too they must use the device just mentioned regarding poor and good land, evening things out by making the portions allotted larger or smaller. The men must also be divided into twelve parts, with the rest of their property arranged into twelve parts as nearly equal as possible,

after a register of everything has been made. And then they should assign the twelve lots to twelve gods, name and consecrate 745e the part that falls to each god after that god, and call it a tribe. The twelve sections of the city must also be divided in the same way as the rest of the territory was, and each man should be allotted two houses, one near the center and one near the edge. And with that the settlement is complete.

But there's something we must by all means keep in mind: that everything just said will never meet with such favorable conditions that it all turns out exactly according to plan— 746a men who won't object to living together on such terms, but will put up with having fixed and moderate property all their lives, and with the number of children we've prescribed for each, and with being deprived of gold and of the other things the lawgiver, to judge from what's been said, is clearly going to forbid; and then, too, a countryside and a town with a center, as he's described them, and dwellings in a circle all around. It's almost as if he were telling dreams, or modeling a city and its citizens out of wax. 746b In a way, all this hasn't been badly said, but the lawgiver needs to go back over points like the following for himself. So our lawgiver tells us this in turn: "My friends, in these discussions don't imagine that I myself have failed to notice what's just been said—that in a way it's true. But in every project for the future, I think the fairest course is this: the one who presents the model of what the undertaking ought to become should leave out nothing of what is finest and truest; and where 746c any of these turns out to be impossible, he should steer clear of that very thing and not attempt it, but whatever of the remaining options comes nearest to it and is most closely akin among the things it would be fitting to do, he should contrive to bring about. One should let the lawgiver complete his design, and once that's done, then consider together with him which of his proposals are advantageous and what in the legislation is too steep. For surely even the craftsman of the humblest thing, if he's going to be worth anything, must make his work consistent with itself 746d throughout."

Now then, having settled on the division into twelve parts, we must eagerly look into this very question: how the twelve parts—which clearly admit the greatest number of subdivisions within them—and the numbers that go with them and are generated from them, down to the five thousand and forty, are to be used. It's from these that the law must arrange phratries, demes and villages, and also military companies and 746e marching columns, and further coinage, dry and liquid measures, and weights—all of these in due measure and in harmony with one another.[5] Besides this, the lawgiver shouldn't be put off by fear of seeming petty if he prescribes that whatever equipment people own, none of it should be left without a standard measure. He should hold it as a general principle that 747a the divisions and variations of numbers are useful for everything—both the variations they undergo among themselves and those in lengths and depths, and in sounds too, and in motions, whether in a straight line up and down or in rotation around a circle. With all this in view, the lawgiver must direct all the citizens, as far as they can, not to fall away from this system. 747b For no single subject a child can learn has such great power, in household management, in politics and in all the arts, as the study of numbers. Best of all, it wakes up someone who is drowsy and slow by nature and makes him quick to learn, retentive and sharp, so that by a divine art he advances beyond his own nature. All these studies will prove fine and fitting, provided that by other laws and practices one removes meanness of spirit and love of money from the souls of those who are to acquire them 747c adequately and to their benefit. If not, one may unwittingly produce what is called cunning instead of wisdom. We can now see that this is what has happened to the Egyptians and the Phoenicians and many other peoples, through the meanness of spirit in their other practices and possessions—whether some bad lawgiver of theirs brought it about, or some harsh fortune 747d befell them, or some natural cause of that kind. And there's

5 Phratries ("brotherhoods") and demes were the traditional kinship groups and local districts of a Greek city.

another thing about places, Megillus and Clinias, that we mustn't overlook: some places differ from others in producing better or worse people, and we mustn't legislate in defiance of them. Some places are ill-omened and some favorable because of all sorts of winds and the heat of the sun, others because of their waters, and others again because of the very food the earth yields, which 747e not only affects bodies for better or worse but is just as able to produce all such effects in souls. And most different of all would be those parts of a country where there is some divine inspiration and which are the allotted domains of spirits, who receive those who settle there from time to time graciously, or the opposite. A lawgiver with any sense will look into these things as far as a human being can, and try to frame his laws accordingly. You must do this too, Clinias: since you're about to settle a country, these are the matters you must turn to first.

CLINIAS Well, Athenian stranger, you put it splendidly, and that's what I must do.

Book VI

The officials of the city; marriage and common meals.

ATHENIAN [751a] Well now, after all that's been said, the next thing for you would be to establish offices for the city.

CLINIAS Yes, that's so.

ATHENIAN The ordering of a constitution has two parts. First, the establishment of offices and officeholders: how many offices there should be and how they are to be filled. Then, after that, the laws must be assigned to each office— [751b] which laws suit each, and how many, and of what kind. But let's pause a little before the election and say something that ought to be said about it.

CLINIAS What's that?

ATHENIAN This. It's surely obvious to everyone that legislation is a great task, and that if a well-equipped city puts unsuitable officials in charge of well-framed laws, then not only will the laws do no good for being well framed, and not only will the result be highly ridiculous, [751c] but those very laws will probably bring the greatest harm and ruin to cities.

CLINIAS Of course.

ATHENIAN Then let's consider, my friend, how this applies to your present constitution and city. You see that, first, those who are to come rightly into the powers of office must, both themselves and their families, have been adequately tested from childhood until the time of their election; and further that those who are to elect them must have been raised in law-abiding

habits and well educated, [751d] so as to be able to judge rightly, approving and disapproving, and to select or reject those who deserve either. But how could people who have only just come together, who don't know one another and are still uneducated, ever choose their officials without fault?

CLINIAS Hardly ever.

ATHENIAN But a contest, as they say, doesn't really admit excuses. And that's what you and I must now face, since [751e] you, as you say, have eagerly undertaken to the Cretan people to found the city, as one of ten, and I in turn have undertaken to [752a] help you with the story we're now telling. Now that I'm telling a story, I certainly wouldn't willingly leave it without a head: wandering about everywhere like that, it would look shapeless.

CLINIAS That's very well said, stranger.

ATHENIAN And not only said: I'll act on it too, as far as I can.

CLINIAS By all means, let's do as we say.

ATHENIAN So we shall, god willing, if we can get the better of old age to that extent at least.

CLINIAS [752b] Well, it's likely the god is willing.

ATHENIAN Likely indeed. Following his lead, then, let's take up this point as well.

CLINIAS Which one?

ATHENIAN How boldly and riskily our city will have been founded at this point.

CLINIAS What do you have in view, and what especially made you say that just now?

ATHENIAN How lightly and fearlessly we're legislating for inexperienced men, hoping they'll someday accept the laws we're now laying down. This much at least, Clinias, is obvious to almost anyone, even someone [752c] not especially wise: that at first none of them will readily accept any laws. But suppose we could somehow wait long enough for the children who have had a taste of the laws, grown up with them and become thoroughly

used to them to take part, along with the whole city, in the elections of officials. If what we're describing did happen—if by some means or device it happened rightly—I think there would be great security that the city trained this way would last, even after that time.

CLINIAS [752d] That's reasonable, anyway.

ATHENIAN Then let's see whether we can find some adequate way toward this along the following lines. I say, Clinias, that the Knossians, more than the other Cretans, must not merely discharge a formal duty toward the land you're now settling, but take earnest care that the first officials are established as securely and as well as possible. With the others [752e] the task is lighter, but it is absolutely essential that we choose the guardians of the laws first, with all possible care.

CLINIAS Then what way and what plan do we find for this?

ATHENIAN This. I say, sons of Crete, that because Knossos is the eldest of your many cities, the Knossians should join with those who have come to this settlement in choosing, from themselves and from the settlers, thirty-seven in all—nineteen from the settlers and the rest [753a] from Knossos itself. The Knossians should give these to your city, and make you yourself a citizen of this colony and one of the eighteen, whether by persuading you or by applying a moderate degree of force.

CLINIAS Then why don't you and Megillus share in our constitution too, stranger?

ATHENIAN Athens thinks highly of herself, Clinias, and so does Sparta, and both are a long way off. But for you it's fitting in every way, and for the other founders just [753b] as it is for you, as we're now proposing. So much, then, for how things might be arranged most reasonably under our present circumstances. But when time has passed and the constitution has lasted, let the election of these officials be something like this. All who bear arms as cavalry or infantry, and who have taken part in war at the ages when they were fit for it, should share in electing the officials. The election should be held in [753c] whatever temple the

city regards as most honored. Each voter should bring to the god's altar a tablet on which he has written his candidate's name, with his father's name, his tribe, and the deme he is registered in, and he should add his own name alongside in the same way. Anyone who likes may take down any tablet whose entry he doesn't find satisfactory and display it in the marketplace for at least thirty days. The officials should display the tablets judged to be in the first rank, up to three hundred, for 753d the whole city to see, and the city should likewise vote again from among these, each for whomever he wishes; and the hundred preferred in this second round should again be displayed to all. In the third round, anyone who wishes should vote for whomever he wishes from the hundred, walking between the cut pieces of sacrificial victims; and they should examine the thirty-seven who get the most votes and declare them officials.[1]

Who then, Clinias and Megillus, will establish all this for us in 753e the city, concerning the offices and the scrutiny of officials? Do we realize that cities newly yoked together like this must have some such people, and yet there can't be any who were in place before all the offices? Still, there must be some, somehow —and not ordinary people, but the very best possible. For as the proverb says, the beginning is half of every task, and we all praise a good beginning every time; but in fact, as it seems to me, it's more than 754a half, and no one has ever praised a good beginning enough.[2]

CLINIAS Quite right.

ATHENIAN Then since we recognize it, let's not pass it over unspoken, without making clear to ourselves how it's to be done. Now I'm at a loss for anything to say, except for one argument that is necessary and useful in the present case.

CLINIAS What is it?

1 Walking between the severed parts of sacrificial animals was a form of solemn oath.

2 Scrutiny (dokimasia) was the formal vetting of an official's qualifications before he took office.

ATHENIAN I say that this city we're about to found has no father or mother except the city that founds it, 754b though I'm well aware that many colonies have often been, and will be, at odds with their founders. But for now it's like a child: even if he is going to be at odds with his parents someday, while he's still helpless in childhood he loves them and is loved by them, and he always runs back to his family and finds them his only allies. This, I say, is the relation now ready made between the Knossians and the new city, because of their care 754c for it, and between the new city and Knossos. So I say, as I said just now—there's no harm in saying a fine thing twice—that the Knossians must take joint charge of all this, taking as partners some of those who have come to the colony, choosing the oldest and best of them they can, no fewer than a hundred men; and let there be another hundred from the Knossians themselves. These, I say, should go to the new city and help see that the offices 754d are established according to law, and that once established they undergo scrutiny. When that's done, the Knossians should go back to living in Knossos, and the new city should try to preserve itself and prosper on its own.

GUARDIANS OF THE LAWS, GENERALS AND THE COUNCIL

The first officials are elected, and the Athenian explains the two kinds of equality.

ATHENIAN Those who become the thirty-seven, now and for all time to come, are to be elected for the following purposes. First, they are to be guardians of the laws; next, guardians of the records in which each citizen registers with the officials the amount of his property—apart from four minas for the man with the highest 754e property rating, three for the second, two minas for the third, and one mina for the fourth. If anyone is found to possess anything beyond what's registered, all of it is to be confiscated by the state, and in addition he is to be liable to prosecution by anyone who wishes—a prosecution that is neither honorable nor of good name, but shameful, if he's convicted of des-

pising the laws for the sake of gain.[3] So whoever wishes should indict him for shameful profiteering and pursue the case before the guardians of the laws themselves. If the defendant is convicted, 755a he is to have no share in common property, and whenever there's a distribution in the city he is to get no portion except his lot; and he is to be recorded as convicted, for as long as he lives, where anyone who wishes can read it. A guardian of the laws should hold office for no more than twenty years, and should be at least fifty years old when elected to the office. If elected at sixty, he should serve only ten years; and by the same reasoning, if anyone lives on 755b beyond seventy, he should no longer think of holding so important an office among these officials.

Let these, then, be the three provisions stated about the guardians of the laws. As the laws proceed, each one will assign these men whatever further duties they must attend to besides those now mentioned. Now we may speak next about the election of other officials. Next we must elect generals, and for them, for war, 755c certain assistants, as it were: cavalry commanders, cavalry squadron commanders, and marshals of the ranks of the infantry tribes—for whom the name most people give them, taxiarchs, "rank commanders," would be the most fitting. Of these, the guardians of the laws should nominate the generals from among the citizens of this city itself, and from the nominees the election should be made by all who take part in war, whether they have been of military age or are at the time. If anyone thinks that someone not nominated is better 755d than one of the nominees, he should name the nominee he wants to replace and the man he proposes instead, and put forward this rival candidate under oath. Whichever of the two wins on a show of hands should be admitted to the election. The three who get the most votes on a show of hands are to be generals and overseers of military affairs, after passing scrutiny like the guardians of the laws. The generals who have been elected should nominate 755e twelve taxiarchs, or infantry commanders, for themselves,

3 A mina was a sum of money equal to a hundred drachmas.

one for each tribe; and the counter-nomination, the show of hands and the decision should work for the infantry commanders just as they did for the generals. For the present, before the prytanes and the council have been elected, the guardians of the laws should convene this assembly in a place as sacred and as suitable as possible, seating the hoplites in one group, the cavalry in another, and, third after these, all the rest of the fighting force. All should vote by show of hands for the generals and cavalry commanders, but the infantry commanders should be elected by 756a those who carry the shield, and the cavalry squadron commanders by the whole cavalry; while the leaders of the light-armed troops, the archers or any other part of the fighting force, the generals should appoint for themselves. That leaves us still to appoint the cavalry commanders.[4] These should be nominated by the same men who nominated the generals, and their election and counter-nomination should work just as the generals' did. 756b The cavalry should vote for them by show of hands with the infantry looking on, and the two who get the most votes should be the leaders of all the horsemen. Disputes over a show of hands may be raised up to twice; if anyone disputes it a third time, those whose job it was in each case to count the show of hands should decide by ballot.

The council should consist of thirty dozen—three hundred and sixty would suit the subdivisions— 756c divided into four parts of ninety, so that ninety councillors are elected from each property class. First, everyone must vote for candidates from the highest property class, under compulsion, or else whoever disobeys should pay the fine that has been decided. When they've been voted for, their names should be recorded. The next day they should vote for candidates from the second property class in the same way as the day before. On the third day, anyone who wishes may vote for candidates from the third property class, but it should be compulsory for members of the 756d first three classes, while the fourth and lowest class is to be

4 The prytanes, a rotating section of the council serving as its standing committee, are described below.

exempted from the fine if any of its members don't wish to vote. On the fourth day, everyone should vote for candidates from the fourth and lowest property class, but a member of the fourth or third class should go unpunished if he doesn't wish to vote, while a member of the second or first class who doesn't vote should be fined—one 756e from the second class three times the first fine, and one from the first class four times. On the fifth day the officials should bring out the recorded names for all the citizens to see, and every man should again vote from among these, or pay the first fine. They should select one hundred and eighty from each of the property classes, choose half of these by lot, and put them through scrutiny; these are to be the councillors for the year.

An election held this way would strike a mean between a monarchic and a democratic constitution, and a constitution should always keep to that middle. 757a For slaves and masters could never become friends, nor could worthless and serious people who were proclaimed to have equal honors—since for unequal people equal things become unequal, unless they hit the right measure—and it's because of both of these that constitutions fill up with civil strife. The old saying that equality produces friendship is true, and very rightly and aptly put. But just what kind of equality has this power 757b is not very clear, and that throws us into great confusion. For there are two equalities, which share a name but in practice are nearly opposite in many ways. The first any city and any lawgiver is capable of introducing into the distribution of honors: equality by measure, weight and number, which they regulate in their distributions by lot. But the truest and best equality is no longer easy for everyone to see. It is the judgment of Zeus; it always helps human beings only a little, but wherever it does help cities or 757c individuals, it makes everything good. For it gives more to the greater and less to the lesser, giving each his due measure according to his nature; and in particular it always awards greater honors to those greater in virtue, and to those who are the opposite in virtue and education what fits each, in propor-

tion. For surely this is what political justice always is for us too. It's this we must reach for now, Clinias, keeping our eyes on this equality, as we found the city that's now 757d springing up. And if anyone ever founds another, he must legislate with this same aim in view—not with a few tyrants in view, or one, or some rule of the people, but always justice. And that's what we just said: the natural equality given in each case to unequals. Still, every city must sometimes use these words in a looser sense as well, if it's not to involve itself in civil strife in 757e some part—for fairness and leniency, whenever they occur, are a breach of what is perfect and exact, departing from strict justice. That's why it's necessary also to use the equality of the lot, because of the discontent of the many, and even then to call on god and good fortune in prayers to steer the lot toward what is most just. So we must of necessity use both equalities, 758a but the second, the one that depends on luck, as rarely as possible.

This, my friends, is what a city that's to be preserved must do, and these are the reasons. A ship sailing at sea needs watch kept day and night continually; in the same way a city, living amid the heavy seas of other cities, dwells in danger of being captured by all kinds of plots. So officials must link up with officials from day into night and from night 758b into day, and guards must take over from guards and hand over to guards, never stopping. A large body can never do any of this quickly. Most of the councillors must be left most of the time to stay on their own private affairs and look after their own households, while a twelfth part of them is assigned to each of the twelve months, one after another, to serve as 758c guards. Then anyone coming from anywhere else, or from within the city itself, can readily find them, whether he wants to bring news or to inquire about any of the matters in which a city must answer other cities and, when it has asked them questions, receive their answers. And especially because of the upheavals of every kind that tend to keep occurring in a city, they are there so that 758d ideally these don't happen, and if they do, the city perceives them as quickly as possible and the trouble is remedied. For these reasons this presid-

ing body of the city must always have authority over convening and dissolving assemblies, both those held according to law and those that come upon the city suddenly. All this, then, would be managed by the twelfth part of the council, which rests for the other eleven parts of the year. But this section of the council must always keep these watches in the city in common with the other officials.

PRIESTS AND COUNTRY WARDENS

Priests, interpreters and treasurers are appointed, and young country wardens patrol and improve the territory.

ATHENIAN And affairs in the city would be reasonably well 758e
arranged this way. But what care and what arrangement should there be for all the rest of the territory? Now that the whole city and the entire territory have been divided into twelve parts, mustn't there be overseers appointed for the city's own streets, houses, buildings, harbors, marketplace and fountains, and also for its sacred precincts, temples and all such things?

CLINIAS Of course.

ATHENIAN 759a Then let's say that the temples must have temple wardens, priests and priestesses. And for the streets and buildings and their proper order, and for people, so they don't do wrong, and for animals too, to make sure that both within the city wall and in the suburbs things go as they should in cities, three kinds of officials must be elected: those concerned with what was just mentioned we'll call city wardens, and those concerned with order in the marketplace, market wardens. As for priests of the temples, where men or women hold hereditary 759b
priesthoods, they should not be disturbed. But if—as is likely to happen in such matters when people are first settling—there are none, or only a few, then where they've not been established, priests and priestesses must be appointed to be temple wardens for the gods. Of all these offices, some must be filled by election and some by lot, mixing the common people and those who are not, for the sake of friendship, in each district and in the city, so

that they may be of one mind as much as possible. As for the priests, one should leave it to the god himself that what pleases him 759c be done, and appoint them by lot, entrusting the matter to divine fortune. But whoever wins the lot must in each case pass scrutiny: first, that he is sound in body and legitimate; then that he comes as far as possible from households free of pollution, and that he himself, and his father and mother likewise, have lived pure of bloodshed and of all such offenses against the gods. They should bring from Delphi laws on all religious matters and appoint interpreters of them, 759d and use these.[5] Each priesthood should last a year and no longer, and the man who is to perform the rites properly, according to sacred law, should be at least sixty years old; the same rules should apply to priestesses. As for the interpreters, the tribes should vote three times, in groups of four, each group putting forward four candidates, one from each tribe; the three in each group who get the most votes should be scrutinized, and the nine sent to Delphi for the oracle to choose one from each set of three. Their scrutiny 759e and age requirement should be the same as for priests. These are to be interpreters for life; and when one dies, the four tribes from which the vacancy comes should elect a replacement. Treasurers with authority over the sacred funds of each temple, and over the sacred precincts, their produce and their leases, should be elected 760a from the highest property classes: three for the largest temples, two for the smaller ones, and one for the most modest. Their election and scrutiny should be conducted as that of the generals was. So much, then, for arrangements concerning sacred things.

As far as possible, nothing should be left unguarded. The guarding of the city should be managed in the way described, under the care of the generals, infantry commanders, cavalry commanders, cavalry squadron commanders and 760b prytanes, and also the city wardens and market wardens, once we have elected and properly installed them. The rest of the territory

5 The interpreters (exēgētai) advised on sacred law and ritual; Delphi was the seat of Apollo's oracle.

should be guarded as follows. The whole territory, as we said, has been divided into twelve parts, as equal as possible. The tribe allotted to each part should provide five men each year to serve as country wardens and garrison commanders, and each of the five may choose twelve 760c young men from his own tribe, no younger than twenty-five and no older than thirty. The parts of the territory should be allotted to these groups, a different one each month, so that all of them become experienced in and knowledgeable about the whole country. Guards and commanders should hold their office and do their guard duty for two years. However the parts, the districts of the country, are first allotted, the garrison commanders should lead them every month to the next district in turn, 760d moving around to the right—and let "to the right" mean toward the east. When the year has come round, in the second year—so that as many of the guards as possible may become acquainted with the country not just in one season of the year, but may also learn, besides the land itself, what happens in each district in each season—those then in command should lead them back again to the left, 760e moving on each time, until they've completed the second year. In the third year, other country wardens and garrison commanders should be elected, the five overseers of the twelve. During their stay in each district, their duties should be something like this. First, to make the country as well defended against enemies as possible, digging ditches wherever needed, cutting trenches, and building fortifications to keep out, as far as they can, anyone who tries to harm the land and property in any way. For this work they should use the draft animals and the household slaves 761a in each district, doing it through them and supervising them, and choosing as far as possible times when they are free from their own work. They should make everything as hard to cross as possible for enemies, and as easy as possible for friends—for people, draft animals and livestock alike: looking after the roads, so that each is as smooth as can be, and after the rain that Zeus sends, so that it doesn't harm the land but rather benefits it as it flows 761b down from the heights into the hollow

glens among the mountains. They should check its outflows with walls and ditches, so that the glens, receiving and drinking in the rain from Zeus, may create streams and springs for all the fields and places below, and make even the driest places well supplied with good water. Spring waters, whether a river or a fountain, they should adorn with plantings 761c and buildings to make them more beautiful, and by gathering streams together through dug channels they should make them all abundant; and if there's a grove or a precinct dedicated nearby, they should beautify it by channeling the streams into the very temples of the gods, to water them in every season. Everywhere in such places the young men should build gymnasiums for themselves, and for the old men provide warm baths suited to their age, laying in an abundant supply of dry 761d and seasoned wood, for the benefit of those who are ill and those whose bodies are worn out by farm labor, receiving them kindly—a much better welcome than that of a not very skillful doctor.

All these and similar things would be both an ornament and a benefit to these places, together with a recreation that's far from unpleasant. But the serious part of their work should be this. Each group of sixty should guard its own district, not only against enemies but also against those who claim to be friends. And if among neighbors or other citizens 761e one wrongs another, slave or free, they should judge for the one who claims to be wronged: the five officers themselves in small cases, and in larger ones the seventeen, the five together with the twelve, up to three minas, whatever the charge one brings against another. No judge or official should judge or hold office without being answerable at an audit, except those who have the final say, as kings do. In particular these country wardens, if they commit any outrage against those in their care—giving unfair orders, 762a or trying to take and carry off any farm produce without consent—or if they accept gifts offered to flatter them, or hand down unjust judgments: for yielding to blandishments, let them be disgraced throughout the city; for other wrongs they do to people in their district, in cases up to a mina, let them submit

voluntarily to trial before the villagers and neighbors; and for greater wrongs in each case, or even 762b lesser ones, if they refuse to submit, trusting that they'll escape because they move to a different district every month, the wronged party should bring suit in the public courts, and if he wins, he should exact double from the one who evaded him and refused to submit voluntarily to punishment. The officers and country wardens should live during their two years in some such way as this. First, in 762c each district there should be common meals, at which all must take their meals together. Anyone who misses the common meal on any day at all, or sleeps away for a night, without the officers' orders or some absolute necessity, if the five report him and post his name in the marketplace as having deserted his post, should bear the reproach of betraying his part in the constitution, and may be punished with blows by anyone who meets him and 762d wishes to punish him, with impunity. If any of the officers himself does something like this, all sixty must see to it; and anyone who notices or learns of it and doesn't prosecute should be liable under the same laws and be punished more severely than the young men, and be barred from all offices over the young. The guardians of the laws should keep a strict watch over these matters, so that such things either don't happen at all or, if they do, 762e meet with the punishment they deserve. Every man must bear in mind, about all people, that one who hasn't served will never become a master worthy of praise, and that one should take more pride in serving well than in ruling well: first in serving the laws, since that is serving the gods, and then, for the young, in always serving their elders and those who have lived honorable lives. Next, whoever has been one of the country wardens must have tasted a humble and frugal daily life during these two years. When the twelve have been chosen, they should meet with the five and resolve that, 763a being like servants themselves, they won't have other servants and slaves of their own, and won't use the attendants of the other farmers and villagers for their private needs, but only for public tasks. For the rest, they should make up their minds to

live by their own efforts, serving and being served by themselves; and in addition to explore the whole country, summer and winter, under arms, to guard and 763b get to know every district. For it may well be that no study is more important than for everyone to know his own country precisely. It's for this reason, no less than for the pleasure and benefit such activities bring to everyone, that a young man should pursue hunting with hounds and other kinds of hunting. So these men and their practice—whether one calls them "secret ones," or country wardens, or whatever name one likes to 763c give them—every man who means to keep his city adequately safe should take up eagerly, as far as he can.[6]

CITY WARDENS, EDUCATION AND THE COURTS

Market and city wardens, officials for music and gymnastics, the director of education, and the courts.

ATHENIAN Next in order came the election of officials for the market and the city: market wardens and city wardens. Following the country wardens, who number sixty, there should be three city wardens, dividing the twelve parts of the city among them in three, on the model of the others. They should look after the streets in the town and the highways that run into the city from the countryside, and the buildings, 763d so that all are built according to the laws; and also the waters that the guards send down and hand over to them in good condition, so that these reach the fountains plentiful and pure, and both beautify and benefit the city. These men too must be capable and have leisure to look after public affairs. So every man should nominate from the highest property class whomever he wishes as city warden; and after a show of hands, when those with the most votes 763e have been narrowed down to six, those whose duty it is should choose three of them by lot, and once they've passed scrutiny

6 The "secret ones" (kryptoi) evoke the Spartan krypteia, in which young men lived hidden in the countryside.

they should hold office according to the laws laid down for them.

Next, five market wardens should be elected from the second and first property classes, and in other respects their election should be like that of the city wardens: ten are chosen from the rest by show of hands, the five are chosen from these by lot, and after scrutiny they are declared officials. Everyone should vote for every office; 764a anyone who refuses, if he is reported to the officials, should be fined fifty drachmas, besides being thought a bad man. Anyone who wishes may attend the assembly and the common gathering, but it should be compulsory for members of the second and first property classes, with a fine of ten drachmas if at the check of the meetings one is found absent. For the third and fourth classes it shouldn't be compulsory; they should be let off without a fine, unless the officials for some urgent reason order 764b everyone to attend. The market wardens should maintain the order of the marketplace as the laws prescribe it, and look after the temples and fountains in the marketplace, so that no one does any wrong; and they should punish wrongdoers—a slave or a foreigner with blows and fetters. But if a native citizen misbehaves in these matters, they should have authority to decide the case themselves up to a hundred drachmas, and up to double 764c that amount they should impose a fine on the wrongdoer after judging the case jointly with the city wardens. The city wardens should have the same fines and punishments within their own jurisdiction, fining up to a mina on their own, and double that together with the market wardens.

Next it would be fitting to appoint officials for music and gymnastics, two kinds for each: one for education in them, the other for competition. By officials for education, the law means supervisors of the gymnasiums and schools, 764d responsible for their order and teaching and also for overseeing attendance and the lodging of boys and girls; by officials for competition, stewards who award prizes to competitors in athletic and musical contests—again of two kinds, some for music and others for athletics. For athletic competitions of men and horses the same

stewards should serve; but for music it would be fitting to have one set of stewards for solo performance and imitation—for 764e rhapsodes, singers to the lyre, pipers and all such—and another for choral song. First, then, officials should surely be chosen for the play of choruses of boys, men and girls, in dances and in the whole ordered form of music. One official is enough for them, 765a at least forty years old. One is enough for solo performance too, at least thirty, to introduce the competitors and give an adequate judgment among the rivals. The official and director of the choruses should be chosen in some such way as this. All who have been keen on such things should attend the meeting, and be fined if they don't—the guardians of the laws are to decide this—but for everyone else attendance should not be compulsory if they don't wish to come. And 765b the voter must make his nomination from among the experienced, and at the scrutiny there should be this one ground for objection and defense: on one side, that the man chosen by lot is inexperienced; on the other, that he is experienced. Whichever one of the ten preselected by show of hands is chosen by lot should, after passing scrutiny, direct the choruses for the year according to law. In the same way and on the same terms, the one chosen by lot should direct for that year the solo performances and pipe ensembles that come to competition, 765c handing over the decision to the judges. After this, stewards should be chosen for the athletic contests of horses and men from the third and also the second property classes; attendance at this election should be compulsory for the three classes, while the lowest should be let off without penalty. Three should be chosen by lot: twenty are preselected by show of hands, and three of the twenty chosen by lot, provided the vote of those conducting the scrutiny approves them. If 765d anyone is rejected at scrutiny in the allotment and judgment for any office whatsoever, others should be chosen in his place in the same way, and their scrutiny conducted likewise.

There remains, among the offices we've described, the director of all education of girls and boys. Let one man hold this

office too, according to the laws, at least fifty years old and father of legitimate children—preferably of sons and daughters, or if not, of one or the other. Both [765e] the man selected and those who select him should consider this office to be by far the most important of the highest offices in the city. For with every growing thing, the first shoot, if it gets off to a good start, has the greatest power to bring it to the completion suited to the excellence of its nature—whether plants, or animals tame [766a] and wild, or human beings. The human being, we say, is a tame creature; and yet when it meets with right education and a fortunate nature, it tends to become the most divine and gentlest of creatures, but when not adequately or not well brought up, the wildest of all that the earth produces. That's why the lawgiver must not let the upbringing of children be a secondary matter or a sideline. He must begin by seeing that whoever is to take charge of them is well chosen, appointing as their director the man who is best in every respect among those in the city, as far as [766b] he possibly can. So all the officials except the council and the prytanes should go to the temple of Apollo and cast a secret ballot, each for whichever of the guardians of the laws he thinks would best supervise education. The one who gets the most votes, after passing scrutiny by the other officials who elected him, excluding the guardians of the laws, should hold office for five years; in the sixth year [766c] another should be elected to this office in the same way.

If anyone holding a public office dies with more than thirty days of his term still to run, those whose proper concern it was should appoint another to the office in the same way. And if a guardian of orphans dies, the relatives on the father's and mother's side who are resident in the country, as far as cousins' children, should appoint another [766d] within ten days, or each of them should be fined a drachma a day until they appoint a guardian for the children.

Surely any city would be no city at all if its courts were not properly established. And a judge who is mute, or who says no more in the preliminary hearings than the litigants do, as hap-

pens in arbitrations, would never be adequate to decide what is just. That's why it isn't easy for judges to judge well when they are many, or when they are few and of poor quality. What is in dispute must always be made 766e clear by each side, and time, slowness and repeated questioning all help to bring the dispute into the open. So first of all, people bringing charges against each other should go to their neighbors, to their friends, and to those who know most about 767a the matters in dispute. If someone doesn't get an adequate decision from them, let him go to another court. And the third court, if the two courts can't settle the matter, is to put an end to the case.

In a way, setting up courts is also a matter of choosing officials. Every official must also be a judge of certain matters, and a judge, though not an official, becomes in a way an official, and not an insignificant one, on the day he completes a case by deciding it. So, treating the 767b judges as officials too, let's say who would be suitable, what they should judge, and how many should sit on each case. The most authoritative court, then, is to be the one the parties appoint for themselves, choosing certain people jointly. There are to be two other tribunals: one for when a private person accuses another private person of wronging him and wants to bring him to trial for a decision; the other for when someone believes the public 767c is being wronged by one of the citizens and wants to come to the aid of the community. We have to say what sort of judges these are, and who they are. First, let us have a court common to all private persons who are disputing with each other for the third time. It will be set up roughly like this. All the officials, both those who hold office for a year and those who hold it longer, when the new year is about to begin in the month after the summer solstice, must all come together on the day before it in a single temple. There, having sworn by the 767d god, they are to offer up one judge from each board of officials, as a kind of first fruits: the one in each board who seems best, and who seems likely to decide his fellow citizens' cases best and most piously in the coming year. When these have been chosen, they are to undergo scrutiny before the

very people who chose them. If one of them is rejected, another is to be chosen in his place in the same way. Those who pass scrutiny are to judge the cases of those who have appealed from the other courts, and they are to cast their votes openly. Members of the council and the other officials who chose them are required to attend these 767e trials as listeners and spectators; of everyone else, anyone who wishes may attend. If someone accuses a judge of deliberately deciding a case unjustly, let him go to the guardians of the laws and bring his charge there. A judge convicted in such a case must pay the injured party half the damage; and if he seems to deserve a heavier penalty, those who judged the case are to assess what further he must suffer, or pay to the public treasury and to the one who brought the suit. As for charges of offenses against the public, it is necessary 768a first of all to give the people a share in the judgment. When someone wrongs the city, it is everyone who is wronged, and they would rightly resent being left without a part in such decisions. The beginning and the end of such a trial should be handed over to the people, but the examination should take place before three of the highest offices, whichever ones the defendant and the prosecutor agree on together. If they can't reach an agreement themselves, the council is to decide between the choices 768b of each. Everyone should also share, as far as possible, in private cases. For someone who has no share in the power of judging along with others thinks he has no part in the city at all. For this reason there must also be courts for each tribe, with judges chosen by lot on the spot, who will judge uncorrupted by pleading. The final decision in all such cases belongs to the court which, we say, has been made as incorruptible as is humanly possible, for those who cannot 768c settle their disputes either before their neighbors or in the tribal courts.

So much for the courts, then. Whether to call them offices or not isn't easy to say without being disputed. On these, our sketch, like an outline drawn around the outside, has said some things and more or less left others out. For the precise laying down of the laws on lawsuits, and their classification, would

come by far most correctly at the end of our legislation. So let's say that these [768d] are to wait for us at the end. The establishment of the other offices, though, has taken up most of the legislation. But a complete and precise account of any one thing, and of everything in the city and in political administration as a whole, can't become clear until our exposition, from its beginning, has taken in its secondary and middle parts and all its parts, and arrived at its end. For now, at any rate, having got as far as the [768e] election of officials, this would be a sufficient end to what came before; and it is a beginning for the laying down of laws that no longer needs any delay or hesitation.

CLINIAS I liked everything you said before very much, stranger. And now that you've joined the beginning to the end, of what has been said and of what is still to be said, you've put it even more agreeably than before.

KEEPING THE LAWS UP TO DATE

Like a painting, the laws need successors to correct them; the Athenian addresses the guardians of the laws.

ATHENIAN [769a] Then our sensible old men's game would have been nicely played up to this point.

CLINIAS What you seem to be describing is a fine and serious business for grown men.

ATHENIAN Naturally. But let's consider whether this seems to you as it does to me.

CLINIAS What is it, and about what?

ATHENIAN You know how painters' work on each of their figures never seems to have an end. Whether it's adding color or softening it, or whatever painters call that sort of thing, it seems it would never stop embellishing, [769b] and there would never come a point where the painting had no more room to become more beautiful and more vivid.

CLINIAS I roughly follow what you're saying as I hear it, though I've had no practice at all in that kind of craft.

ATHENIAN And you're none the worse for it. Still, let's use the point that has just come up about it for something like this. Suppose someone [769c] set out to paint the most beautiful figure possible, and meant it never to get worse but always better as time went on. You realize that, being mortal, unless he leaves behind a successor able to restore the figure if it is damaged by time in any way, and to improve it by touching up whatever his own weakness in the craft left undone, his enormous labor will stay with him only a short time?

CLINIAS True.

ATHENIAN [769d] Well then? Don't you think the lawgiver's aim is like that? First, to write his laws as precisely as he can. Then, as time goes on and he puts his decisions to the test in practice—do you think any lawgiver has ever been so foolish as not to know that a great many such things are bound to be left out, which someone following after him must set right, so that the constitution [769e] and the order of the city he has founded never become worse in any way, but always better?

CLINIAS It's natural—how could it not be?—for everyone to want something like that.

ATHENIAN So if someone had a way of doing this—of teaching another person, in deed and word, to understand more or less of how laws are to be preserved and corrected—he would never give up explaining it before he had reached the end?

CLINIAS [770a] How could he?

ATHENIAN Then shouldn't you two and I do this right now?

CLINIAS Do what, exactly?

ATHENIAN We are about to legislate, and we have chosen our guardians of the laws; we are at the sunset of life, and they are young compared with us. So, as we say, we must legislate ourselves, and at the same time try to make these very men lawgivers as well as guardians of the laws, as far as possible.

CLINIAS [770b] Certainly—if we're really up to it.

ATHENIAN Well, we have to try, anyway, and try hard.

CLINIAS Of course.

ATHENIAN Then let's say to them: Dear friends, saviors of the laws, in each of the areas where we lay down laws we shall leave out a great deal—we can't help it. All the same, we'll do our best not to leave whatever is important, and the whole, without a sketch, as though in an outline. It will be your job to fill in this outline. 770c You need to hear what to look to when you do this. Megillus and I and Clinias have said these things to one another more than once, and we agree that they are well said. We want you to be both sympathetic to us and our students, looking to the things that we have agreed with each other the guardian of the laws and the lawgiver must look to. Our agreement had one main point: how 770d a man might become good, possessing the virtue of soul that belongs to a human being—whether through some practice, or some habit, or some kind of possession, or desire, or opinion, or some learning at some point—and whether the nature of those living together is male or female, young or old. All their effort must be directed to this very thing we are speaking of, throughout their whole life, and no one must be seen to value above it anything else that stands in its way, 770e not a single thing—not even, in the end, the city, if it seems necessary for it to be laid waste rather than willingly accept the yoke of slavery and be ruled by worse men, or else for them to leave the city in exile. All such things must be endured and suffered, it seems, rather than exchange our constitution for one that naturally makes human beings worse. That is what we agreed earlier. So now, you, looking to both of these points, praise and 771a blame our laws: blame those that can't achieve this, but welcome those that can, receive them kindly and live in them. As for other practices, which aim at other so-called goods, you must bid them farewell.

Let this, then, be the beginning of our laws from here on, starting with sacred matters. We must first take up again the number five thousand and forty, and all the convenient divi-

sions it had 771b and still has, both as a whole and in the number for each tribe, which we set as a twelfth of the whole: twenty-one times twenty, a number that comes out exactly right. Our whole number has twelve divisions, and the tribal number has twelve as well. Each portion must be thought of as sacred, a gift of god, corresponding to the months and to the revolution of the universe. That's why an innate impulse leads every city to make them sacred, although some have probably made their divisions more correctly than others, and consecrated the 771c division more fortunately. We, at any rate, say that the number 5,040 has been chosen most correctly. It has all the divisors from one up to twelve except eleven—and even that has a very small remedy: it comes out whole the other way, if two households are set aside. To show that this is really so would not take a long story, when there is time.[7] So, trusting for now in this report 771d and argument, let's divide up the city on this basis. Assigning to each portion a god or a child of gods, and giving them altars and all that goes with them, let's hold assemblies for sacrifice at them twice a month—twelve for the division of the tribe and twelve for the division of the city itself. The first purpose is to show gratitude to the gods and honor the things of the gods; the second, as we might put it, is our own familiarity and acquaintance with one another, and 771e every kind of social contact. For with a view to partnership and union in marriage, it's essential to remove ignorance about the family one is taking a wife from, and about the one being given in marriage and those she is given to, making it one's top priority, as far as possible, never to make a mistake of any kind in such matters. For the sake of this serious purpose, then, there should also be recreations in which young men and young women 772a dance together, seeing each other and being seen, with reason and at an age that offers suitable occasions, unclothed, both young men and young women, as far as a sensible modesty in each allows. The overseers and organizers of all this are to be the officials in charge of the choruses, and together with the guardians of the laws they are to be the law-

7 5,040 − 2 = 5,038, which is 11 × 458.

givers for whatever we leave unregulated. It is inevitable, as we said, that in all such matters, small [772b] and numerous as they are, the lawgiver will leave things out, and that those who gain experience in them year after year, learning from practice, will make arrangements and correct and change them each year, until the regulation of such customs and practices seems to have been adequately settled. A reasonable and adequate period for gaining this experience would be ten years of sacrifices and choral performances, arranged for all of them together and for each in detail. While the lawgiver who arranged them is alive, the officials are to act [772c] jointly with him. When he has died, each board of officials should bring before the guardians of the laws whatever has been left out in its own area and correct it, until each thing seems to have been completely and well worked out. Then they are to make these arrangements unchangeable, and from then on use them along with the other laws that the lawgiver who laid them down for them established at the beginning. They must never willingly change anything in these. But if they ever think some necessity has arisen, they must consult all [772d] the officials, the whole people, and all the oracles of the gods, and if all agree, then make the change; but never otherwise, in any way at all. Rather, the one who opposes the change must always prevail according to law.

THE MARRIAGE LAWS

Citizens must marry by thirty-five, choosing partners for the city's good rather than their own pleasure.

ATHENIAN So whenever someone who has reached the age of twenty-five, observing others and being observed by them, believes he has found someone to his liking and suitable for sharing in the begetting of children, [772e] let him marry—everyone is to marry by the age of thirty-five. But first let him hear how he ought to look for what is fitting and suitable. For, as Clinias says, we must set a preamble of its own in front of each law.

CLINIAS You remembered that very well, stranger, and you've seized an opportune moment in the discussion, one that strikes me as quite fitting.

ATHENIAN Good. Let's say, then: My boy, since you were born of good parents, 773a you must make a marriage that sensible people think well of. They would advise you neither to avoid marrying into a poor family nor to pursue a rich one above all, but, if other things are equal, always to prefer the less well-off one and join yourself to it. That would be good both for the city and for the households being joined, since what is balanced and well proportioned is infinitely superior, when it comes to virtue, to what is unmixed. A man who knows himself to be rather 773b headstrong, and quicker than he should be in everything he does, should be eager to become the son-in-law of orderly parents; while someone of the opposite nature should seek the opposite kind of in-laws. And let there be one rule for every marriage: each man must seek the marriage that benefits the city, not the one that is most pleasant for himself. By nature everyone is always somehow drawn toward whoever is most like himself, and as a result the 773c whole city becomes uneven in wealth and in character. From this come the results we don't want for ourselves, and which do happen in most cities. Now to prescribe these things expressly in a law—that a rich man must not marry into a rich family, nor a man of great power into another such family, and to compel those of quicker character to join with slower ones, and the slower with the quicker, in the partnership of marriage—would not only be ridiculous but would make many people angry. For it isn't easy to see that a city must be 773d mixed like a mixing bowl, where the wine that is poured in seethes madly, but once it is chastened by another, sober god, it forms a fine partnership and makes a good and moderate drink.[8] Hardly anyone, so to speak, can see that this happens in the mixing of children. For these reasons it is neces-

8 Greeks normally drank wine mixed with water in a large bowl; the "sober god" is the water.

sary to leave such matters out of the law, and instead try to persuade people, as if by a charm, that each should value evenness in their own children more highly than equality of fortune in marriage, [773e] which is an insatiable greed for money; and to turn away, by reproach, anyone who has set his heart on money in marriage, rather than force him with a written law.

Let these, then, be the words of encouragement about marriage, together with what was said earlier: that one should hold on to everlasting nature by leaving behind children's children, always handing on servants to [774a] the god in one's place. All this and more one could say about marriage, and why one should marry, in a proper preamble. But if someone won't obey willingly, and keeps himself apart, taking no part in the city, and is still unmarried at thirty-five, let him be fined every year: a man in the highest property class a hundred drachmas, in the second seventy, in the third sixty, and in the fourth thirty. And let this money be sacred [774b] to Hera. Anyone who doesn't pay each year shall owe ten times the amount. The treasurer of the goddess is to collect it; if he fails to collect it, he shall owe it himself, and every treasurer must give an account of this at his audit. That is the financial penalty for the man who is unwilling to marry. In addition, he shall receive no honor at all from younger people, and no young person shall willingly obey him in anything. If he tries to punish anyone, everyone is to come to the aid of the one being wronged and [774c] defend him; and anyone present who fails to help shall be declared by the law a coward and a bad citizen.

About dowries we have spoken before, but let it be said again: it is fair and equal all round that the poor should not grow old, whether taking a wife or giving a daughter in marriage, for lack of money. For everyone in this city has the necessities of life, and there would be less arrogance in wives, and less humble and servile subjection [774d] in husbands on account of money. Whoever obeys will be doing something fine. But whoever disobeys, and gives or receives more than fifty drachmas' worth for the sake of clothing—or a mina in one case, one and a half minas

in another, or two minas in the case of the man in the highest property class—shall owe as much again to the public treasury, and what was given or received shall be sacred to Hera and Zeus. The treasurers of these 774e two gods are to collect it, just as we said, in the case of those who don't marry, that the treasurers of Hera were always to collect the fine or else each pay it themselves.

A pledge of betrothal is to be valid if given first by the father, second by the grandfather, and third by brothers with the same father. If none of these exists, the pledge by relatives on the mother's side is next to be valid, in the same order. If some unusual chance should occur, the nearest relatives are always to have authority, together with the guardians.

As for any rites before the wedding, or any other sacred ceremony concerning such matters, 775a that should properly be performed before, during or after the wedding, each person should ask the interpreters and, by following their advice, consider that everything has been duly done for him.

As for the wedding feasts, one should invite no more than five male and five female friends from each side, and the same number again of relatives and family members from each side. No one's expenses should exceed his means: for the richest, a mina; for the next, half that; and for 775b each after that in turn, as his property assessment decreases. Everyone should praise the man who obeys the law, but the guardians of the laws are to punish the one who disobeys, as a man with no taste and uneducated in the laws of the wedding Muses. Drinking to the point of drunkenness is not fitting anywhere else, except at the festivals of the god who gave us wine; nor is it safe—and certainly not for someone serious about marriage. At a wedding, above all, the bride and groom ought to be in their right minds, 775c since they are making no small change in their lives, and also so that their offspring may always come, as far as possible, from parents in their right minds. For it is almost impossible to know which night or day will, with god's help, beget it. Besides, the begetting of children shouldn't take place when bodies are loosened by

drunkenness; what is conceived should be formed firm, steady and calm, as is proper. A man full of wine is swept every which way himself and 775d sweeps others along, raving in body and in soul. So a drunk man is a clumsy and bad sower, and in all likelihood would beget offspring that are unbalanced and untrustworthy, with nothing straight in either character or body. That's why one should take care throughout the whole year and one's whole life, but especially for as long as one is begetting children, not to do anything willingly that causes illness, or that involves insolence or injustice—for these are bound to be rubbed off and stamped onto the souls and bodies of the offspring, and to produce children 775e worse in every way—and above all to keep away from such things on that day and night. For a beginning is also a god, and, established among human beings, it preserves everything, if it receives from each of those who deal with it the honor that is its due.

The man who marries should regard one of the two houses 776a on his allotment as a place for hatching and rearing his young. He should leave his father and mother and hold his wedding there, and make it the place where he lives and provides for himself and his children. For in friendships, if there is some longing, it cements and binds all kinds of character together; but too much togetherness, with no time for longing to grow, makes people drift apart from satiety. For this reason they should leave their own houses to the mother and father and the wife's relatives and, as though 776b they had gone off to a colony, live on their own, visiting and being visited, begetting and raising children, handing on life from one generation to the next like a torch, and always serving the gods according to law.

SLAVES, TEMPLES AND WALLS

How to treat household slaves; temples surround the marketplace, and the city has no walls.

ATHENIAN Next, what possessions would make the most harmonious property? Most of them are not hard to identify or to

acquire, but household slaves are difficult 776c in every way. The reason is that what we say about them is in a way incorrect and in a way correct. For what we say about slaves both contradicts our experience of using them and agrees with it.

MEGILLUS What do we mean by that? We don't yet understand, stranger, what you're getting at.

ATHENIAN That's quite natural, Megillus. The Spartan system of helots would probably cause more perplexity and dispute than almost anything else among the Greeks, some saying it has turned out well, others that it hasn't. There would be less dispute about the subjection 776d of the Mariandynians by the people of Heraclea, and about the serf class of the Thessalians, the Penestae. Looking at these and all similar cases, what should we do about acquiring household slaves? The point I happened to make in passing, which you quite reasonably asked me to explain, is this. We know, I think, that we would all say one should acquire slaves who are as loyal and as good as possible. For many slaves before now have proved better than brothers or sons in every kind of virtue, and have saved their masters, 776e their possessions and their whole households. We know, I think, that these things are said about slaves.[9]

MEGILLUS Certainly.

ATHENIAN And the opposite is said too: that there is nothing sound in a slave's soul, and that a sensible person should never trust that class at all. And the wisest of our poets declared, speaking about Zeus, that— 777a "Half of their mind," he says, "far-seeing Zeus takes away from men, once the day of slavery takes hold of them." People divide on these views, each in their own thinking. Some place no trust at all in the class of household slaves, and treat them like wild animals, using goads and whips

9 The helots were Sparta's state-owned serfs; the Mariandynians were a native people on the Black Sea subjected by the Greek colony of Heraclea, and the Penestae were the serf class of Thessaly.

to make their slaves' souls slavish not three times over but many times. Others do exactly the opposite.[10]

MEGILLUS Certainly.

CLINIAS 777b Then what should we do, stranger, since people differ like this, about slaves in our own territory, when it comes both to acquiring and to punishing them?

ATHENIAN Well, Clinias? Clearly, since the human creature is hard to manage, and plainly refuses to be or become at all tractable with respect to the necessary distinction—distinguishing in practice between slave on the one hand and free man and master on the other— 777c it is a difficult possession. This has often been shown in practice: in the frequent revolts that tend to happen among the Messenians; in all the troubles that arise in the cities of those who acquire many household slaves who speak the same language; and again in the crimes of every kind committed, and suffered, by the so-called "rovers," bandits who roam around Italy. Looking at all this, one might well be at a loss about what to do in all such matters.[11] Only two means are left. First, those who are going to 777d be slaves more readily should not be from the same country as one another, and as far as possible should not speak the same language. Second, we should treat them properly, not only for their sake but still more for our own. Proper treatment of such people means not committing any outrage against household slaves, and wronging them even less, if possible, than one's equals. For a man who reveres justice by nature and not in pretense, and truly hates injustice, shows himself in his dealings with those people whom it is easy for him to wrong. So whoever remains untainted by impiety 777e and injustice in his conduct toward the characters and actions of slaves would be best able to sow a crop of virtue. And the same thing may rightly be said of a master, a tyrant, and anyone who

10 Homer, *Odyssey* 17.322–323; in our texts of Homer, Zeus takes away half a man's virtue (aretē) rather than half his mind.

11 The Messenians, conquered by Sparta and made helots, revolted against it repeatedly. The "rovers" (peridinoi) are otherwise unknown; they were probably runaway slaves turned brigands.

holds any kind of power over someone weaker than himself. Slaves must be punished, however, when it is just, and we shouldn't spoil them by admonishing them as though they were free. Whatever one says to a household slave should be almost 778a entirely a command, and one should never joke in any way with household slaves, whether female or male. Many people very foolishly like to do this with their slaves, spoiling them and making life harder, both for the slaves to be ruled and for themselves to rule.

CLINIAS You're right.

ATHENIAN So once someone has been supplied with household slaves, as far as possible sufficient in number and suited to help with each kind of work, the next thing is to sketch out the dwellings in our account?

CLINIAS Certainly.

ATHENIAN 778b And it seems that, with a city that is new and hitherto uninhabited, we have to take care of practically all building matters: how each of these things will be arranged, including temples and walls. These matters came before marriage, Clinias; but since this is happening in words, it's perfectly all right for it to happen in this order for now. When it actually happens in deed, though, we'll do these things before the marriages, god willing, and only then complete those 778c after all such matters. For now let's just go through a sort of outline of them, briefly.

CLINIAS By all means.

ATHENIAN The temples should be built all around the marketplace, and in a circle around the whole city on the high ground, for ease of defense and for purity. Beside them should be the buildings of the officials, and the courts where they will receive and give judgment in the most sacred of settings, partly 778d because the matters concern what is holy, and partly because these are seats of holy gods. Among these will be the courts where murder trials, and trials for all crimes deserving death, would properly be held. As for walls, Megillus, I would agree

with Sparta in letting the walls sleep lying in the ground, and not raising them up. Here is why.[12] The poetic saying about walls is finely sung too, that they should be of bronze and iron 778e rather than of earth. Besides, our own plan would deservedly earn a great deal of laughter, if we sent the young men out into the countryside every year to dig here and make trenches there, and even to keep out the enemy with fortifications of various kinds, so as not to let them set foot across the country's borders —and then put a wall around the city. A wall, first of all, is in no way good for the health of cities; and it tends to produce a kind of softness in the souls of those who live inside it. It invites them 779a to flee into it and not fight off the enemy, and not to find their safety by having some people always on guard, night and day; instead they think that, fenced in by walls and gates and asleep, they will have a real means of safety, as though they were born not to work. They don't know that real ease comes from hard work, while hard work, I think, naturally comes back again from shameful ease and idleness. But if human beings really must have some kind of 779b wall, then the private houses should be laid out from the beginning so that the whole city is a single wall, with all the houses presenting a defensible front to the streets through their evenness and uniformity. The city, having the shape of a single house, would not be unpleasant to look at, and for ease of guarding it would be superior in every way, for safety. It would be fitting for the residents above all to see that what was originally built stays that way, 779c but the city wardens should oversee it, enforcing it and fining anyone who neglects it. They should also look after the cleanliness of everything in the town, and see that no private person encroaches on anything belonging to the city, either with buildings or with excavations. These officials must also take care that rainwater from Zeus drains away well, and of everything that is suitably located inside or outside the city. The guardians of the laws, surveying all these things in light of experience, 779d should add legislation on them, and on anything else the law leaves out for lack of

12 Sparta was famous for having no city walls.

means. When these buildings, and those around the marketplace, and those for the gymnasia, and all the schools, are built and waiting for their pupils, and the theaters for their spectators, let's move on to what follows marriage, keeping to the order of our legislation.

CLINIAS Certainly.

COMMON MEALS FOR WOMEN

The Athenian proposes common meals for women, discusses the three human appetites and supervises childbearing.

ATHENIAN Let's take it, Clinias, that the marriages have taken place. Next would come a way of life before having children, lasting no less than a year, [779e] and how bride and groom should live in a city that is to be different from most—which is what follows from what has just been said—is not the easiest of things to say. There have been quite a few such things before, but this one will be even harder than those many for most people to accept. Still, what seems right and true must be said in any case, Clinias.

CLINIAS Certainly.

ATHENIAN [780a] Anyone who intends to declare laws for cities about how people should live when they conduct public and common affairs, but thinks there is no need to regulate private matters even as far as necessary—who thinks each person should be free to spend the day as he likes, and that not everything needs to be done in an orderly way—and who, leaving private matters unlegislated, believes people will be willing to live by laws in their common and public affairs, is not thinking correctly. Why have I said this? For this reason: we are going to say that our bridegrooms must take their meals at the common meals no differently [780b] and no less than in the time before their marriage. This practice was a marvel when it first arose in your part of the world. Probably some war laid it down as law, or some other event with the same force, among people in great difficulty because of their small numbers. Once they had tasted the common meals and been compelled to use them, the custom

seemed 780c to make a great difference to their safety, and so, in some such way, your practice of common meals was established.

CLINIAS So it seems, at any rate.

ATHENIAN As I was saying, though this was once a marvel, and a frightening thing to impose on certain people, now it would not be as difficult for someone prescribing it to make it law. But the thing that comes next—which would naturally be right if it came about, but at present comes about nowhere—pretty much makes the lawgiver, as people say in jest, card wool into the fire and do countless other such futile things. It is not 780d easy either to say it or, having said it, to carry it out.

CLINIAS What is this, stranger, that you're trying to say, but seem so very hesitant about?

ATHENIAN You'll hear, so that we don't waste a lot of time on this very point. Everything in a city that partakes of order and law brings about all kinds of good; but of the things that are disordered, or badly ordered, most undo other things that are well ordered. That is where our discussion now stands. For you, Clinias and Megillus, the common meals 780e for men have been finely and, as I said, marvelously established out of some divine necessity. But where women are concerned, 781a the matter has quite wrongly been left unlegislated, and their practice of common meals has not been brought into the light. Instead, the female sex, which in any case is by nature more secretive and more sly among us human beings, because of its weakness, has been let go as hard to regulate, the lawgiver having wrongly given way. Because this has been let go, many things slip away from you that would be much better if they had been given laws than they are now. For neglecting the proper order of women isn't, as 781b it might seem, only half the problem. Insofar as female nature is inferior to male nature in regard to virtue, it matters that much more—more than double. So it would be better for the city's happiness to take this up again, correct it, and arrange all practices in common for women and men. But as it

is, the human race has come to such an unfortunate pass in this respect that in other places and cities [781c] a sensible person can't even mention it, since there are no common meals at all accepted as a public institution. How, then, will anyone try in practice, without being laughed at, to force women to eat and drink where they can be seen in public? There is nothing this sex would put up with less. Accustomed to living withdrawn and in the dark, and dragged into the light by force, it will put up every kind of resistance and will be much stronger than the [781d] lawgiver. So elsewhere, as I said, it wouldn't even tolerate the correct view being stated without an outcry all round; but here perhaps it would. If you agree that, at least for the sake of the argument, our discussion of the whole constitution shouldn't fall short, I'm willing to explain how this is good and fitting—if you two are also agreed on hearing it; if not, to leave it alone.

CLINIAS Why, stranger, we are both wonderfully agreed on hearing it, at all events.

ATHENIAN Then let's hear it. But don't be surprised if you find me starting a long way [781e] back. For we have leisure to enjoy, and there is nothing pressing us to keep us from examining matters of law from every angle and in every way.

CLINIAS You're right.

ATHENIAN Let's go back, then, to what we said at the start. Everyone should understand this much well: either the human race had no beginning at all [782a] and will never have an end, but always was and always will be; or it has existed for an immeasurable length of time since its beginning.

CLINIAS Certainly.

ATHENIAN Well then? Don't we think that cities have been founded and destroyed, and that there have been all kinds of practices, orderly and disorderly, and all sorts of appetites for food, for drink and for things to eat, everywhere and all over the earth? And all kinds of changes in the seasons, in which animals would probably undergo [782b] a vast number of changes themselves?

CLINIAS Of course.

ATHENIAN Well then? Do we believe that vines appeared somewhere at some point, when before they hadn't existed? And olives likewise, and the gifts of Demeter and Kore? And that someone called Triptolemus became the servant of such things? And in the time when these things didn't exist, don't we suppose that animals turned to eating one another, as they do now?[13]

CLINIAS Certainly.

ATHENIAN [782c] In fact we see that the practice of human beings sacrificing one another still survives among many people even now. And conversely we hear that among others there was a time when people didn't even dare to taste beef, and there were no animal sacrifices to the gods, but cakes, and fruits soaked in honey, and other such pure offerings. They kept away from meat, on the grounds that it was unholy to eat it or to stain the altars of the gods with blood. Instead, those of us who lived then led what are called Orphic lives, keeping to everything without a soul, and, on the contrary, [782d] abstaining from everything with a soul.[14]

CLINIAS What you've said is very widely said, and easy to believe.

ATHENIAN Then someone might ask: what was the point of saying all this to you just now?

CLINIAS You've anticipated our question correctly, stranger.

ATHENIAN Well then, if I can, Clinias, I'll try to explain what comes next.

CLINIAS Please go on.

ATHENIAN I see that everything for human beings depends on a threefold need and desire. Through these, virtue results for them if they are guided correctly, [782e] and the opposite if they are

13 Demeter, goddess of grain, and her daughter Kore (Persephone) were said to have given grain to humankind, and Triptolemus to have spread its cultivation.
14 Followers of the Orphic religious movement abstained from eating meat.

guided badly. These are food and drink, from the moment they are born. Every animal has an innate love for all of this, and is full of frenzy, refusing to listen to anyone who says it should do anything other than satisfy its pleasures and desires for all these things, and so always rid itself of every pain. Our third 783a and greatest need, and our sharpest love, arises last, and it sets people utterly on fire with madness: the love that burns with the greatest wantonness, for the sowing of the race. These three diseases we must try to restrain, turning them toward what is best and away from what is called most pleasant, with the three greatest things—fear, law and true reason—and making use besides of the Muses and the gods of the games, 783b to quench their growth and their influx.

Let's place the birth of children after marriage, and after birth, their nurture and education. And perhaps, as our discussion goes on this way, each of our laws would be brought to completion as we move forward, until we reach the common meals. Whether such associations should be of women as well, or of men only, we will perhaps see better when we get close to them. The matters that come before them, which are still unlegislated, 783c we will put in order and place in front of them; and, as was just said, we will see them more precisely, and would be better able to lay down laws that suit and fit them.

CLINIAS That's quite right.

ATHENIAN Then let's keep in mind what we just said; perhaps we'll need all of it at some point.

CLINIAS What are you telling us to remember?

ATHENIAN What we distinguished with three words. We spoke, I think, of eating; second, of drinking; and third, of a kind of 783d sexual excitement.

CLINIAS We'll certainly remember what you're telling us now, stranger.

ATHENIAN Good. Now let's come to the newly married, to teach them how and in what way they should have children—and, if we can't persuade them, to threaten them with some laws.

CLINIAS How so?

ATHENIAN The bride and groom must set their minds on producing the finest and best children they can for the 783e city. All human beings who share in any activity produce everything fine and good when they pay attention to themselves and to what they are doing, but the opposite when they don't pay attention, or have no sense. So let the bridegroom pay attention to the bride and to having children, and the bride likewise, especially during the time when they don't yet 784a have any children. Their overseers are to be the women we have chosen—more of them or fewer, as many as the officials see fit to appoint, and at whatever time. They are to assemble every day at the temple of Eileithyia for up to a third of an hour. Once assembled there, they are to report to one another whether any of them has seen any man or woman among those having children paying attention to anything other than what was prescribed at the 784b sacrifices and rites held at their weddings. The period for having children, and for supervising those having them, is to be ten years and no longer, when offspring come readily. If a couple remain childless up to that time, they are to separate, deciding jointly with their relatives and the women officials what is best for each of them.[15] If some dispute arises about what is fitting and best for each, they are to choose ten of the 784c guardians of the laws, and abide by whatever those to whom they entrust the matter decide. The women are to go into the homes of the young couples and, partly by admonishing them and partly by threatening them, put a stop to their wrongdoing and ignorance. If they can't, they are to go to the guardians of the laws and tell them, and the guardians are to restrain them. And if they too somehow fail, they are to report it to the public, posting up the name and swearing on oath that they are unable 784d to make so-and-so any better. The man who has been posted up is to lose the following rights, unless he wins a case in court against those who posted him: he is not to go to weddings, or to the celebra-

15 Eileithyia was the goddess of childbirth.

tions held for children; and if he does go, anyone who wishes may punish him with a beating, without penalty. The same rules are to apply to a woman. She is to have no part in women's outings and honors, or in attending weddings and children's birthday celebrations, if she is likewise 784e posted up for misbehaving and does not win her case. When they have had children according to the laws, if a man has relations of this kind with another woman, or a woman with another man, and the other party is still of child-bearing age, the same penalties apply to them as were stated for those still having children. After that, the man and the woman who are moderate in such matters are to be well regarded in every way, and anyone who behaves in the opposite way is to be honored in the opposite way—or rather, dishonored. If most people behave with moderation 785a in these matters, let them lie unlegislated, in silence; but if people misbehave, let these things be legislated and enforced accordingly, under the laws laid down at that time. The beginning of each person's whole life is the first year, and it should be recorded in the family shrines as the beginning of life for boy and girl alike. Beside it, on a whitewashed wall in every phratry, should be written the number of the officials after whom the years are counted. The names of the living members of the phratry are always to be written 785b close by, and those who depart from life erased. The age limit for marriage is to be sixteen to twenty for a girl—this being the longest period allowed—and thirty to thirty-five for a young man. For holding office, it is forty for a woman and thirty for a man. For military service, a man serves from twenty to sixty. As for a woman, whatever service it seems necessary for her to perform in war, once she has had children, it is to be assigned as possible and fitting for each, up to the age of fifty.[16]

16 Greek cities named each year after an official, so the list of officials served as a calendar.

Book VII

Education from infancy: music, gymnastics and mathematics.

ATHENIAN 788a Now that children have been born, boys and girls, it would be most correct for us to speak next about their nurture and education. It's quite impossible to leave this unspoken, but when it's spoken of, it would seem to us more like a kind of instruction and admonition than laws. For in private life, within households, many small things happen that aren't visible to everyone, and these, easily arising from 788b each person's pains, pleasures and desires, contrary to the lawgiver's advice, would make the citizens' characters varied and unlike one another. And that is bad for cities. Because these matters are so small and so frequent, it is both improper and unseemly to make laws imposing penalties on them; and yet it also undermines the laws that have been laid down in writing, when people have grown used to breaking the law in small and frequent matters. 788c So it's a problem to legislate about these things, and impossible to keep silent. I must try to make clear what I mean by bringing some samples, as it were, out into the light; at the moment what I'm saying seems to be spoken in a kind of darkness.

CLINIAS Very true.

ATHENIAN Well, we've rightly said, I think, that nurture which is really correct must prove able to make bodies and souls as beautiful and as good as possible.

CLINIAS Of course.

ATHENIAN [788d] And the most beautiful bodies—to put it in the simplest way—come, I suppose, from children growing as straight as possible right from their earliest years.

CLINIAS Certainly.

ATHENIAN Well then, don't we notice this: that the first growth of every living creature is by far the greatest and most abundant? So much so that many people have even argued that human height, from the age of five, doesn't double in the twenty years of growth that remain.

CLINIAS True.

ATHENIAN Well then, when abundant growth floods in without [789a] plenty of well-proportioned exercise, don't we know that it causes countless ills in the body?

CLINIAS Very much so.

ATHENIAN So bodies need the most exercise when they're taking in the most nourishment.

CLINIAS What's this, stranger? Are we going to prescribe the most exercise for newborns, the very youngest of all?

ATHENIAN Not at all—but even earlier, for those still being nourished inside their mothers.

CLINIAS What do you mean, my good friend? Are you talking about babies in the womb?

ATHENIAN [789b] Yes. And it's no wonder you two are unfamiliar with the gymnastics of those so young. It's a strange thing, but I'd like to explain it to you.

CLINIAS By all means.

ATHENIAN Well, it's easier to grasp this sort of thing where I come from, because some people there take their amusements more seriously than they should. With us, not only boys but some older men too raise young birds to fight one another. And when they train such creatures, they're very far [789c] from thinking that the bouts against one another, in which they stir them up for exercise, give them enough exertion. On top of that, each

of them takes his birds under his arm—the smaller ones in his hands, the bigger ones tucked into the crook of his arm—and goes walking for miles and miles, for the sake of the fitness not of his own body but of these creatures'. And to anyone able to learn from it they show at least this much: 789d that all bodies benefit from being moved by shakings and motions without tiring, whether they move of themselves, or on swings, or at sea, or riding on horseback, or while being carried along by others in whatever way. Through this they master the nourishment of food and drink, and are able to give us health and beauty and strength of every other kind. Given that this is how things stand, what should we say we must do next? Would you like us 789e to spell it out, even at the risk of laughter, laying down laws that the pregnant woman must take walks, and that the newborn must be molded like wax while it's still soft and kept in swaddling clothes until the age of two? And that we compel the nurses, under legal penalty, to be forever carrying the children somewhere—to the fields or to the temples or to relatives—until they're able to stand properly; and even then, taking great care while they're still young that their limbs don't somehow get bent by bearing their weight too forcibly, to keep up the labor of carrying them until the child has turned three? That the nurses should be as strong as possible 790a and more than one? And for each of these rules, if it isn't carried out, shall we write down a penalty for those who fail to comply? Or is that far from the mark? For the thing I just mentioned would happen, and in abundance.

CLINIAS What thing?

ATHENIAN That we'd earn a great deal of laughter—besides which the nurses, with the characters of women and of slaves, wouldn't be willing to obey.

CLINIAS Then why did we say these things needed saying?

ATHENIAN For this reason: if the masters and free people in the 790b cities hear it, their characters might come to the right realization—that unless private life in cities is managed rightly, it's

vain to suppose that public affairs will have any stability in the laying down of laws. And with this in mind a man might himself adopt as laws the things just said, and by adopting them, and managing both his household and his city well, be happy.

CLINIAS That's very reasonable.

INFANCY: NEITHER PLEASURE NOR PAIN

Infants should be kept in motion and raised to be cheerful, avoiding both pampering and fear.

ATHENIAN Then let's not leave off this sort of legislation yet, 790c not until we've also set out the practices concerning the souls of very young children, in the same way we've begun working through the stories we told about their bodies.

CLINIAS Quite right.

ATHENIAN Then let's take this as a kind of basic element for both the body and the soul of the very young: that nursing them and keeping them in motion, as much as possible through every night and day, is beneficial for everyone, and not least for the very youngest; and that they should live, if it were possible, as though always at sea. 790d As it is, we must do the nearest thing to this with newborn infants. And we ought to infer from the following that nurses of little children, and the women who perform the Corybantic cures, have learned this from experience and recognized that it's useful. When mothers want to get babies who sleep badly to go to sleep, they don't bring them stillness but the opposite, motion, rocking them in their arms 790e again and again; and not silence but a kind of melody. They quite literally pipe their children to sleep, as it were, just as in the cure of frenzied Bacchic states, using this combination of movement—dance—and music.[1]

CLINIAS So what would you say, stranger, is the main reason for this?

1 The Corybantes were ecstatic attendants of the mother goddess Cybele; their rites of music and wild dancing were used to cure forms of frenzy.

ATHENIAN It's not very hard to understand.

CLINIAS How so?

ATHENIAN Both these conditions are forms of fear, I suppose, and the fears come from some poor condition of the soul. So when 791a someone applies a shaking from outside to conditions like these, the motion applied from outside overpowers the fearful, frenzied motion within. And having overpowered it, it produces a visible calm and stillness in the soul, in place of the violent pounding of the heart that each of them had suffered—something altogether welcome. The children it puts to sleep; the others, who are awake, dancing and being piped to in the company of the gods to whom each of them sacrifices with good omens, it brings to have sound states of mind in place of frenzied 791b conditions. And this, to put it briefly at least, is a plausible enough account.

CLINIAS Certainly.

ATHENIAN Well, if these things have that sort of power, we ought to reflect on this among ourselves: every soul that lives with terrors from its youth will be all the more likely to become used to being fearful. And everyone would say that this is practice in cowardice, not courage.

CLINIAS Of course.

ATHENIAN And the opposite, we'd say—practice in courage from earliest youth— 791c is overcoming the terrors and fears that befall us.

CLINIAS Right.

ATHENIAN Then let's say that this too—the gymnastics of motion for very small children—contributes a great deal to one part of the soul's virtue.

CLINIAS Certainly.

ATHENIAN And again, having or not having a sour temper in the soul would be no small part of stout-heartedness and faint-heartedness respectively.

CLINIAS Of course.

ATHENIAN [791d] So in what way could we implant in the newborn right from the start whichever of the two we wanted? We must try to say how, and how far, we have the means to do this.

CLINIAS Of course.

ATHENIAN I'll state the view we hold: luxury makes the characters of the young peevish, irritable and violently stirred by trifles; while its opposite, harsh and savage subjugation, by making them abject, servile and misanthropic, renders them unfit to live with others.

CLINIAS [791e] Then how should the city as a whole raise those who don't yet understand speech and can't yet taste any other kind of education?

ATHENIAN Something like this. Every creature that's born is used to giving voice with a cry right away, and not least the human race; and besides crying out, it's more given to weeping than the others.

CLINIAS Certainly.

ATHENIAN Now nurses, looking to see what a baby wants, judge [792a] by these very signs when they offer it things. If it falls silent when something is offered, they think they're offering the right thing; if it cries and screams, the wrong one. So for infants, the way of showing what they love and what they hate is crying and screaming—hardly happy signs. And this period lasts no less than three years, not a small part of life to spend badly or not badly.

CLINIAS You're right.

ATHENIAN Doesn't it seem to you both that someone sour-tempered and never cheerful [792b] is plaintive and, as a rule, fuller of complaints than a good man ought to be?

CLINIAS It seems so to me, at any rate.

ATHENIAN Well then, if someone tried during those three years, using every possible device, to make sure that our child

would have as little experience as possible of pain and fear and every kind of distress, don't we suppose that he would then make the child's soul more good-humored and cheerful?

CLINIAS Obviously, stranger—and especially if he provided it with lots of [792c] pleasures.

ATHENIAN There I could no longer go along with Clinias, my remarkable friend. In our view that sort of treatment is the worst corruption of all, since it always comes at the very beginning of upbringing. But let's see whether we're talking sense.

CLINIAS Tell us what you mean.

ATHENIAN That the question we two are now discussing is no small one. You look into it too, Megillus, and help judge between us. My argument says that the right life should neither pursue pleasures nor, on the other hand, [792d] avoid pains altogether, but should embrace the middle itself—what I just now called being cheerful, the disposition that all of us, following some oracular saying, aptly ascribe to the god as well. It's this condition, I say, that whoever among us means to be godlike must pursue: not throwing himself headlong at pleasures—since that won't free him from pains either—nor letting anyone else, old or young, male or female, suffer this, and least of all, as far as possible, [792e] the newborn. For it's then that a person's whole character is most decisively implanted in everyone, through habit.[2] And I'd go further—if I weren't going to seem to be joking—and say that women carrying a child should be cared for more than any other women during that year, so that the expectant mother won't indulge in many wild pleasures, or in pains either, but will live through that time valuing cheerfulness, kindliness and gentleness.

CLINIAS [793a] You don't need to ask Megillus, stranger, which of us two has spoken more correctly. I grant you myself that everyone must avoid a life of unmixed pain or unmixed pleasure and

2 *Hileōs*, "cheerful," is also the word for a god who is gracious and well-disposed.

always steer a middle course. So you've spoken well, and heard a good answer too.

ATHENIAN Quite right, Clinias. Now let the three of us think about this next point.

CLINIAS What point?

ATHENIAN That all these things we're going through now are what most people call unwritten customs; and what they call ancestral [793b] laws are nothing other than all such things together. What's more, the argument that poured over us just now—that we should neither call these things laws nor leave them unspoken—was well said. For these are the bonds of every constitution, standing between all the laws that have been laid down in writing and are in force and those still to be laid down, just like ancestral and wholly ancient customs. Well established and well ingrained, they keep the laws written at any time [793c] wrapped in complete security; but if they step out of line and go wrong, they're like the props in builders' houses that slip out from the middle: they make everything collapse together, one part lying under another—the props themselves and all that was later built well on top of them—once the ancient foundations have given way. With all this in mind, Clinias, we must bind your city, new as it is, together at every point, omitting as far as possible nothing, large or small, of what [793d] people call laws or customs or practices. For a city is bound together by all such things, and neither kind is lasting without the other. So we shouldn't be surprised if a flood of customs or habits, many of them seemingly small, makes our laws longer.

CLINIAS You're right, and that's how we'll think of it.

CHILDREN'S GAMES AND GYMNASTICS

Children play together at village temples, learn to use both hands, and train in dancing and wrestling.

ATHENIAN Up to the age of three, then, [793e] for boy and girl alike, if someone carries this out precisely and follows what's

been said with more than passing attention, it would be of no small benefit to the newly raised. At three, four, five and even six years old, the character of the soul will need play; but by now we must draw them away from luxury by punishing them—not in a way that shames them. Rather, just as we said about slaves, that one must neither punish them with insolence, and so make those punished angry, 794a nor leave them unpunished and pampered, the same must be done with free children too. Children of that age have games that come naturally to them, which they pretty much discover for themselves whenever they get together. All the children of that age, from three to six, should now gather at the temples in each village, the children of each village together in one place. The nurses should still look after the good behavior or unruliness of children that age; and over the nurses themselves and the whole herd, one of the twelve 794b women should be appointed to each group to keep order for a year—whichever of those mentioned earlier the guardians of the laws appoint. These women are to be chosen by the women in charge of supervising marriages, one from each tribe, of their own age. The one appointed shall carry out her office by going to the temple every day and always punishing anyone who does wrong. A slave or a foreigner, male or female, she shall punish herself, through some of the city's public slaves; but a citizen 794c who disputes the punishment she shall bring to trial before the city wardens, while if the citizen doesn't dispute it, she shall punish him herself as well. After the age of six the sexes should be separated—boys spending their time with boys, and girls likewise with each other—and both should turn to lessons: the males to teachers of riding, archery, javelin-throwing and slinging; and the females too, if it's somehow agreed, at least 794d as far as learning them goes, especially what concerns the use of arms. For the current practice in such matters is misunderstood by nearly everyone.

CLINIAS What's that?

ATHENIAN That our right and left sides are supposedly different by nature in their usefulness for each kind of action, as far as

the hands are concerned—though in the feet and lower limbs there appears to be no difference for exertion. But 794e in our hands each of us has been made lame, so to speak, by the folly of nurses and mothers. For although nature makes the two limbs more or less equal in strength, we ourselves have made them different through habit, by not using them properly. In tasks where it doesn't make much difference—holding the lyre in the left hand and the plectrum in the right, and so on—it doesn't matter at all. But to take these as examples and use our hands that way in other things where we shouldn't 795a is close to folly. The custom of the Scythians shows this. They don't only push the bow away with the left hand and draw the arrow toward them with the right, but use either hand alike for both. And there are a great many other examples like this, in chariot-driving and elsewhere, from which one can learn that those who make the left side weaker than the right are going against nature. As we said, with plectra of horn 795b and instruments like that it's no great matter. But when iron weapons have to be used in war, it makes a great difference—bows and javelins and each of these—and by far the greatest when arms have to be used against arms. And the man who has learned is vastly superior to the man who hasn't, and the trained to the untrained. Someone fully trained in the pancratium, or boxing, or wrestling isn't unable to fight from his left side; he doesn't limp and stumble along awkwardly when someone 795c shifts him over to the other side and forces him to work there. In just the same way, I think, one must rightly expect in the use of arms and in everything else that anyone who possesses a double set of limbs, with which to defend himself and attack others, should leave none of them idle or untrained, as far as he can. And if someone were born with the nature of Geryon, or even of Briareus, he ought to be able to throw a hundred missiles with his hundred hands.[3] The supervision of all this 795d must lie with officials, women and men: the women overseeing games and nurture, the men lessons—so that all the boys and girls grow up sound of foot and

3 Geryon was a three-bodied giant, and Briareus a giant with a hundred hands.

sound of hand and, as far as possible, do their natures no harm through their habits.

The lessons, one might say, would turn out to be of two kinds: those concerned with the body belong to gymnastics, and those for good spirit to music. Gymnastics in turn has two parts: 795e dancing and wrestling. Of dancing, one kind imitates the diction of the Muse, preserving dignity and freedom together; the other, for the sake of fitness, agility and beauty, aims at the proper bending and stretching of the body's own limbs and parts, giving each of them its own well-rhythmed movement, spread through and accompanying the whole dance as it should. And 796a in wrestling, the tricks that Antaeus or Cercyon devised in their arts out of a useless love of winning, or Epeius or Amycus in boxing, are of no use in the partnership of war and don't deserve to be dignified with a description. But what comes from upright wrestling—working the neck, hands and sides free, practiced with the will to win and with steady footing, with graceful strength and for the sake of health—this is useful for everything and must not be left out. When we reach this point in the laws, we must prescribe to learners and 796b teachers alike that the teachers should give all such things generously and the learners receive them gratefully. Nor should we leave out the fitting imitations to be performed in the choruses: here, the armed games of the Curetes; in Sparta, those of the Dioscuri.[4] And then our own Maiden and Mistress, delighting in the play of choral dance, didn't think she should amuse herself with empty hands, 796c but danced it through adorned in full armor. It would be altogether fitting for boys and girls alike to imitate this, honoring the goddess's gift, both for use in war and for the sake of festivals. And boys, from early on and for as long as they haven't yet gone to war, should always be equipped with arms and horses when they hold processions and parades for all the gods, making their supplications to the gods 796d and to the children of gods

4 Antaeus and Cercyon were legendary wrestlers, and Epeius and Amycus legendary boxers; the Curetes danced in armor around the infant Zeus in Crete, and the Dioscuri (Castor and Pollux) were honored at Sparta.

at a quicker or slower pace, in dances and on the march.[5] And contests and preliminary contests, if any are to be held, should be held for no other purpose than these. For these are useful in peace and in war, both for public life and for private households; whereas other bodily exertions, games and serious pursuits are unfit for free people, Megillus and Clinias.

The gymnastics that I said in our first discussions we needed to go through, I've now more or less gone through, and here it is, complete. If either of you has anything better than this, put it [796e] before us all and tell us.

CLINIAS It isn't easy, stranger, to set this aside and have anything better to say about gymnastics and competition.

ATHENIAN Then what comes next is the gifts of the Muses and Apollo. Back then we thought we'd covered all of it, and that only gymnastics was left. But now it's clear what remains, and that it must be said first of all. So let's discuss it next.

CLINIAS Yes, we certainly must.

SONGS AS LAWS

Games, songs and dances must never change, so every melody is consecrated and treated as law.

ATHENIAN [797a] Listen to me, then—though you've heard it before, in our earlier discussions. All the same, one must be very wary of anything extremely strange and unfamiliar, whether speaking or listening—and especially now. I'm going to put forward an argument that isn't safe to state; still, I'll take courage somehow and not shrink from it.

CLINIAS What argument do you mean, stranger?

ATHENIAN I say that in every city everyone has failed to realize that the kind of games children play has the most decisive effect on legislation—on whether the laws laid down will last or not. When this is regulated, [797b] and ensures that the same children

5 Athena, who was said to have danced the war dance in full armor.

always play the same games in the same way and by the same rules, and take pleasure in the same toys, it lets the laws that are seriously established stay undisturbed as well. But when these very games are shifted about and made new, always undergoing further changes, and the young never call the same things pleasing, and there's no settled, agreed standard of what's graceful and what's graceless, whether in the postures of their own bodies or in their other equipment—when instead the one [797c] who is always innovating and bringing in something different from the usual, in postures and colors and everything of that sort, is held in special honor—then we'd be quite right to say that a city has no greater plague than this person. For without anyone noticing he changes the characters of the young, making the old contemptible among them and the new esteemed. And I say, once more, that for all cities there is no greater harm than this way of talking and thinking. Listen to how great an evil I claim it is.

CLINIAS [797d] You mean the disparaging of antiquity in cities?

ATHENIAN Exactly.

CLINIAS Well, you'll find us no poor audience for that argument, but as sympathetic a one as possible.

ATHENIAN So I'd expect.

CLINIAS Just go on.

ATHENIAN Come, then: let's listen to it more attentively than we listen to ourselves, and put it to one another like this. We'll find that change, in everything except what's bad, is by far the most dangerous thing—in all the seasons, in the winds, in bodily regimens, in the characters [797e] of souls—in everything, one might say, not in some things and not in others, except, as I said just now, in what's bad. So if one looks at bodies, one sees how they become accustomed to all sorts of foods and drinks and exertions. At first they're upset by them; then in time, out of these very things, they grow flesh that's suited [798a] to them, and, having become fond of, used to and familiar with this whole regimen, they live in the best way for pleasure and health. And if ever someone is forced to change again to any other regimen,

however well regarded, at first he's thrown into disorder by illnesses and only with difficulty recovers, once he has become used to his food again. We must suppose that the same thing happens with people's thoughts and with the natures of their souls. Whatever laws people have been brought up under, if by some divine [798b] good fortune these have remained unchanged over long ages, so that nobody has any memory or report of their ever having been otherwise than they are now, then the whole soul reveres and fears changing any of the things that are established. The lawgiver must think up some device, from wherever he can, by which this will come about in his city. And here's how I find it can be done. Everyone thinks, as we were saying earlier, that when the games of the young are changed they really are just games, and that no very serious consequence [798c] or harm comes of it. So people don't discourage the changes but give way and go along with them. They don't reckon that the children who innovate in their games are bound to grow into men different from the children before them; that being different, they'll look for a different life; and that having looked for it, they'll desire other practices and laws. And after that none of them fears the coming of what we were just calling the greatest evil for cities. [798d] Now changes in other matters—those that affect outward forms—would do lesser harm; but frequent shifts in what is praised and blamed in characters would, I think, be the most serious of all, and need the greatest caution.

CLINIAS Of course.

ATHENIAN Well then? Do we trust our earlier arguments, where we said that everything to do with rhythm and music as a whole consists of imitations of the characters of better and worse people? [798e] Or what?

CLINIAS No, our view on that couldn't be any different.

ATHENIAN Then, we say, we must use every possible device to ensure that our children neither desire to take up other imitations in dances or songs, nor are persuaded to by anyone offering them all sorts of pleasures?

CLINIAS Quite right.

ATHENIAN 799a Does any of us have a better method for this than the Egyptians?

CLINIAS What method do you mean?

ATHENIAN Consecrating every dance and every melody. We should first fix the festivals, working out for the year which ones should take place, at what times, and in honor of which gods, children of gods and spirits; and then which song should be sung at each sacrifice to the gods, and with what choral dances to honor that particular 799b sacrifice. Certain people should first fix these; and whatever has been fixed, all the citizens together, after sacrificing to the Fates and all the other gods, should consecrate with libations, each song to each of the gods and other powers. If anyone introduces other hymns or choral dances for any god contrary to these, the priests and priestesses, together with the guardians of the laws, shall exclude him, as religion and law allow; and if the one excluded doesn't willingly accept his exclusion, he shall be liable for the rest of his life to a prosecution for impiety by anyone who wishes.

CLINIAS Right.

ATHENIAN 799c Now that we've reached this point in the argument, let's do what's fitting for men like us.

CLINIAS What do you mean?

ATHENIAN Any young man, let alone an old one, on seeing or hearing anything strange and quite unfamiliar, would never rush straight in and agree to what puzzles him about it. He'd stop, as if he'd come to a crossroads and didn't know the way very well, whether he happened to be traveling alone or with 799d others; he'd put the difficulty to himself and to the others, and he wouldn't set off until he had somehow made sure, by examining it, where the road leads. And we should do the same now. Since a strange argument about laws has cropped up, we certainly have to examine it thoroughly, and not, at our age, lightly

insist that we can say anything definite about such important matters on the spot.

CLINIAS Very true.

ATHENIAN 799e So we'll give this time, and confirm it once we've examined it adequately. But so that we aren't prevented for nothing from completing the arrangement that follows on from the laws before us now, let's go on to their end. Perhaps, god willing, this whole exposition, once it has reached its end, may also sufficiently reveal what's now puzzling us.

CLINIAS Excellent, stranger. Let's do as you say.

ATHENIAN Let's take it as agreed, then, strange as it is, that our songs have become laws—*nomoi,* which seems to be just the name the ancients gave to songs for the lyre. So perhaps 800a they too weren't entirely far from what we're now saying; one of them may have divined it, as it were, in a dream while asleep, or in a vision while awake. Anyway, let this be our decree about it: no one is to sing a note, or move in the dance, contrary to the public and sacred melodies and the whole choral performance of the young, any more than contrary to any other of the laws. Whoever complies shall go free of penalty; whoever disobeys, as was said just now, shall be punished by the guardians of the laws 800b and the priestesses and priests. Shall we let this stand as settled in our discussion for now?

CLINIAS Let it stand.

ATHENIAN Then how could someone legislate about these things without being utterly ridiculous? Let's look further at this point about them. The safest thing is first to shape some models for them, so to speak, in our discussion. One of these models, I'd say, is something like this. When a sacrifice has been made and the offerings burned according to law, if someone's son or brother, say, standing privately beside the altars and 800c offerings, were to utter every kind of blasphemy, wouldn't we say that his words would fill his father and the rest of his family with dismay and evil foreboding and presentiment?

CLINIAS Of course.

ATHENIAN Well, in our part of the world this happens in practically all cities, one might say. When some magistrate performs a public sacrifice, afterward not one chorus but a whole crowd of choruses arrives, and standing not [800d] far from the altars, sometimes right beside them, they pour every sort of blasphemy over the sacred offerings, working up the souls of their listeners with words and rhythms and the most mournful modes; and whoever makes the city that has just sacrificed weep the most carries off the prize. Shouldn't we vote this custom down? And if the citizens do ever need to listen to lamentations like these, on days that are not pure but ill-omened, then it would be better for [800e] choruses hired from abroad to come and sing—like the hired mourners who escort the dead with a kind of Carian music. Something like that would be fitting for such songs too. And as for costume, crowns and gilded ornaments would hardly suit funeral songs, but just the opposite—to finish with this subject as quickly as I can. But I ask us again just this much: shall we settle on this as our first model for songs?[6]

CLINIAS What?

ATHENIAN Words of good omen: shall our songs, as a whole class, be of good omen [801a] in every way? Or shall I not even ask, but simply lay this down?

CLINIAS By all means lay it down. This law wins by every vote.

ATHENIAN What would be the second law of music, after words of good omen? Isn't it that there should be prayers to the gods to whom we sacrifice on each occasion?

CLINIAS Of course.

ATHENIAN And the third law, I think: the poets must understand that prayers are requests made to the gods, and so they must [801b] take great care never to ask for something bad as if it

6 Caria, in southwest Asia Minor, was known for its hired mourners and dirges.

were good without realizing it. That would be a ridiculous thing to happen, I think, if such a prayer were made.

CLINIAS Of course.

ATHENIAN Now weren't we persuaded by our argument a little while ago that no wealth of silver or gold should be established and dwell in the city?

CLINIAS Certainly.

ATHENIAN Then what should we say that argument was meant to illustrate? Isn't it this: that the tribe of poets as a whole isn't 801c fully capable of recognizing what's good and what isn't? So if a poet composes something with this mistake in it—prayers that aren't right—whether in words or in melody, he'll make our citizens pray for the opposite of what they should in the most important matters; and, as we were saying, we won't find many mistakes greater than that. Shall we lay this down, then, as one of our laws and patterns for music?

CLINIAS What exactly? Tell us more clearly.

ATHENIAN That the poet shall compose nothing contrary to what the city holds lawful and just, 801d or fine, or good; and that he may not show what he has composed to any private person before it has been shown to the judges appointed for these matters and to the guardians of the laws, and has won their approval. And they have more or less been appointed already: those we chose as lawgivers for music, and the director of education. Well? As I keep asking, shall this stand as our third law, pattern and model? Or how does it seem to you?

CLINIAS Let it stand, of course.

ATHENIAN 801e After these, hymns to the gods and praises combined with prayers would most rightly be sung; and after the gods, likewise, prayers with praises would be offered to spirits and heroes, as befits each of them.

CLINIAS Of course.

ATHENIAN After this, the following law could at once be passed without any grudging: it would be fitting for those citizens who

have reached the end of their lives, having accomplished fine and strenuous deeds of body or of soul and been obedient to the laws, to receive praises.

CLINIAS Of course.

ATHENIAN 802a But it isn't safe to honor people who are still alive with praises and hymns, until someone has run through his whole life and crowned it with a fine end. And all this should apply equally to men and to women who have clearly proved themselves good. The songs and dances should be established as follows. There are many fine old compositions in music by the men of old, and dances for the body likewise, from which there's no objection to choosing what's fitting and suitable for the 802b constitution we're establishing. We should elect examiners of these, no younger than fifty, to make the selection. Whatever of the old compositions seems adequate they should admit; whatever falls short or is altogether unsuitable, they should either reject entirely or go over again and rework, calling in poets and musicians and making use of their poetic abilities, 802c but not entrusting anything to their pleasures and desires, except in a few cases. They should explain the lawgiver's intentions to them, and so arrange dance, song and all choral performance as far as possible in keeping with his mind. Any musical pursuit that was disorderly and has been given order is ten thousand times better, even when the sweet Muse isn't served up with it; pleasure is common to them all. For if someone spends his life from childhood up to a steady and sensible age with music that's moderate and ordered, 802d then when he hears the opposite kind he hates it and calls it unworthy of a free person; while if he's been brought up on the popular, sweet kind, he says the kind opposed to it is cold and unpleasant. So, as was said just now, where pleasure or unpleasantness is concerned neither has the advantage over the other; but beyond that, the one always makes those raised in it better, and the other worse.

CLINIAS Well said.

THE GODS' PLAYTHINGS

Human beings are the gods' playthings; schooling is compulsory, and girls train like boys.

ATHENIAN Further, it would presumably be necessary to separate the songs suitable for females from those for males, 802e marking them off by some pattern, and to fit them to modes and rhythms as well. For it's terrible for a whole melody to be out of tune, or a rhythm out of time, when one gives songs none of the features that suit each of them. So we must legislate the outlines of these too. Both sexes must be given songs that are held fast by both of these; but the women's must be distinguished by the very difference between the two natures. So what is grand and inclines toward courage must be declared manly, while what tends rather toward orderliness and moderation must be handed down, in both law and argument, as more feminine. This, then, is one kind of 803a arrangement. Next let's discuss the teaching and transmission of these things themselves: how, to whom and when each of them should be done. A shipwright, when he lays the foundations of his craft, first lays down the keels and sketches the shapes of the vessels; and I seem to myself to be doing the same thing, trying to distinguish the shapes of lives according to the characters of souls—truly laying down their keels, 803b and rightly considering by what means and in what ways of life we'll best be carried through this voyage of life. Human affairs aren't worth great seriousness; yet we do have to be serious about them—and that's our misfortune. But since we're where we are, perhaps it would suit us if we could go about it in some fitting way. But what on earth do I mean? Perhaps someone might pick me up on this very point, and rightly.

CLINIAS 803c Certainly.

ATHENIAN I say that one should be serious about what's serious, and not about what isn't; that by nature god is worthy of all blessed seriousness, while a human being, as we said earlier, has been fashioned as a kind of plaything of god—and that this

really is the best thing about him. So every man and woman should go along with this role and live their lives playing the finest games, thinking the opposite of what they think now.

CLINIAS 803d How so?

ATHENIAN At present people think, I suppose, that serious things should be done for the sake of play. They believe that matters of war, being serious, must be handled well for the sake of peace. But in war, it turns out, there neither is nor ever will be, by nature, either play or education worth speaking of for us —and that is what we say is most serious for us. Each person must spend as much of his life as he can, and as well as he can, in peace. What, then, 803e is the right way?[7] One must live one's life playing certain games—sacrificing, singing and dancing—so as to be able to make the gods gracious to oneself, and to ward off enemies and defeat them in battle. What sorts of songs and dances will achieve both these ends has been outlined in our patterns; the paths, so to speak, along which we must go have been cut, and we can expect the poet to be right when he says: 804a "Telemachus, some things you'll think of yourself, in your own mind, and others a divine power will prompt; for I don't think you were born and raised without the gods' goodwill."[8] Our charges too must think the same way: that what's been said has been said sufficiently, and that the spirit and the god will prompt them on the rest—about sacrifices 804b and choral dances, to which gods and when they should play before each, and seek their favor—and so they'll live out their lives in keeping with their nature, being puppets for the most part, with only a small share of truth.

MEGILLUS You really do make the human race out to be worthless, stranger.

ATHENIAN Don't be surprised, Megillus—forgive me. I was looking toward the god, and felt what I felt when I said what I've just

7 In Greek, "play" (*paidia*) and "education" (*paideia*) are closely related words.
8 Athena, disguised as Mentor, speaks these lines to Odysseus' son in Homer's *Odyssey*.

said. Well, let our race be not worthless, if you like, but worth 804c some seriousness.

Next: we've spoken already of buildings for gymnasia and public schools in three places in the middle of the city, and outside, around the town, again in three places, of training grounds and open spaces for horses, laid out for archery and other shooting at long range, for the young to learn and practice in. If they weren't adequately described then, let them be described now, in our argument and in our laws. In all these places there are to be teachers for each subject, foreigners living there, won over 804d by pay, who will teach those who attend all the lessons that concern war and all those that concern music. And it's not to be a matter of attending if the father wishes, and giving up education if he doesn't; rather, as the saying goes, "every man and boy," as far as possible, must be educated compulsorily, since they belong to the city more than to their parents. And my law would say all the same things about females as 804e about males: that the females must train on an equal footing. I'd say it without any fear: neither riding nor gymnastics is something fitting for men but not for women. I'm persuaded of this by old stories I've heard; and at present, I know, there are countless thousands, so to speak, of women around the Black Sea—they're called Sauromatians— 805a for whom sharing in horses, and in bows and other arms as well, is prescribed on equal terms with the men and practiced equally.[9] Besides this, I reason about the matter as follows. I say that if these things can happen in this way, then what's done in our part of the world now is the most foolish thing of all: that men and women don't all pursue the same things together, with all their strength. For in this way almost every city is, and becomes, half a city instead of double, from the 805b same outlay and effort. And yet that very thing would be an astonishing mistake for a lawgiver to make.

CLINIAS It seems so. Yet a great deal of what's being said now, stranger, goes against our customary constitutions. But you said

we should let the argument run its course, and only when it had been properly gone through should we choose what seemed best; that was very aptly said, and it's made me rebuke myself now for having said what I did. [805c] So go on and say whatever you like next.

ATHENIAN What I'd like, Clinias, is what I said before: if it hadn't been adequately proved by facts that these things can happen, there might perhaps be something to say against the argument. As it is, anyone who refuses to accept this law at all will have to look for some other objection; and our exhortation on this point won't be silenced—we'll keep saying that the female sex must share with the male as fully [805d] as possible in education and everything else. And in fact one ought to think about it roughly like this. Look: if women don't share the whole of life in common with men, won't there have to be some other arrangement for them?

CLINIAS There will have to be.

ATHENIAN Then which of the arrangements now on display would we rank ahead of the partnership that we're now prescribing for them? The one by which the Thracians and many other [805e] peoples use their women—to farm, to herd cattle and sheep, and to serve, no differently from slaves? Or the way we do it, and everyone in our region? For at present this is how things are done with us: we gather all our goods, as the saying goes, into one dwelling and hand them over to the women to manage, and put them in charge of the shuttles and all the wool-working. Or shall we name the one in between, Megillus— [806a] the Spartan way? That girls should live taking part in gymnastics and music alike; that women, while free from wool-working, should weave themselves a life of exercise that's by no means trivial or cheap, and should arrive at a kind of middle position in looking after the household, managing its stores and raising children, but without taking part in military affairs? So that even if they ever

9 The Sauromatians (Sarmatians) were a nomadic people north of the Black Sea, whose women rode and fought.

had to fight for their city and children, they wouldn't be able to share in using bows with skill, as some 806b Amazons do, or any other missile; nor could they take up shield and spear and imitate the goddess, standing nobly against the enemy as their homeland was being sacked, and so at least strike fear, if nothing greater, into the enemy by being seen drawn up in a battle-line. Living this way, they wouldn't dare imitate the Sauromatian women at all; next to these women, the Sauromatians' 806c women would look like men. So let anyone who wants to praise your lawgivers for this praise them; but my own view couldn't be put any other way. The lawgiver should be complete, not half a lawgiver: he shouldn't let the female sex live in luxury and spend money in a disordered way of life while taking care of the male, and so leave the city little more than half a fully happy life instead of double.

MEGILLUS What are we going to do, Clinias? Are we going to let our stranger make a raid on Sparta like this?

CLINIAS 806d Yes. We've given him the freedom to speak his mind, so we have to let him, until we've gone through the laws thoroughly in every respect.

MEGILLUS You're right.

ATHENIAN Then isn't it more or less my job now to try to explain what comes next?

CLINIAS Of course.

ATHENIAN What sort of life, then, would people have if their necessities had been provided for in moderation, if the crafts had been handed over to others, and if their farms had been leased out 806e to slaves who paid them a share of the produce of the land sufficient for people living in an orderly way? Suppose common meals had been set up—the men's separately, and close by those of their households, the girls together with their mothers—and that officials, men and women, had been charged with dismissing each of these common meals every day, after watching and observing how the diners conducted themselves; and that afterward 807a the official and the rest poured libations

to whichever gods that night and day happened to be dedicated to, and then, in keeping with this, went home? For people living in this orderly way, is there no necessary and wholly fitting work left to do? Must each of them live like a fattening beast? We say that is neither just nor fine, nor can someone who lives that way escape what he deserves; and what a lazy animal 807b fattened in idleness deserves is, more or less, to be torn apart by another animal, one of those worn lean by courage and hard toil together. Now, to bring this about with full precision, as we are seeking to do even now, would perhaps never happen as long as women and children and houses are private, and everything of that sort is arranged privately for each of us. But if the second-best arrangement, the one we are now describing, 807c were to come about for us, it would turn out quite reasonably well. And we say that people who live this way are left with a task that is not the smallest or the meanest, but the greatest of all, assigned to them by a just law. For compared with the life that reaches for victory at the Pythian and Olympic games, and leaves no leisure for any other work at all, the life devoted to the thorough care of the body, and of the soul for virtue—the life we have described, 807d and described most rightly—is filled with twice as much lack of leisure, and far more still. No side business should be allowed to get in the way of the other tasks: those that give the body its due of exercise and food, and the soul its due of learning and habits. For someone doing just this, practically every night and day together is not enough to get from them what is complete and sufficient. Since this is how things are by nature, all the free citizens must have a schedule for how they spend the whole of their time, beginning 807e roughly at dawn and running on without a break until the next dawn and sunrise. Now a lawgiver would look undignified if he said a great deal, in fine detail, about the running of households—including the rules about wakefulness at night that befit people who are to guard a whole city carefully and without letup. For any citizen whatever to sleep through any whole night, and not to be seen by all his servants always to be the first to wake 808a and get up—this must be

held by everyone to be shameful and unworthy of a free man, whether we ought to call such a thing a law or a custom. In particular, for the mistress of a house to be woken by her maids, instead of being the first to wake the others herself, is something the male and female slaves and the children must call shameful among themselves—and, if it were possible, the whole house, every bit of it. And when they get up at night, everyone must 808b attend to a good part of their public and household business: officials throughout the city, mistresses and masters in their own houses. A great deal of sleep, you see, is not by nature suited to our bodies or our souls, or to the activities concerned with all of these. Someone asleep is worth nothing, no more than someone who isn't alive. Whoever among us cares most about being alive and thinking stays awake 808c as long as he can, keeping back only what is useful for his health—and that isn't much, once it has become a good habit. Officials who stay awake at night in cities are a terror to bad people, enemies and citizens alike; they are admired and honored by the just and moderate, and useful both to themselves and to the whole city.

A night spent in this way, besides everything that has been said, would also give a certain courage to the souls of all 808d the people in the cities. When day and dawn come round again, the children, I suppose, should go off to their teachers. Neither sheep nor any other creature should ever live without a shepherd, nor children without attendants, nor slaves without masters. Of all wild creatures the child is the hardest to handle: precisely because it has a spring of reason that has not yet been brought under discipline, it becomes the most scheming, sharp, and unruly of creatures.[10] That is why 808e it has to be held in check by many bridles, so to speak: first, once it has left its nurses and mothers, by attendants, to manage its childishness and infancy; then by teachers of every kind and by lessons, as befits a free person. But as one would a slave, any free man who happens upon them should punish the child himself, and the

10 The attendants (paidagōgoi) were household slaves who escorted children to school and looked after them.

attendant and the teacher too, if any of them does something wrong. And if someone who happens upon them does not punish them as justice requires, first let him be subject to the greatest disgrace; and let the guardian of the laws 809a elected to take charge of the children keep an eye on this man who happens upon what we are describing and fails to punish when he should, or punishes improperly. And let him keep a sharp lookout for us, take exceptional care over the children's upbringing, and straighten out their natures, always turning them toward the good in accordance with the laws.

READING AND THE LYRE

Children learn letters and the lyre; this very conversation is the model text for the young.

ATHENIAN But how would our law itself give this man an adequate education? So far it has said nothing yet 809b clear or adequate, only some things and not others. As far as possible it must leave nothing out for him, but explain its whole account to him, so that he can be both an interpreter and a nurturer to the others. About choral performance, songs and dances, we have said what type must be chosen, corrected, and consecrated. But as for writings in prose, without meter—which ones, and how you are to use them with those in your care, my excellent director 809c of the children's education—that we have not yet said. Now, you have in our account what they must learn and practice for war. But as for letters, first, and second the lyre and arithmetic—of which we said each person must get as much as is needed for war, for managing a household, and for running the city; and in addition, for these same purposes, whatever is useful in the circuits of the divine bodies, the stars and the sun and moon, so far as every city has to regulate its affairs 809d by them—what are we talking about here? The ordering of days into the cycles of months, and of months into each year, so that the seasons and sacrifices and festivals, each receiving what is due to it by being conducted according to nature, may keep the city alive

and awake, render the gods their honors, and make people more intelligent about these things. All this, my friend, has not yet been adequately spelled out for you by 809e the lawgiver. So pay attention to what is going to be said next. We said that, first of all, you weren't adequately informed about letters. What fault were we finding in what had been said? This: that he hasn't yet made clear to you whether someone who is to be a decent citizen must go on to full precision in the subject, or not take it up at all; and likewise with the lyre. Well, we now say that they must take them up. For letters, about three years for a child of ten; for the lyre, a fair time to start is at thirteen 810a years of age, and to keep at it for another three. Neither the father nor the child himself, whether he loves learning or hates it, shall be allowed to spend more or less time than this on these subjects, contrary to law. Anyone who disobeys shall be excluded from the school honors, which we must speak of a little later. But what exactly the young must learn in these years, and what the teachers must teach—learn this 810b first. Letters, then, should be worked at up to the point of being able to write and read; but as for perfecting speed or beauty, we should let that go for those whom nature has not brought along quickly within the set years. Now as for the lessons without the lyre that authors have left in writing, some in meter and some without rhythmical divisions—compositions in plain speech alone, lacking rhythm and harmony—these are dangerous 810c writings that some of the many people of that sort have left us. Most excellent guardians of the laws, what will you do with them? Or what would the lawgiver be right to instruct you to do with them? I expect he'll be completely at a loss.

CLINIAS What's this, stranger? You seem to be talking to yourself, as if you really were at a loss.

ATHENIAN You've understood me correctly, Clinias. But to the two of you, my partners in this business of laws, I have to explain both what seems easy and what doesn't.

CLINIAS 810d Well? What is it about these matters, and what is troubling you, that makes you say this?

ATHENIAN I'll tell you. It's no easy thing to contradict many tens of thousands of mouths.

CLINIAS What? Do you think what we've said about laws so far runs counter to the many in only a few small points?

ATHENIAN That's very true. As I see it, you're urging me—since this same road has become hateful to many, though perhaps welcome to no fewer others; or if 810e fewer, at any rate not worse ones—you're urging me, with them on my side, to take the risk, be bold, and travel without slackening the road of legislation that our present discussion has cut.

CLINIAS Certainly.

ATHENIAN Then I won't slacken. What I say is this: we have a great many poets of hexameter verse, and of trimeters, and of every meter people speak of, some bent on seriousness and some on laughter. On these, say the countless voices, young people who are being correctly educated must be nourished and filled to the brim, made well-versed in hearing them read and 811a broadly learned by memorizing whole poets. Others pick out the main passages from all of them, gather certain whole speeches into one collection, and say these must be learned by heart and committed to memory, if anyone among us is to become good and wise through wide experience and wide learning. Are you telling me now to speak frankly and declare to these people what they say well and what they don't?

CLINIAS Of course.

ATHENIAN Then what one statement could I make about all of them 811b that would be adequate? I think something like this, which everyone would grant me: each of these poets has said many things well, and many things the opposite. And if that is so, I say that wide learning is a danger to children.

CLINIAS Then how, and what, would you advise the guardian of the laws?

ATHENIAN About what?

CLINIAS About what model he should look to when he 811c lets all the young learn some things and forbids them others. Tell us, and don't hold back.

ATHENIAN My good Clinias, I think I've had a stroke of luck, in a way.

CLINIAS How so?

ATHENIAN In not being entirely at a loss for a model. Just now, looking back at the discussion we have been having from dawn until now—not without some inspiration from the gods, as it seems to me—it struck me that it had been spoken altogether like a kind of poem. And perhaps it's not surprising that I felt 811d this way, and took great pleasure in looking over my own words gathered together, as it were. Of all the many discourses I have learned or heard, whether in poems or in loose prose like this, they struck me as the most measured of all, and the most fitting for the young to hear. So I couldn't, I think, describe a better model than this for the guardian of the laws who directs education. Let him urge the teachers to teach the 811e children these words, and what is connected with them and like them; and if he happens upon anything akin to these discussions as he goes through the poems of poets, or writings in prose, or even things simply spoken and never written down, he should on no account let it go, but have it written down. First he should compel the teachers themselves to learn and praise it; teachers who don't like it he should not take on as colleagues, but those who agree with him in praising it he should employ, and 812a hand the young over to them to teach and educate. Let my story end here, and in this way, as an account of schoolteachers and letters.

CLINIAS As far as our premise goes, stranger, I don't think we're straying outside the discussion we set ourselves. But whether we're getting the whole thing right or not is perhaps hard to say with confidence.

ATHENIAN That will become clearer, Clinias, most likely, when, as we have often said, we reach the end of our whole account of the laws.

CLINIAS 812b Right.

ATHENIAN Well then, after the schoolteacher, shouldn't we address the lyre teacher?

CLINIAS Certainly.

ATHENIAN Then as for the lyre teachers, I think that if we recall our earlier discussion we can assign them their proper share of teaching, and of all education in such matters.

CLINIAS What discussion do you mean?

ATHENIAN We said, I think, that the sixty-year-old singers of Dionysus must be exceptionally sensitive 812c to rhythms and to the construction of harmonies, so that, faced with imitation in melodies—well and badly imitated—when the soul is gripped by emotion, a person able to pick out the likenesses of the good soul and of its opposite may reject the one, and bring the other forward to sing it and cast its spell on the souls of the young, calling on each of them to follow along with him through the imitations toward the acquisition of virtue.[11]

CLINIAS Very true.

ATHENIAN 812d It is for these reasons, then, that the lyre teacher and his pupil must use the notes of the lyre, for the sake of the clarity of its strings, rendering note for note in unison with the voice. But as for heterophony and elaboration on the lyre—the strings playing one melody and the poet who composed the tune another—and indeed producing concord 812e and counterpoint of close intervals with wide, fast with slow, high with low, and likewise fitting all sorts of rhythmic intricacies to the notes of the lyre: none of this should be offered to those who have to pick up the useful part of music quickly, in three years. For opposites throw each other into confusion and make learning hard, and

11 The chorus of older men dedicated to Dionysus was introduced in Book II.

the young must learn as easily as possible, since the necessary subjects assigned to them are neither small nor few. The argument will show what they are as it proceeds in its own time. So let the director of education look after music for us in this way. As for the melodies themselves, and the words—what sort the chorus teachers should teach, and which— 813a this too has all been spelled out by us earlier: we said they must be consecrated, each fitted to its festival, and must benefit cities by bringing them a happy pleasure.

CLINIAS What you've spelled out there is true as well.

DANCE AND MILITARY TRAINING

Boys and girls learn armed dancing and fighting, and dance is divided into warlike and peaceful kinds.

ATHENIAN Very true. So let the official elected for music take this over from us and look after it, with good fortune smiling on him. We, meanwhile, should give an account of dancing and of all bodily gymnastics, in addition to what was said earlier. 813b Just as we gave the teaching side of music, which was still left, let's do the same for gymnastics. The boys and girls have to learn to dance and to exercise, don't they?

CLINIAS Yes.

ATHENIAN Then for the boys, dancing masters, and for the girls, dancing mistresses, would not be unsuitable for training them.

CLINIAS Let it be so.

ATHENIAN Then let's call once more on the man who will have the most business, 813c the director of the children's education: in charge of both music and gymnastics, he won't have much leisure.

CLINIAS But how will he manage to look after so much, as an older man?

ATHENIAN Easily, my friend. The law has given him the right, and will give it, to take on any citizens he wishes, men and

women, to help him in this supervision. He will know whom he needs, and he will want to make no mistakes in these matters, out of a sensible reverence 813d and an awareness of how great his office is, and bearing in mind that if the young have been and are being well brought up, everything sails on an even keel for us; and if not—well, it isn't fitting to say, and we won't say it about a new city, out of respect for those who set great store by omens. Now we have said a good deal about these things as well —about dances and about all gymnastic movement. For we count as gymnastics all the bodily training for war too: archery and every kind 813e of throwing, fighting with the light shield and every kind of fighting in heavy armor, tactical maneuvers, all the marching of armies and pitching of camps, and all the lessons that bear on horsemanship. For all these there must be public teachers, paid a salary by the city, and their pupils must be the boys and men of the city; and the girls and women must also have knowledge of all these things. As girls, they should have practiced all the dancing and fighting in armor; as women, they should have got a grasp of maneuvers 814a and battle order, and of grounding and taking up arms—if for no other reason, then so that, if it were ever necessary for the whole army to leave the city in full force and campaign abroad, those who stay behind to guard the children and the rest of the city would at least be capable of that much; or again, the opposite—and none of this can be sworn off—if enemies from outside, whether non-Greeks or Greeks, should break in with great strength and force and make it necessary to fight for the city itself. It would surely be a great fault 814b in a constitution for its women to have been brought up so shamefully that they would not even be willing, like birds fighting for their young against the strongest of beasts, to die and run every risk, but would rush straight to the temples, crowd every altar and shrine, and cover the human race with the reputation of being by nature the most cowardly of all creatures.

CLINIAS No, by Zeus, stranger. Quite apart from the harm, it would be anything but 814c seemly if that happened in a city.

ATHENIAN Then shall we lay down this law: that women must not neglect matters of war, at least to that extent, and that all the citizens, men and women alike, must attend to them?

CLINIAS I agree, at any rate.

ATHENIAN Now about wrestling, we have said some things; but the most important point, as I would put it, we haven't said, and it isn't easy to explain in words without demonstrating with the body at the same time. So 814d we'll decide about this when words, following on deeds, make something clear about the other points they have made—in particular, that of all movements this kind of wrestling is really by far the most closely related to fighting in war, and that one should practice it for the sake of war, not learn war for the sake of it.

CLINIAS That's well said.

ATHENIAN Then let what we have said up to now about the powers of the wrestling school stand. As for the other movement of the whole 814e body, the greater part of which one would rightly call a kind of dance, we should regard it as having two kinds: one imitates finer bodies and aims at the dignified, the other imitates uglier bodies and aims at the base. And each of these, the base and the serious, has in turn two further kinds. Of the serious, one belongs to fine bodies and a courageous soul caught up in war and violent struggle; the other to a moderate soul in prosperity and measured pleasures. Someone who called this second kind 815a of dance peaceful would be naming it according to its nature. The warlike kind, which is different from the peaceful, one might rightly call the pyrrhic. It imitates the ways of avoiding every blow and missile, by swerving, by giving ground in every way, by leaping clear, high or crouching low; and also the opposite movements, those that carry one into attacking postures, as it tries to imitate the shooting of arrows and javelins and blows of every kind. In these, when what is imitated is good bodies 815b and souls, uprightness and good tension—the limbs of the body mostly held straight—is accepted as correct, and the opposite as incorrect. The peaceful dance, for

its part, should be looked at with this in mind: whether each performer, in the choral performances that befit law-abiding men, keeps a correct hold on fine dancing, in keeping with nature, or not.[12] Now, first we must cut off the disputed kind of dance from 815c the undisputed. What is it, and where should we cut to separate the two? All the Bacchic dancing, and the dancing of those who follow in its train—who, they say, imitate drunken figures they call Nymphs and Pans and Sileni and Satyrs, while they carry out certain purifications and initiations —this whole class of dance is not easy to define as peaceful or warlike, or indeed by whatever it may be aiming at. But the most correct way to classify it, I think, is this: 815d set it apart from the warlike and apart from the peaceful, declare that this class of dance is not suited to citizens, leave it lying where it lies, and now go back to the warlike and peaceful kinds as undisputedly ours.[13] The class that belongs to the unwarlike Muse, of those who honor the gods and the children of the gods with dances, would make up one whole class, arising from a sense of faring well. We could divide it in two: 815e one kind belongs to those who have come through certain toils and dangers into good fortune, and has greater pleasures; the other belongs to times when the goods people already had are being preserved and increased, and has pleasures gentler than those. In such circumstances, I suppose, every human being moves his body more when his pleasures are greater, and less when they are smaller. The more orderly a person is and the better trained in courage, 816a the less he moves; while someone cowardly and untrained in moderation shows greater and more violent changes of movement. And in general, no one who is uttering sounds, whether in song or in speech, is quite able to keep his body still. That is why the imitation of what is said by means of gestures produced the whole art of dancing. Some of us move harmoniously in all this, others discordantly. 816b Now there are

12 The pyrrhic (pyrrhichē) was a war dance performed in armor.
13 Nymphs, Pans, Sileni and Satyrs were nature spirits, the latter two in the drunken train of Dionysus.

many other ancient names that, when we think about them, we should praise as well and naturally given, and one of them is the name for the dances of people who are faring well and are moderate in their pleasures. How rightly and musically, whoever he was, did he name them! He gave them all a name in keeping with reason, calling them *emmeleiai*, and so set up two kinds of fine dance: the warlike, the pyrrhic, and the peaceful, the *emmeleia*, giving each 816c its fitting and suitable name.[14] These the lawgiver must set out in outline, and the guardian of the laws must look for them. Once he has searched them out, he must combine dancing with the rest of music, and assign to each of the festivals and sacrifices what suits it. Having thus consecrated everything in order, he must from then on change nothing that has to do with dance or song, so that the same city 816d and citizens, going on in the same way with the same pleasures, and as alike as possible, may live well and happily.

COMEDY AND THE TRAGIC POETS

Comedy is left to slaves and foreigners; visiting tragedians are told the city itself is the truest tragedy.

ATHENIAN So we have finished with fine bodies and noble souls in choral performances of the kind we said they should be. But ugly bodies and ugly thoughts, and people who turn to comic performances aimed at laughter, making comedy in speech and song and dance and in the imitations of all these—these one must observe and come to know. For without the ridiculous one cannot learn the serious, nor any opposite without 816e its opposite, if one is to become wise; but one cannot do both, if one is to have even a small share of virtue. Rather, one must learn them for this very reason: so as never, through ignorance, to do or say anything ridiculous when there is no need. Such imitations should be assigned to slaves and hired foreigners. There must never be any serious concern with them whatever, no free per-

14 Emmeleia means literally "being in tune"; it echoes the word translated "harmoniously" just above.

son, woman or man, should be seen learning them, and there should always be something new about these imitations. So as for the amusements concerned with laughter, which we all call 817a comedy, let them be settled in this way by our law and our account. But as for the serious poets, as they are called, those concerned with tragedy—suppose some of them come to us one day and ask something like this: "Strangers, are we to visit your city and country or not? Are we to bring our poetry along with us, or what have you decided to do about such things?" What would be the right answer to give these divine men? 817b For my part, I think we should say this: Most excellent of strangers, we are ourselves poets of a tragedy, the finest and best we can make. Our whole constitution has been built as an imitation of the finest and best life, and that, we say, is truly the truest tragedy. So you are poets, and we too are poets of the same things, your rival artists and rival competitors in the finest drama—which only true law can by nature bring to completion, 817c or so we hope. So don't imagine that we will ever so easily let you set up your stages in our marketplace, bring in your fine-voiced actors who speak louder than we do, and allow you to harangue children and women and the whole crowd, saying things about the same practices that are not the same as what we say, but for the most part the opposite. For we would be practically out of our minds, 817d completely so—we and any city at all that let you do what we are now describing before the officials had judged whether what you have composed is fit to be spoken and suitable for public performance or not. So now, children and offspring of the soft Muses, first show your songs to the officials alongside ours. If what you say appears to be the same as ours, or even better, we will give you a chorus; but if not, my friends, we never could. 817e [15]

Let these, then, be the customs laid down by law concerning all choral performance and the learning of it—those for slaves on one side, those for masters on the other—if you agree.

15 To "give a chorus" was to admit a poet's work to a public festival, with a chorus provided at public expense.

CLINIAS How could we not agree, as things stand now?

ARITHMETIC, GEOMETRY AND ASTRONOMY

Everyone learns some mathematics, including incommensurable magnitudes and the true, regular motions of the planets.

ATHENIAN There remain, then, three subjects for the free: calculation and numbers make one subject; the measurement of length, surface, and depth, taken as one, is a second; and the third concerns the revolution of the stars, how they are by nature 818a carried in relation to one another. All of these need to be worked through with precision not by the many but by a certain few—who they are we shall say as we go on, near the end, since that would be the fitting place. For the multitude, there are the parts of these subjects that are necessary, of which it is said, and rightly in a sense, that it is shameful for the many not to know them, though to pursue everything with precision is neither easy nor possible at all. But what is necessary in them cannot be thrown away. 818b It seems that the man who first coined the proverb about the god had these things in view when he said that not even a god will ever be seen fighting against necessity—the necessities that are divine, I mean. For if we take it of the human ones, which most people have in view when they quote the saying, it is by far the most foolish saying there is.[16]

CLINIAS Then what are these necessities in the subjects, stranger, that are not of that kind but divine?

ATHENIAN I think they are the ones that someone who had never practiced or learned them at all 818c could never become a god or spirit or hero to human beings, able to take serious care of them. And a human being would be very far from becoming divine if he couldn't recognize one, two, or three, or odd and even at all, if he had no idea how to count, if he couldn't even reckon up night and day, and if he were unacquainted with the

16 The saying is attributed to the poet Simonides.

revolutions [818d] of the moon and sun and the other stars. So to think that all these are not necessary subjects for someone who is going to know practically any of the finest subjects is sheer folly. But what each of them is, how much of it is to be learned and when, which with which and which apart from the others, and the whole way they are combined—these are the things one must first grasp correctly, and then go on to learn the rest, with these subjects leading the way. For this is how necessity has taken hold by nature—the necessity which, [818e] we say, no god is fighting now or will ever fight.

CLINIAS It does seem, stranger, that what you say, put this way, is said correctly and in accordance with nature.

ATHENIAN It is so, Clinias; but it is hard to legislate about these things when they have been laid out in advance like this. If you like, we could legislate about them more precisely at another time.

CLINIAS You seem to us, stranger, to be afraid of our habitual lack of experience in such things. You're wrong to be afraid. Try to speak, and don't hide anything on that account.

ATHENIAN [819a] I am afraid of what you're describing, too; but I am even more alarmed by people who have taken up these very subjects, and taken them up badly. Lack of experience in all things is never terrible or severe, nor the greatest evil; much experience and much learning under bad guidance is a far greater harm.

CLINIAS What you say is true.

ATHENIAN Then we must say that the free should learn as much of each subject [819b] as a great crowd of children in Egypt learn along with their letters. First, for calculation, lessons have been devised for children quite simply, to be learned with play and pleasure: sharing out apples and garlands, with the same numbers fitted to larger and smaller groups; and arranging boxers and wrestlers, who sit out and who pair off, by turns and in sequence, in the ways these things naturally happen. And in their play they mix up bowls of gold and bronze and silver [819c]

and other such metals, while others hand out whole sets of them. As I said, by fitting the uses of the necessary numbers into play, they help the learners toward the ordering, leading, and marching of armies, and toward household management too, and in every way make people more useful to themselves and more wide awake. After this, in measuring things that have 819d length, breadth, and depth, they rid them of an ignorance about all these things that is naturally present in all human beings, ridiculous and shameful.

CLINIAS What sort of ignorance do you mean?

ATHENIAN My dear Clinias, when I myself heard about it, very late in life, I was utterly astonished at our condition in these matters. It seemed to me not human at all, but more fit for some breed of pigs, and I was ashamed not only for myself 819e but for all the Greeks.

CLINIAS Ashamed about what? Tell us what you mean, stranger.

ATHENIAN I'll tell you—or rather, I'll show you by asking questions. Answer me a small one: you know what length is, I suppose?

CLINIAS Of course.

ATHENIAN And breadth?

CLINIAS Certainly.

ATHENIAN And that these are two, and depth is a third besides?

CLINIAS Of course.

ATHENIAN Well, don't you think all of these are measurable against one another?

CLINIAS Yes.

ATHENIAN Length against length, I suppose, and breadth against 820a breadth, and depth likewise, can by nature be measured.

CLINIAS Very much so.

ATHENIAN But if some of them can't be, either very much or slightly—if some can and some can't—and you think they all can, what state do you think you're in on this?[17]

CLINIAS A poor one, obviously.

ATHENIAN And what about length and breadth against depth, or breadth and length against each other? Don't all we Greeks think about these things that they can somehow or other be measured against one another?

CLINIAS 820b Absolutely.

ATHENIAN But if they can't, in any way at all, and yet all we Greeks, as I said, think they can, wouldn't it be right to feel ashamed on behalf of everyone and say to them: "Best of Greeks, this is one of those things we said it was shameful not to know, though knowing what is necessary is nothing very fine"?

CLINIAS Of course.

ATHENIAN And besides these there are other things related to them, 820c in which again many errors crop up in us, akin to those errors.

CLINIAS What things?

ATHENIAN The question of how the commensurable and the incommensurable are related to each other by nature. One must examine these and learn to tell them apart, or be altogether a poor specimen; and keep setting problems for one another—a far more graceful pastime for old men than board games—and compete in a leisure worthy of such things.

CLINIAS 820d Perhaps. Board games and these studies don't seem to be very far apart, at any rate.

ATHENIAN These, then, Clinias, are what I say the young must learn. They are neither harmful nor difficult, and if they are learned along with play they will benefit our city and do it no harm at all. If anyone says otherwise, we must hear him out.

17 The Athenian is alluding to incommensurable magnitudes, such as the side and the diagonal of a square, which have no common measure.

CLINIAS Of course.

ATHENIAN But if it turns out that this is how they are, clearly we'll admit them; if they turn out not to be, they'll be dismissed.

CLINIAS 820e Clearly. Of course.

ATHENIAN Then for now, stranger, shall we lay these down as among the required subjects, so that our laws don't have gaps in them? But let them be laid down as pledges that can be redeemed separately from the rest of the constitution, if they don't at all please either us who proposed them or you who have adopted them.

CLINIAS The terms you propose are fair.

ATHENIAN Next, then, consider the study of the stars for the young—whether, once it has been described, we like it, or the opposite.

CLINIAS Just tell us.

ATHENIAN Well, there is something very strange about these things, and utterly intolerable.

CLINIAS 821a What's that?

ATHENIAN We say that one should not inquire into the greatest god and the whole cosmos, or busy oneself searching out their causes, since that isn't even pious. But it seems that the complete opposite of this would be the right thing to do.

CLINIAS What do you mean?

ATHENIAN What I'm saying is paradoxical, and one wouldn't think it fitting for old men. But when someone thinks a study is fine and true and beneficial to the city and 821b wholly dear to the god, there is no way he can keep from speaking of it any longer.

CLINIAS That's reasonable. But what study of that kind shall we find about the stars?

ATHENIAN My good friends, practically all of us Greeks nowadays tell lies, so to speak, about great gods—the Sun and the Moon.

CLINIAS What lie is that?

ATHENIAN We say that they never go the same way, and some other stars along with them, and we call them planets.[18]

CLINIAS 821c By Zeus, stranger, that's true. In my own life I have often seen the Morning Star and the Evening Star and some others never going on the same course but wandering every which way; and the sun and moon, I suppose, doing what we all know they always do.

ATHENIAN These, then, Megillus and Clinias, are the things I say our 821d citizens and the young must learn about the gods in the heavens—all of them, but only so far as not to blaspheme about them, and always to speak reverently when they sacrifice and pray with piety.

CLINIAS That's right, if in the first place it is possible to learn what you are talking about. Then, if we aren't saying anything correct about them now, but will once we have learned, I too agree that something of this scope and kind should be learned. So, on the understanding that this is how things stand, try to explain it fully, and we will try to follow you and learn.

ATHENIAN 821e What I'm talking about isn't easy to learn, but it isn't altogether hard either, nor does it take a very long time. Here's the proof: I didn't hear about these things when I was young, or long ago, and yet I could make them clear to the two of you now in no long time. If they were hard, I could never make them clear, at my age, to men of your age.

CLINIAS True. But what is this study you call 822a astonishing, and yet say is fitting for the young to learn, though we don't know it? Try to explain at least that much about it as clearly as you can.

ATHENIAN I must try. This belief, my excellent friends, is not correct—about the moon and the sun and the other stars—that they ever wander. The very opposite is the case. Each of them

18 "Planet" (planētēs) means "wanderer."

travels the same path, not many paths but always one, in a circle, though it appears to travel many. And again, the fastest of them is wrongly believed to be the slowest, and the slowest, 822b conversely, the fastest. So if this is how things are by nature, and we don't believe it—suppose we thought this way about horses racing at Olympia, or men running the long race, and called the fastest the slowest and the slowest the fastest, and made up songs of praise hailing the loser as the winner: I don't think we would be bestowing our praise correctly, or in a way the runners would welcome, human beings though they are. But now, 822c when we make these same mistakes about gods, don't we think that what would have been ridiculous and wrong there is, here in these matters, not ridiculous at all, but not pleasing to the gods either, when we sing a false report about gods?

CLINIAS Very true, if this is how things are.

ATHENIAN Then if we show that this is how things are, all such matters must be learned at least to that extent, and if we don't show it, they must be left alone? Shall we agree on this?

CLINIAS 822d Certainly.

HUNTING

Only hunting land animals with horses, dogs and one's own strength is praised and freely allowed.

ATHENIAN Now, then, we must say that the rules about the subjects of education are complete. We must think about hunting in the same way, and about everything of that sort. It seems that the lawgiver's task goes beyond laying down laws and being done with it: there is something else besides the laws, something that by nature lies between admonition and law, which 822e has often cropped up in our discussion—for instance, about the upbringing of very young children. We say these things must not be left unsaid; but to suppose, when one says them, that one is laying down laws is the height of folly. With the laws and the whole constitution written in this way, the praise of a citizen who stands out in virtue is not complete when someone says

that the good man is the one who has served the laws best and obeyed them most. It is more complete when put like this: the good man is the one who goes through life 823a obeying without reserve the writings of the lawgiver, as he legislates, praises, and blames. This is the most correct way to praise a citizen. And the lawgiver really must not only write laws, but, besides the laws, write down what he thinks fine and not fine, woven in with the laws; and the best citizen must hold to these no less firmly than to what the laws have backed with penalties. If we bring in the present topic as a kind of witness, we will make 823b our meaning clearer. Hunting is a very wide affair, now covered by what is more or less a single name. There is a great deal of hunting of water creatures, a great deal of winged creatures, and a very great deal concerning creatures that go on land—and not just wild beasts: we should also bear in mind the hunting of human beings, both in war and, a great deal of it, in friendship, one kind earning praise and the other blame; and there are the thefts, and the hunts of robbers, and of armies by 823c armies. A lawgiver laying down laws about hunting cannot avoid making these things clear, but neither can he lay down threatening statutes imposing regulations and penalties on all of them. So what should be done about such things? The lawgiver should praise and blame the various kinds of hunting with an eye to the exertions and pursuits of the young; the young man, for his part, should listen and obey, and let neither pleasure nor toil keep him from it; and rather than what is threatened with penalties and laid down by law on each matter, he should honor more highly what is 823d said by way of praise, and carry it out as a command.

With this said in advance, next would come a measured praise and blame of hunting, praising the kind that makes the souls of the young better and blaming the kind that does the opposite. Let us say what comes next, then, addressing the young with a prayer: My friends, may no desire or passion ever seize you for hunting at sea, or angling, 823e or for hunting water creatures at all, toiling at the lazy hunt of the fish trap that does

its work whether you're awake or asleep. Nor may any longing for catching human beings at sea, for piracy, come over you and make you cruel and lawless hunters. And may it not so much as cross your mind to turn to thieving in the countryside or the city. Nor may a crafty passion for hunting birds, hardly fit for a free man, come over 824a any of the young. So for our athletes there remains only the hunting and catching of land animals. Of this, the kind called night hunting, done by men who sleep in turns, belongs to lazy men and deserves no praise; nor does the kind that has its rests from toil, and masters the wild strength of beasts with nets and snares instead of by the victory of a soul that loves hard work. The only kind left for all, and the best, is the hunting of four-footed animals with horses and dogs and one's own body, in which the hunters overcome them all with their own hands, by running and striking and throwing—all those who care for a godlike courage.

For all of these, the account just given would serve as praise and blame, and the law is this. Let no one hinder these truly sacred hunters wherever and however they wish to hunt with hounds; but the night hunter who puts his trust in nets and traps, let no one ever allow to hunt anywhere. Let no one hinder the fowler on uncultivated land and in the mountains, but on farmland and in sacred wild places let anyone who comes upon him drive him off. The fisherman shall be allowed to fish anywhere except in harbors and sacred rivers, marshes, and lakes—provided only he does not muddy the water with plant poisons.

So now we must say that all the rules about education are complete.

CLINIAS Well said.

Book VIII

Festivals, sexual conduct, farming and trade.

ATHENIAN 828a Next after this comes the task of arranging and legislating festivals, with the help of oracles from Delphi: what sacrifices, and to which gods, it would be better and more beneficial for the city to offer. But when they are to be held, and how many of them there should be—some of that, perhaps, may be more or less ours to legislate.

CLINIAS Their number, maybe.

ATHENIAN Then let's speak of the number first. Let there be 828b no fewer than three hundred and sixty-five, so that there is always some official sacrificing to one of the gods or spirits on behalf of the city, its people and their possessions. The interpreters, priests, priestesses and seers are to meet with the guardians of the laws and arrange whatever the lawgiver is bound to leave out; and these same people must also be the ones to judge just what has been left out. For the law will say that there are to be twelve 828c festivals for the twelve gods after whom each tribe is named; that the citizens are to offer monthly sacrifices to each of them, with choruses and musical contests, and athletic ones too, assigning them as is fitting both to the gods themselves and to the several seasons; and that they are to distribute the women's festivals, deciding which should be held apart from the men and which should not. Further, the rites of the gods below must not be mixed with those of the gods who are to be called gods of the heavens and of their attendants, but kept apart, and given their due in the 828d twelfth month, the

month of Pluto, as the law prescribes. Men of war must not resent a god like this; they should honor him as one who is always the best of gods for the human race. For the union of soul and body is in no way better than their dissolution—I would say that in all seriousness. Besides this, those who are to divide up these matters properly must keep the following in mind: our city has no equal among cities today for leisure and freedom from the necessities of life, and it must [829a] live well, just like a single human being. And those who live happily must first of all neither do wrong to themselves nor be wronged by others.[1]

TRAINING FOR WAR IN PEACETIME

The city holds monthly mock battles; greed and factional regimes explain why other cities do not.

ATHENIAN The first of these is not very hard, but acquiring the power not to be wronged is extremely hard, and there is no way to have it completely except by becoming completely good. The same holds for a city: if it becomes good, its life is one of peace; if it is bad, its life is one of war, from without and within. Since this is roughly how things stand, [829b] each citizen must train for war not in war but in the life of peace. So a city with any sense must go out on campaign each month for no less than one day—for more, if the officials also think fit—paying no heed to cold or heat. The men are to go themselves, along with the women and children, whenever the officials decide to lead out the whole population, and at other times in sections. And they must always be devising fine games to go with the sacrifices, so that there may be festival battles [829c] imitating the battles of war as vividly as possible. Prizes for victory and for valor must be distributed in each of these, and the citizens must compose speeches of praise and blame for one another, according to how each person conducts himself in the contests and in the whole of his life, honoring the one reputed best and censuring the one who is not. The composer of such poems must not be just any-

1 Pluto, another name for Hades, god of the dead.

one. First, he must be at least fifty years old; nor may he be one of those who have enough skill in poetry and music but have never done a single fine 829d and distinguished deed. Rather, let the poems of those who are themselves good and honored in the city, as authors of fine deeds, be the ones that are sung, even if they have no natural gift for music. The choice of them is to rest with the director of education and the other guardians of the laws, who are to grant them this privilege: that they alone have freedom of speech in music. Others are to have no such license; no one is to dare sing a song that has not been approved and passed by the guardians of the laws, not even if it is sweeter than the hymns of Thamyris 829e and Orpheus. Only poems judged sacred and dedicated to the gods may be sung, and those by good men that were judged to blame or praise people in due measure. The same, I say, must hold for women and men alike, both as to military service and as to freedom of speech in poetry. The lawgiver must keep referring things back to this, setting it out for himself in words: "Come now, whom am I raising, having prepared the whole city? 830a Aren't they athletes for the greatest of contests, facing countless rivals?"[2] "Certainly," someone would rightly answer. Well then: if we were training boxers or pancratium fighters, or athletes in some other such event, would we go straight into the contest itself, having fought no one day by day beforehand? Or, if we were boxers, would we spend many days before the contest learning 830b to fight and working hard at it, imitating all the moves we were going to use when the time came to fight for victory? Wouldn't we come as close as we could to the real thing, strapping on padded gloves instead of thongs, so that we got as much practice as possible at landing blows and avoiding them? And if we happened to be badly short of training partners, would we be afraid of fools laughing at us and not dare to hang up a lifeless dummy and practice against it?[3] And 830c if we were ever short of every part-

2 Thamyris was a legendary Thracian singer who challenged the Muses to a contest.

3 The pancratium was a no-holds-barred combination of boxing and wrestling.

ner, living and lifeless, with no one to train with, wouldn't we dare to fight our own shadows, literally? Or what else would anyone say the practice of sparring with the air was invented for?

CLINIAS For nothing else, stranger, more or less, than exactly what you've just said.

ATHENIAN Well then? Will our city's fighting force be less well prepared than contestants like these, when it dares to enter, time and again, the greatest of contests, fighting for [830d] life and children and property and the whole city? And will its lawgiver, afraid that their exercises against one another may look ridiculous to some, then fail to legislate? Won't he order them to campaign, ideally every day, in small exercises at least, without weapons, directing choruses and all gymnastics toward this end; and won't he order larger and smaller exercises of a sort to be held at least once a month, in which they compete against one another [830e] all over the country, vying to seize positions and to lay ambushes, and imitating every part of warfare— really fighting with padded gloves, and with throwing, as close as possible to the real thing, using weapons that carry some danger, so that their sport with one another is not entirely free of fear, but produces alarms and in a way shows who is brave and who is not? [831a] So too, by distributing honors to some and dishonor to others correctly, he will prepare the whole city to be useful for the real contest all its life. And if someone is killed in this way, since the killing was unintentional, he will lay down that the killer, once purified according to law, is clean of hand. For he reckons that if a few human beings die, others no worse will be born in their place; but if fear, so to speak, dies, he will find no way in all such matters to test the better and the worse— [831b] and that is a far greater evil for a city than the other.

CLINIAS We at any rate would agree, stranger, that a whole city should both legislate for such things and practice them.

ATHENIAN Then do we all know the reason why, in cities now, choral performance and competition of this kind hardly exists anywhere at all, except on a very small scale? Or shall we say it's

because of the ignorance of the many and of those who make their laws for them?

CLINIAS Maybe.

ATHENIAN 831c Not at all, my good Clinias. We must say there are two causes of this, and very powerful ones.

CLINIAS What are they?

ATHENIAN One is the love of wealth, which leaves no time at all to care for anything but one's own possessions. On these every citizen's whole soul hangs, and it could never attend to anything but the day's profit. Whatever study or practice leads to that, each man privately is quite ready to learn and pursue; 831d everything else he laughs at. So this is one thing, and we must say it is one cause why a city won't take seriously either this or any other fine and good practice. Because of their insatiable appetite for gold and silver, every man is willing to put up with every art and every device, finer or more disgraceful, if he is going to become rich, and to do any deed, holy or unholy and utterly shameful, without the least distaste, provided only that he has the means, like a beast, 831e to eat all sorts of things and drink likewise and supply himself in every way with his fill of sex.

CLINIAS Right.

ATHENIAN Then let this, as I say, be set down as one cause that prevents cities from practicing adequately either anything else that is fine or the things of war. It turns those who are orderly by nature into merchants, shipowners and servants of every kind, while it makes the brave into robbers, burglars, 832a temple-robbers, warmongers and tyrants—men sometimes not without talent, but unfortunate.

CLINIAS What do you mean?

ATHENIAN Well, how could I not call them utterly unfortunate, when they have to go through life with their own souls always starving?

CLINIAS That is one cause, then. And the second—what do you say it is, stranger?

ATHENIAN You were right to remind me.

CLINIAS One cause, you say, is this lifelong insatiable 832b pursuit, which leaves each person no time and so prevents all of them from practicing warfare properly. Granted. Now tell us the second.

ATHENIAN You don't think I'm stalling instead of speaking because I'm at a loss, do you?

CLINIAS No, but you seem to us to be punishing this kind of character more than you need to in the argument that has come up, as though you hated it.

ATHENIAN A very fair rebuke, strangers. And now, it seems, you'd like to hear what comes next.

CLINIAS Just speak.

ATHENIAN The causes, I say, are the non-constitutions I've 832c often mentioned in our earlier discussions: democracy, oligarchy and tyranny. None of these is a constitution; they would all most correctly be called factional regimes. For none of them rules willingly over the willing; each rules willingly over the unwilling, always with some use of force. And a ruler who fears the ruled will never willingly let them become fine or rich or strong or brave, or warlike at all. These, then, are the two causes of nearly everything, but above all of these failings. But the constitution we are now describing as we legislate 832d has escaped both. It enjoys, I suppose, the greatest leisure; its citizens are free with respect to one another; and under these laws, I think, they would be least likely of all to become lovers of money. So it's reasonable and consistent that this kind of constitutional arrangement alone, of those now existing, would accept the education and the military play we've gone through, completed correctly in our discussion.

CLINIAS Good.

CONTESTS FOR WAR

Races, armed combat and horse contests are kept only insofar as they prepare citizens for war.

ATHENIAN Then isn't the next thing to take up, sometime, [832e] the subject of all the athletic contests? Those that are training for war should be pursued, with prizes set for victory, while the rest should be dismissed. Which ones they are had better be stated and legislated from the start. And first, shouldn't we establish contests in running and in speed generally?

CLINIAS We should.

ATHENIAN Of all things, at any rate, the most useful in war is quickness of body in every form, partly of the feet and partly of the [833a] hands: that of the feet for fleeing and catching, and that of the hands for fighting at close quarters and standing firm, which needs strength and might.

CLINIAS Of course.

ATHENIAN Yet neither is of the greatest use without weapons.

CLINIAS How could it be?

ATHENIAN Then first, as now, our herald at the games will summon the runner in the stade race, and he will come in bearing arms; we won't set prizes for any contestant without weapons. First will enter the man who is to race the stade in arms; second, [833b] the one for the double stade; third, the one for the horse-course race; fourth, the one for the long race; and fifth, the ones we will send off: first the more heavily armed man—we'll call him the hoplite—competing over sixty stades to some temple of Ares and back, on a fairly smooth road; and then the other, an archer in full archer's gear, competing over a hundred stades, through mountains and every kind of country, to a temple of Apollo and Artemis. [833c] Having set the contest, we'll wait for

them until they return, and give the victory prize to the winner in each.[4]

CLINIAS Right.

ATHENIAN Let's envisage these contests in three divisions—one for boys, one for youths, one for men. For the youths we'll set two-thirds of the length of the course, and for the boys half of that, when they compete as archers and hoplites. For females: girls below the age of puberty are to compete naked in 833d the stade, the double stade, the horse-course race and the long race, on the racetrack itself. Girls of thirteen are to go on taking part until they marry, which is to be no later than twenty and no earlier than eighteen; they must come down to compete in these races dressed in suitable clothing. Let these be the rules about races for men and women. As for contests of strength: instead of wrestling and the like—all the 833e heavy events of today—there will be fighting in armor, one against one and two against two, and up to ten against ten competing with one another. As for what a man must avoid suffering or must inflict in order to win, and how many times: just as now in wrestling those in charge of the sport have laid down what counts as good wrestling and what does not, in the same way we must call in the leading experts in armed combat and bid them help us legislate who deserves to win in these fights, and for avoiding 834a which blows or delivering which; and likewise what rule decides who is the loser. Let the same legislation hold also for females up to marriage. In place of the pancratium, we must set up light-armed combat as a whole, with contestants competing with bows, light shields, javelins, and stones thrown by hand and with slings; and again we must lay down laws about these, and give the prizes and victories to the one who best fulfills the rules for them. After 834b this, the next thing to legislate would be the contest of horses. We have no need for many horses, nor much need of them, at least in Crete, so our efforts both in rearing them and

4 The stade race was one length of the track; the double stade went there and back; the horse-course race was probably four lengths; the long race was much longer.

in competing with them must necessarily be smaller. There is no one at all among us who keeps chariot teams, nor would anyone's ambition for them make any sense; so if we set up contests in chariots, a thing foreign to our country, we would be neither sensible nor seem it. 834c But by setting prizes for riders on single horses—on young colts, on horses between colts and full-grown, and on full-grown horses themselves—we would provide equestrian sport that suits the nature of the country. Let there be competition and rivalry in these, as the law directs, with the cavalry squadron commanders and the cavalry commanders given joint judgment of all the races themselves and of those who enter in arms. Setting contests for those without arms, whether in the athletic games or here, 834d would not be right legislation. A Cretan mounted archer is not useless, nor a mounted javelin-thrower, so let there be rivalry and contests in these too, for the sake of play. As for females, it isn't worth compelling them by laws and directives to take part in these. But if, as their earlier training turns into habit, their nature permits it and girls or young women are not averse to taking part, let them, and don't blame them.

So now the competitions and the learning of gymnastics, both what we work at 834e in contests and what we do daily under teachers, are entirely complete. Likewise most of music has been gone through. But matters concerning rhapsodes and those who go with them, and all the choral competitions that have to take place at festivals, will be put in order when the months, days and years have been assigned to the gods and to those associated with gods—whether they are to be every other year, or every four years, or however and 835a in whatever way the gods give us the idea of how to order them. At that point we must also expect the musical contests to be held, each in its turn, arranged by the stewards of the games, the director of the young people's education and the guardians of the laws. These will meet together on these very matters and become lawgivers themselves, deciding when, and by whom, and with whom the contests are to be held, for all choruses and choral performance.

What each of these should be like, in words and songs and in harmonies blended with rhythms [835b] and dances, has been stated many times by the first lawgiver. The second lawgivers must follow this in their legislation, assigning the contests suitably to each sacrifice at the appropriate times, and so give the city festivals to celebrate.

THE PROBLEM OF SEXUAL DESIRE

Well-fed, leisured citizens need a law on sex; the Athenian distinguishes three kinds of love.

ATHENIAN Now it's not hard to know how these and other such matters should be given a lawful order, nor would shifting them this way or that bring the city any great gain or loss. [835c] But the matters that make no small difference, and about which persuasion is hard, are above all a task for a god—if it were somehow possible for the ordinances to come from him. As it is, they probably need some bold human being, one who values frankness above all, to say what seems best for city and citizens: to prescribe, among corrupted souls, what is fitting and consistent with the whole constitution, speaking against the strongest desires, with no human helper, alone, following reason alone.

CLINIAS [835d] What is this argument we're making now, stranger? We don't understand yet.

ATHENIAN Naturally. Well, I'll try to explain it to you more clearly. When my discussion reached education, I saw young men and young women associating affectionately with one another. And I began, as was natural, to be afraid, as I reflected what one is to do with a city like this, where young men and women are well fed and free of the hard and servile labor that most [835e] quenches wantonness, and where sacrifices, festivals and choruses occupy everyone all their lives. How in the world, in this city, will they keep away from the desires that hurl many people to the utmost extremes—the desires that reason, trying to become law, commands them to keep away from? It's no wonder if the rules laid down before prevail over most desires—for [836a]

not being allowed to become excessively rich is no small help toward moderation, and the whole of our education has taken on laws that are moderate in such matters; and besides this, the eye of the officials, compelled never to look elsewhere but always to keep watch on the young themselves, holds the other desires in check, as far as anything human can. But the passions of love—for boys and for girls, of women for men 836b and of men for women—from which countless troubles have come upon people privately and upon whole cities: how could one guard against this? What remedy could one cut to find, in each case, an escape from such a danger? It's not easy at all, Clinias. For in many other respects Crete as a whole and Sparta give us no small help, and fairly so, when we lay down laws different from the ways of most people; but on the subject of love—we're by ourselves, after all—they are entirely against us. 836c For suppose someone, following nature, were to lay down the law as it was before Laius, saying it was right not to have sexual intercourse with males, the young, as with females, and calling as witness the nature of animals, and pointing out that male does not touch male for such purposes, since this is not natural. He might be using a persuasive argument, and one in no way consonant with your cities. Besides this, the thing that we say 836d the lawgiver must watch for at all times does not agree with these practices.[5] For we are always asking which of our enactments lead to virtue and which don't. Come then: if we agreed to legislate now that this is fine, or not at all shameful, what part would it contribute toward virtue? Would it produce the character of courage in the soul of the one who is persuaded, or the sort of thing that belongs to a moderate character in the soul of the persuader? Or would no one ever be persuaded of this, but rather of quite the opposite? Won't everyone blame the softness of the one who yields to pleasures 836e and can't hold out, and won't they reproach the one who goes over to imitating the female for his likeness to what he copies? Then who among human beings will

5 Laius, father of Oedipus, was said to have carried off the boy Chrysippus, and so to have been the first to begin sexual relations between males.

make something like this law? Practically no one, at least no one with true law in mind. So how do we say this is true? One must see the nature of friendship and 837a desire, and of what are called loves, if one is going to think about these matters correctly. For there are two of them, and from both a third kind, different again; and one name covering them all creates utter confusion and darkness.

CLINIAS How so?

ATHENIAN We call someone a friend, I suppose, when he is like his like in virtue, and equal to his equal; and we also call the needy a friend to the rich, though they are opposite in kind. And when either becomes intense, we call it love.

CLINIAS 837b Right.

ATHENIAN Now friendship between opposites is terrible and wild, and among us it is seldom mutual, while friendship between likes is gentle and mutual throughout life. But the kind mixed from these is, first of all, not easy to understand—what the one who has this third love would want to get for himself; and then, pulled in opposite directions by the two, he is at a loss, one urging him to lay hold of the bloom of youth, the other forbidding it. For the one 837c who loves the body, and hungers for its bloom as for ripe fruit, urges himself to have his fill, paying no regard to the character of the beloved's soul. But the one who treats bodily desire as secondary, gazing rather than lusting, and whose soul truly desires the soul, considers the body's gorging itself on the body an outrage; and revering and respecting moderation, courage, magnificence and wisdom, he would want always to live chastely with a chaste 837d beloved. And the love mixed from both is the one we've just described as third. Since there are so many of them, should the law forbid them all, keeping them from arising among us? Or isn't it clear that we would want the love that belongs to virtue, and desires the young man to become as good as possible, to exist in our city, and would forbid the other two, if we could? Or what do we say, my friend Megillus?

MEGILLUS What you've said just now about these very matters, stranger, [837e] is entirely right.

ATHENIAN It seems I've won your agreement, my friend, as I guessed I would. What your law intends about such things I needn't examine; I'll accept your consent to the argument. Clinias I'll try to persuade on these same matters afterward, another time, by singing charms to him. Let what you two have granted me stand, and let's go right on through the laws.

MEGILLUS You're quite right.

THE LAW ON SEX

Sex should be confined to marriage and procreation, backed by religious sanction or, failing that, by shame.

ATHENIAN Now, for enacting this law, I have at present a technique that is in one way [838a] easy, and in another as hard as can be.

MEGILLUS What do you mean?

ATHENIAN We know, I suppose, that even now most people, lawless as they are, are kept well and strictly from intercourse with beautiful people—and not against their will, but as willingly as can be.

MEGILLUS When do you mean?

ATHENIAN When someone's brother or sister is beautiful. And [838b] in the case of a son or daughter the same law, though unwritten, guards as effectively as possible against anyone sleeping with them, openly or secretly, or touching them in any other embrace. Indeed, the desire for this intercourse doesn't even enter most people's minds at all.

MEGILLUS That's true.

ATHENIAN So a small phrase quenches all such pleasures?

MEGILLUS What phrase do you mean?

ATHENIAN That these things are in no way holy, but hated by the gods [838c] and the most shameful of shameful things. And isn't the reason this: that no one says anything else about them, but each of us from birth hears people saying this always and everywhere, both in comedies and often in all the seriousness of tragedy, when they bring on a Thyestes or some Oedipus, or some Macareus who secretly slept with his sister and, when found out, readily inflicted death on himself as punishment for his offense?[6]

MEGILLUS You're quite right at least in this, that common talk [838d] has a wonderful power, when no one ever tries to draw breath in any way contrary to the law.

ATHENIAN Then what I said just now is right: for a lawgiver who wants to enslave one of the desires that most enslave human beings, it's easy to know how to master it. He must consecrate this common talk among everyone—slaves and free, children and women, and the whole city alike—and in that way he will have made [838e] this law as secure as it can be.

MEGILLUS Certainly. But how it will ever be possible to make everyone willing to say such a thing—

ATHENIAN You've taken me up well. That's exactly what I meant when I said I had a technique for this law—for getting us to use the intercourse that produces children according to nature: keeping away from the male, not deliberately killing off the human race, not sowing on rocks and stones, [839a] where the seed will never take root and acquire its fertile nature; and keeping away from every female field in which you wouldn't want what you sow to grow. This law, if it became permanent and prevailed—as it now prevails over intercourse with parents—and if it rightly won out over the other kinds too, would bring countless goods. First, it is laid down in accordance with nature; and it makes people keep away from erotic frenzy and madness,

6 Thyestes slept with his own daughter; Oedipus unknowingly married his mother; Macareus, son of Aeolus, fathered a child by his sister Canace.

from all adulteries, and from all excess in drink and food, 839b and makes men truly close to their own wives. And many other goods would follow, if one could make this law hold. But perhaps some vehement young man, full of seed, standing by and hearing the law being laid down, would heap abuse on us for making foolish and impossible rules, and fill the place with his shouting. It was with this in view that I made that remark about having a technique, 839c in one way the easiest of all, in another the hardest, for making this law endure once laid down. For it's very easy to see that it's possible, and how—we say that this rule, once adequately consecrated, will enslave every soul and make it obey the established laws with fear in every way. But things have now come to such a pass that it seems it wouldn't happen even so. It's like the practice of common meals: people don't believe a whole city could 839d keep it up all its life; and even though it has been proven in fact and exists among you, still, even in your cities, common meals for women don't seem natural. So too, because of the strength of this disbelief, I said that both of these are extremely hard to establish in law.

MEGILLUS And you're right to say so.

ATHENIAN Well, to show that it isn't beyond human power but can happen, would you like me to try to give an argument that has some persuasiveness?

CLINIAS Of course.

ATHENIAN 839e Would someone keep away from sex more easily, and be more willing to do moderately what is prescribed about it, if his body were in good condition and not an amateur's, or if it were in poor shape?

CLINIAS Far more, surely, if it were not an amateur's.

ATHENIAN Don't we know by hearsay of Iccus of Tarentum, 840a because of his contest at Olympia and his other victories? Out of ambition, and possessing skill and courage joined with moderation in his soul, he never, the story goes, touched a woman or a boy during the whole peak of his training. And the same story is told, I think, of Crison, Astylus, Diopompus and very many oth-

ers. Yet their souls were far worse educated than those of my fellow citizens and yours, Clinias, [840b] and their bodies far lustier.[7]

CLINIAS What you say is true: the ancients insist that this really happened with these athletes.

ATHENIAN Well then? Those men had the endurance to abstain from what most people call a happy thing, for the sake of victory in wrestling, running and the like. Will our children be unable to hold out for the sake of a far finer victory—the one [840c] which we will tell them from childhood is the finest, and so, as we may expect, enchant them with it in stories, sayings and songs?

CLINIAS What victory?

ATHENIAN Victory over pleasures: that if they master them they will live happily, and if they are defeated, quite the opposite. Besides this, won't the fear that this is in no way whatever holy give them the power to master what others, worse than they are, have mastered?

CLINIAS It's likely, at any rate.

ATHENIAN Since, then, we've reached this point about this rule, [840d] and have fallen into perplexity because of the weakness of the many, I say our rule should go forward on these very matters, simply stating that our citizens must not be worse than birds and many other animals. These are born in great flocks, and live unmated, pure and chaste of marriage, until the age for breeding; and when they reach that age, they pair off, male with female and female with male, as they please, and live the rest of their time piously and justly, abiding [840e] firmly by their first agreements of love. Surely our citizens should be better than animals. But if they are corrupted by the other Greeks and by most non-Greeks, seeing and hearing that the so-called lawless Aphrodite has the greatest power among them, and so become

7 Iccus of Tarentum was a famous pentathlete and trainer of the fifth century BC; Crison and Astylus were celebrated Olympic runners.

unable to master it, then the guardians of the laws must turn lawgivers and devise a second law for them.

CLINIAS [841a] What law do you advise them to lay down, if the one being laid down now escapes them?

ATHENIAN Clearly the one that comes after it, the second, Clinias.

CLINIAS Which do you mean?

ATHENIAN It was to leave the strength of the pleasures as unexercised as possible, diverting their influx and nourishment through exertion to other parts of the body. This would happen if there were no shamelessness in sexual activity; for if people engaged in it rarely, [841b] out of shame, they would have in it a weaker mistress, since they would indulge seldom. So let it be fine among them to do such things unobserved—a custom established by habit and unwritten law—and shameful to be observed, but not shameful not to abstain entirely. In this way it would be established in our law as a second standard of shameful and fine, with a second-best correctness; and those whose natures are corrupted, whom we call "weaker than themselves," [841c] being one kind, would be hemmed in by three kinds and forced not to break the law.

CLINIAS What kinds?

ATHENIAN The kind that fears the gods, the kind that loves honor, and the kind that has come to desire not bodies but the traits of soul, which are beautiful. What we are saying now is perhaps like the prayers in a story; yet if they came true, it would be by far the best thing that could happen in all cities. But perhaps, if a god were willing, [841d] we might enforce one of two things about love. Either no one would dare touch any freeborn person of good birth except his own wedded wife, nor sow unconsecrated and illegitimate seed in concubines, nor barren seed in males, against nature. Or we would abolish sex with males entirely; and as for women, if a man had intercourse with any woman other than those who entered his house with the gods and sacred marriage rites—whether bought [841e] or acquired

in any other way—and did not escape the notice of all men and women, we might seem to legislate correctly in barring him from the city's commendations, as being truly alien. Let this, then, be laid down as our law—whether we should call it one law or two—concerning sex [842a] and all matters of love: all the things we do rightly and wrongly in dealing with one another because of such desires.

MEGILLUS Well, stranger, for my part I would gladly accept this law; but let Clinias himself tell us what he thinks about these matters.

CLINIAS I will, Megillus, whenever I think a suitable moment has come. For now, let's let the stranger go further on with the laws.

MEGILLUS Right.

FARMING LAWS

Rules on boundaries, damage between neighbors, water, and picking fruit.

ATHENIAN [842b] Well, going forward, we have now pretty well reached the point where common meals have been set up—which we say would be hard elsewhere, though in Crete no one would suppose it should be otherwise. But in what manner—whether as here, or as in Sparta, or whether there is some third kind of common meal beyond these that would be better than both—this, it seems to me, is not hard to discover, and discovering it wouldn't achieve any great good; for as things stand they are suitably arranged. [842c]

Following on these comes the arrangement of the means of life, and how it would go along with them. In other cities the means of life would come in every way and from many sources —from at least twice as many as for these people. For most Greeks, the food supply is arranged from land and from sea, but for these people from land alone. That makes things easier for the lawgiver: [842d] the laws needed become not just half as many but far fewer, and they are more fitting for free people besides.

For the lawgiver of this city is rid of most matters of shipping, commerce, retail trade, innkeeping, customs duties, mining, lending, compound interest and countless other such things; he has bid them goodbye. He will legislate for farmers, herdsmen and beekeepers, and for those who keep watch over such things and oversee the tools, 842e having already legislated the most important matters—marriage, the birth and rearing of children, education too, and the appointment of officials in the city. Now, in his legislation, he must turn to those who produce food and all who share in the labor of producing it.

First, then, let there be laws called "agricultural." Let the first law, that of Zeus of Boundaries, be stated as follows. No one is to move the boundary markers of land—neither those of a neighbor who is a fellow citizen, nor, if he owns land at the frontier, those of a neighbor who is a foreigner—believing that this is truly 843a "moving the immovable." Let everyone be more willing to try to move the largest rock that is not a boundary marker than a small stone that marks the border between friendship and enmity, sworn before the gods. For Zeus of Kindred is witness to the one, and Zeus of Strangers to the other, and when they are roused, the most hateful wars come with them. One who obeys the law will not experience the evils that come from breaking it; but whoever scorns it is to be liable to two penalties, the first and foremost from the gods, the second from the law. 843b Let no one willingly move the boundary markers of his neighbors' land. If anyone does, whoever wishes is to report him to the farmers, and they are to bring him to court. If anyone is convicted in such a case, on the grounds that he is redistributing land by stealth and force, the court is to assess what the losing party must suffer or pay.

Next: many small injuries between neighbors, because they happen so often, breed a great mass of enmity 843c and make neighborliness hard and very bitter. So a neighbor must take every care to do nothing to his neighbor that causes a quarrel, and in particular must always be very careful never to encroach in his farming. For doing harm is not hard at all—anyone can do

it—but doing a service is not in everyone's power. Whoever encroaches on his neighbor's land, crossing the boundaries, is to pay for the damage, and, as a cure for his shamelessness 843d and meanness, is to pay the injured party a further double the damage. The assessors, judges and valuers of these and all such matters are to be the country wardens: for the larger cases, as was said before, the whole company of that twelfth part of the land; for the smaller, its garrison commanders. If someone grazes his animals on another's land, they are to inspect the damage, judge it and assess it. If someone appropriates another man's swarms, going along with the bees' fancy, 843e and makes them his own by beating on metal, he is to pay for the damage. If anyone, when burning off brushwood, fails to take care of his neighbor's property, he is to be fined whatever penalty the officials decide. And if in planting he doesn't leave the proper distance from his neighbor's land—this has been adequately covered by many lawgivers too, whose laws we should draw on, instead of expecting the greater orderer of a city to legislate on everything, 844a much of it small and the work of any ordinary lawgiver. Take water, too: there are old and fine laws in place for farmers, and it isn't worth channeling them off into our discussion. But whoever wants to bring water to his own land is to bring it, starting from the public streams, without tapping the visible springs of any private person; and he may bring it by whatever route he likes, except through houses or certain shrines or tombs, doing no damage beyond the channeling itself. 844b If in some places a natural dryness of the ground shuts out the rains that come from Zeus, and there is a lack of necessary drinking water, the owner is to dig on his own land down to the clay; and if at that depth he finds no water at all, he is to draw water from his neighbors, as much as is necessary for drinking, for each member of his household. If his neighbors too have barely enough, he is to have a schedule of water-drawing fixed with the country wardens, take his share each day accordingly, and so share 844c water with his neighbors. When rain from Zeus falls, if someone lower down does harm to the one farming above him, or living next to

him wall to wall, by not giving the water an outlet; or, conversely, if the one above harms the one below by letting the streams off carelessly; and if because of this they are unwilling to cooperate with each other, then whoever wishes is to bring in a city warden in town or a country warden in the country, and have him prescribe what each of them must do. Whoever does not abide by the prescription is to face a suit for envy 844d and a surly spirit, and if convicted he is to pay double the damage to the injured party, for being unwilling to obey the officials.

As for fruit, everyone must share in it on some such terms as these. The goddess of the harvest season has two gifts of her favor for us: one, the plaything of Dionysus, not to be stored; the other, grown by nature to be stored. So let this law be laid down about fruit. Whoever tastes the common kind of fruit, grapes or 844e figs, before the vintage season comes that coincides with the rising of Arcturus, whether on his own land or on others', is to owe fifty drachmas, sacred to Dionysus, if he picks from his own; a mina, if from his neighbors'; and two-thirds of a mina, if from anyone else's.[8] Whoever wants to pick what are now called choice grapes, or the figs called choice, may harvest them however and whenever he likes if he takes them from his own land; but if he takes them from others' without their consent, he is always to be penalized in accordance with the law against moving what one did not put down. 845a If a slave touches any such fruit without the consent of the owner of the land, he is to be whipped with as many lashes as there were grapes in the bunch or figs taken from the fig tree. A resident foreigner may pick the choice fruit by buying it, if he wishes. If a foreigner visiting the country wants to eat fruit as he travels along the roads, he may help himself to the choice fruit if he wishes, for himself and one attendant, without payment, 845b as a gift of hospitality; but the law is to bar foreigners from sharing with us in the so-called common fruit and the like. If anyone, whether the visitor himself or his slave, touches it in ignorance, the slave is to be punished with blows, and the free man sent away with a warning,

8 Arcturus rises at dawn in mid-September, the start of the vintage.

having been taught to help himself to the other fruit, since the kind meant for storing—for raisins, wine and dried figs—is not his to take. As for pears, apples, pomegranates and all 845c such fruit, there is to be no disgrace in taking them secretly; but anyone under thirty caught doing so is to be beaten and driven off, without being wounded, and a free man is to have no legal action for such blows. A foreigner may share in these as in the other fruit. If an older man touches them, eating them on the spot and carrying nothing away, he may share in all such fruit on the same terms as the foreigner; but if he disobeys 845d the law, he is to risk being barred from competing for virtue, if anyone reminds the judges at that time of such conduct on his part.

Water is the most nourishing of all things for gardens, but it is easily spoiled. For soil, sun and winds, which join with water in nourishing what sprouts from the earth, are not easy to spoil by poisoning, diversion or theft; but with water, by its nature, all such things 845e are possible. So it needs a law to help it. Let the law about it be this: if anyone deliberately spoils another's water, whether spring water or collected water, by poisoning, digging or theft, the injured party is to bring a suit before the city wardens, recording the value of the damage in writing. If anyone is convicted of doing harm with poisons, besides paying the fine he is to purify the springs or the reservoir, in whatever way the rules of the interpreters prescribe that purification should be carried out on each occasion and for each person.

As for bringing in the crops of the season, anyone 846a who wishes may carry his own produce through any place, provided that either he does no one any harm, or he himself gains three times as much as his neighbor loses. The officials are to judge these matters, and also all other cases where someone willingly harms an unwilling person, by force or by stealth, either the person himself or any of his property, through the use of his own possessions. In all such cases the injured party is to obtain redress by laying the matter before the officials, when the damage is up to three minas; but if one person has a larger charge against another, 846b he is to take the case to the public courts

and obtain redress from the wrongdoer. If any of the officials seems to decide the penalties with unjust intent, he is to be liable to the injured party for double. Anyone who wishes may bring the officials' misdeeds, in each kind of charge, before the public courts. There are countless small regulations like these, governing how penalties are to be carried out: about the filing of lawsuits, 846c summonses and those who deliver them—whether a summons needs two witnesses, or how many—and everything of this kind. They can't be left without legislation, yet they aren't worthy of an old lawgiver. Let the young legislate them, modeling them on the enactments of their predecessors, small on great, and gaining experience of how they must be applied in practice, until everything seems adequately established. Then let them make them unalterable, and live by them, now that they are in due measure. 846d

CRAFTSMEN, TRADE AND RESIDENT FOREIGNERS

Crafts and retail trade are left to foreigners; produce is divided in three and markets regulated.

ATHENIAN As for the other craftsmen, this is how we should proceed. First, no native of the country is to be one of those who labor at the crafts, nor any household slave of a native. For a citizen already has a craft that is quite enough for him, one that requires much practice and much learning as well: preserving and securing the common order of the city. That is not something to be pursued as a sideline. And hardly any human nature is capable of working with precision at two pursuits or two crafts, 846e or even of being able to practice one itself while supervising someone else who practices the other. So this must be the first thing established in the city. No one who works as a smith is to do carpentry as well; nor, again, is someone who does carpentry to supervise others working as smiths rather than his own craft, on the pretext that since he supervises many slaves who work for him, he naturally attends to his business through them, because he gets more income 847a from that source than

from his own craft. Instead, each person in the city is to have one craft and to earn his living from it as well. The city wardens must work to uphold this law. If a native inclines toward some craft rather than toward the cultivation of virtue, they are to punish him with reproaches and disgrace until they steer him back onto his proper course; and if any foreigner practices two crafts, they are to punish him with imprisonment, fines 847b and expulsion from the city, and compel him to be one man, not many. As for their wages and contracts for work, and any case in which someone else wrongs them or they wrong someone else, the city wardens are to decide cases up to fifty drachmas; the public courts are to decide anything above that according to law.

No one in the city is to pay any duty on goods either exported or imported. Frankincense and other such foreign incense 847c used in the worship of the gods, and purple and other dyes that our land doesn't produce, or the materials of any other craft that needs certain imports from abroad for no necessary purpose: no one is to import them; nor, again, is anyone to export anything that ought to remain in the country. The judges and supervisors of all this are to be the twelve guardians of the laws who come next once the five oldest are left out. 847d

As for weapons and all the instruments of war, if there is need to bring in some craft from abroad, or a plant, or metal, or binding material, or certain animals for such purposes, the cavalry commanders and generals are to have authority over importing and exporting them, with the city itself doing the giving and the receiving; and the guardians of the laws will lay down suitable and adequate laws on these matters. But there is to be no retail trade for profit, in this or in anything else, anywhere in our 847e whole country and city.

As for the provision and distribution of the country's produce, a correct arrangement would, it seems, come about properly if it came close to the Cretan law. Everyone must divide all the produce of the land into twelve parts, according to how it is to be consumed. Each twelfth part—of wheat and barley, for

instance, with all the other seasonal produce 848a distributed on the same model, together with all the animals for sale in each district—is to be divided proportionately into three: one part for the free, one for their household slaves, and the third for the craftsmen and foreigners generally, both any resident foreigners living here who need the necessities of life and those who come in from time to time on some business of the city or of private persons. This third part, apportioned out of all the necessities, is alone to be offered for sale as a matter of obligation; there is to be no obligation to sell any of the other two 848b parts. Then how would these be distributed most correctly? First, clearly, we distribute equally in one way and not equally in another.

CLINIAS What do you mean?

ATHENIAN The land must, I suppose, grow and nurture better and worse specimens of each of these things.

CLINIAS Of course.

ATHENIAN Then in this respect none of the three parts is to get more—neither what is allotted to masters or to slaves, nor again the foreigners' share; the distribution 848c is to give all of them the same equality, the equality of likeness. Each citizen, on receiving his two parts, is to have authority over their distribution among slaves and free people, to distribute as much and of whatever kind he wishes. The rest must be distributed by measure and number, as follows: take the number of all the animals that must get their food from the land, and distribute accordingly.

Next, they must have dwellings laid out separately, and the following arrangement suits these matters. There must be twelve villages, one in the middle of each twelfth part. In 848d each village, first, sanctuaries and a marketplace are to be set apart for the gods and for the spirits who attend the gods. If there are any local gods of the Magnesians, or shrines of other ancient gods whose memory has been preserved, they are to pay them the honors that people paid of old. And everywhere they are to found sanctuaries of Hestia, Zeus and Athena, and of

whichever other god is patron of each twelfth part. First, there are to be buildings around [848e] these sanctuaries, wherever the ground is highest, to serve as a strongly fortified post for the garrison. As for the rest of the country, they are to equip it all by dividing the craftsmen into thirteen parts. One part they are to settle in the town, dividing it in turn among the twelve sections of the whole city and distributing it around the outskirts in a circle; and in each village they are to settle the kinds of craftsmen that are useful to farmers. Those in charge of all this are to be the officers of the country wardens: they will decide how many craftsmen, and of what kinds, each district needs, and where they will live so as to be least troublesome and most useful to the farmers. [849a] In the same way, the board of city wardens is to take charge of those in the town, both at the outset and from then on.

The market wardens, I suppose, must look after everything to do with the marketplace. After watching over the sanctuaries around the marketplace so that no one wrongs them in any way, their second concern would be people's dealings: as overseers of moderation and outrage, they are to punish whoever needs punishing. As for goods for sale, they are first to watch whether everything that citizens are required to sell to foreigners [849b] is sold in each case according to the law. The law for each item is this. On the first day of each month the agents—the foreigners or slaves who manage affairs for the citizens—are to bring out the portion that must be sold to foreigners, beginning with a twelfth of the grain; and at this first market the foreigner is to buy grain, and everything that goes with grain, for the whole month. On the tenth of the month, the one side is to sell and the other to buy liquids, enough for the whole month. [849c] On the twenty-third there is to be a sale of animals—whatever each party needs to sell or to buy—and of whatever implements or goods farmers sell and foreigners must buy, since they have to get them from others: skins, for example, or clothing of every kind, woven or felted, or other such things. As for retail trade in these things, or in barley or wheat ground into meal, or in any other food at all:

no one is to sell it to citizens and their slaves, and none of them is to buy anything from such a trader. In 849d the foreigners' markets, though, a foreigner may sell to craftsmen and their slaves, reselling wine and grain—which is what most people call retail trade. And butchers may dispose of cut-up animals to foreigners, craftsmen and their household slaves. Any foreigner who wishes may buy firewood of every kind by the day, wholesale from the agents in the country districts, and sell it himself to foreigners 849e in whatever quantity and whenever he wishes. All other goods and implements that anyone needs are to be sold by bringing them to the common market, each to its own place. In the places where the guardians of the laws and the market wardens, together with the city wardens, have fixed suitable sites and set boundaries for the goods on sale, there they are to exchange money for goods and goods for money, and no one is to give credit to another in the exchange. Anyone who does give credit, trusting the other, must put up with the outcome whether he gets paid or not, since there will be no legal action over such 850a transactions. If what is bought or sold exceeds in quantity or price what the law allows—the law that has stated how much may be added or subtracted before one must do neither—then any increase is at once to be recorded with the guardians of the laws, and any decrease struck off. The same is to apply to resident foreigners regarding the registration of their property. Anyone who wishes may come and live as a resident foreigner on stated terms. There is to be residence for foreigners, for anyone 850b who wishes and is able to settle, provided he has a craft and stays no more than twenty years from the date he registers. He is to pay no resident's tax, however small, except good conduct, nor any other tax on buying or selling. When his time is up, he is to take his property and leave. But if during these years it turns out that he has distinguished himself by some substantial service to the city, and he is confident he will persuade the council and the assembly when he asks that his departure be formally postponed, 850c or even that he be allowed to stay for life, he is to come forward and persuade the city; and

whatever he persuades it of is to be granted him in full.[9] For the children of resident foreigners, if they are craftsmen and have reached fifteen years of age, the period of residence is to begin from their fifteenth year. After staying twenty years on these terms, such a person is to go wherever he likes; but if he wishes to stay, he may stay, having persuaded the city in the same way. Anyone who leaves 850d is to have the registrations that were previously entered for him with the officials struck off before he goes.

9 At Athens, resident foreigners (metics) paid a special annual tax, the metoikion; Plato's city waives it.

Book IX

Criminal law: temple robbery, homicide and wounding.

ATHENIAN 853a Legal cases would come next, following naturally on all the activities we've dealt with before, in the orderly arrangement of the laws. Some of the matters on which there must be trials have been discussed—those concerning farming and whatever went with it—but the most important have not yet been. Each of them must be discussed one by one, stating what penalty it should receive and 853b what judges it should come before; these must be discussed next, in order, after the others.

CLINIAS Right.

ATHENIAN In a way it is shameful even to legislate on all the matters we are now about to legislate on, in a city of the sort we say will be well governed and will attain every correctness in the practice of virtue. In such a city, even to suppose that someone could grow up who would share in the worst wickedness found elsewhere—so that one must legislate in advance and threaten, 853c in case such a person appears, and lay down laws against these crimes, both to deter them and to punish them if they occur, as though they will—this, as I said, is shameful in a way. But we are not like the ancient lawgivers, who, as the story now goes, legislated for heroes, the children of gods, being descended from gods themselves and giving laws to others of the same descent. We are human beings, legislating now for the seed of human beings, and so we can't be blamed 853d for fearing that one of our citizens may turn out to be "horn-struck," as it were: so hard by nature that he won't soften. Just as those seeds

don't soften in the fire, such people remain unsoftened by laws, however strong. For their sake—and it gives me no pleasure—I shall pronounce the first law, on robbing temples, in case anyone dares to do it.[1] Now, a correctly brought up citizen is someone we would neither wish nor much expect ever to catch this disease. But their household slaves, and foreigners, and foreigners' slaves might attempt many such things. Chiefly for their sake, but also guarding against the weakness 854a of human nature as a whole, I shall state the law about temple robbers and about all other such crimes as are hard to cure or incurable. And in keeping with the principle we agreed on earlier, preambles must be pronounced before all of these, as briefly as possible. One might address the man whom an evil desire, summoning him by day and rousing him at night, drives to rob 854b some sanctuary, talking with him and encouraging him at the same time, like this: My dear man, what moves you now and urges you on to temple robbery is no human evil, nor a divine one either. It is a kind of frenzy, bred in human beings from ancient crimes never purified, that goes around bringing ruin; and you must guard against it with all your strength. Learn what that guarding is. When any such idea comes over you, go to the rites that turn evil away; go as a suppliant to the sanctuaries of the gods who avert evil; go to the company of the men among you who are said to be good, 854c and listen to them, and try to say it yourself, that every man must honor what is fine and just. Flee the company of bad men without looking back. And if, when you do this, the sickness abates somewhat, well and good; if not, consider death the finer course, and rid yourself of life.

These are the preambles we sing to all who contemplate such impious deeds, deeds that destroy cities. For the one who obeys, the law must be left unspoken; but for the one who disobeys, after the preamble, 854d it must sing out loud: Whoever is caught robbing a temple, if he is a slave or a foreigner, is to have his misfortune written on his face and hands, be whipped with as

1 "Horn-struck" seeds were beans said to stay hard however long they were cooked, supposedly because they had touched an ox's horn at sowing.

many lashes as the judges decide, and be thrown out naked beyond the borders of the country. For perhaps by paying this penalty he may be brought to his senses and become better. No penalty imposed according to law is inflicted to do harm; it generally achieves one of two things: it makes the one who pays it either better or less 854e wicked. But if a citizen is ever shown to have done anything of this kind—to have committed one of the great and unspeakable wrongs against gods, parents or city—the judge should regard him as already incurable, considering what education and upbringing he has had from childhood, and still has not kept away from the greatest evils. His penalty is death, the least of evils; and he will benefit others 855a by becoming an example, as he vanishes without honor beyond the borders of the country. But his children and family, if they shun their father's ways, are to have glory and be spoken of with honor, as people who escaped well and bravely from bad to good. It would not be fitting in this constitution for the property of any such person to be confiscated by the state, since here the allotments must always remain the same and equal. As for paying fines, when someone is thought to have committed wrongs that deserve a fine, he is to pay it if he has anything left over beyond the equipment of his allotment, 855b being fined up to that amount and no more. The guardians of the laws are to examine the precise facts from the property registers and always report them clearly to the judges, so that no allotment ever goes untilled for lack of money. If someone is thought to deserve a heavier fine, then, unless some of his friends are willing to stand surety for him and set him free by helping to pay it, he is to be punished with long and public imprisonment and certain humiliations. 855c But no one is ever to be wholly deprived of civic rights for any single offense, nor banished beyond the borders. The penalty is to be death, or imprisonment, or beatings, or some degrading postures, sitting or standing, or being made to stand at sanctuaries on the frontiers of the country, or payment of money, in the way we said earlier that this penalty should be exacted. In capital cases, the judges are to be the

guardians of the laws together with a court selected on merit from the previous year's officials. 855d The bringing of these cases, the summonses and all such matters, and how they are to be conducted, must be the concern of the younger lawgivers; the voting is ours to legislate. Let the vote be cast openly. Before that, the judges are to sit in order of seniority, as close as possible, facing the prosecutor and the defendant; and all citizens who have the leisure are to attend and listen seriously to such trials. Each side is to make one speech, 855e the prosecutor first and the defendant second. After these speeches the eldest judge is to begin the questioning, going into an adequate examination of what has been said; after the eldest, all of them in turn must go through whatever they find lacking in what either party said or failed to say. A judge who finds nothing lacking is to hand the questioning on to the next. They are to put their seals on whatever of the statements 856a seem relevant, attaching the marks of all the judges to the written record, and place it on the hearth. The next day they are to meet again in the same place, go through the case with questioning in the same way, and again put their marks on what has been said. When they have done this three times and have given adequate hearing to the evidence and the witnesses, each is to cast a sacred vote, promising by the hearth to judge what is just and true as far as he can; and in this way they are to bring such a trial to a close. 856b

After crimes concerning the gods come those aimed at overthrowing the constitution. Whoever enslaves the laws by putting them under the rule of men, and makes the city subject to a faction, and breaks the law by doing all this by violence and stirring up civil strife, must be regarded as the worst enemy of the whole city. And the man who takes part in none of this, but holds one of the highest offices in the city, and either fails to notice it or 856c notices it but out of cowardice fails to take vengeance on his country's behalf—such a citizen must be considered second in baseness. Every man who is of the slightest use is to denounce to the officials, bringing him to trial, anyone who plots a change of constitution that is both violent and

unlawful. The judges in these cases are to be the same as for temple robbers, and the whole trial is to be conducted in the same way as for them, the majority vote carrying the death penalty. In a word, a father's disgrace and penalties 856d are not to pass to any of his children, except where someone's father, grandfather and great-grandfather in succession have all been condemned to death. Such people the city is to send away to their ancient homeland and city, keeping their own property except for everything belonging to the fully equipped allotment. Citizens who happen to have more than one son, not less than ten years old, are to draw lots among ten of them, those designated by the father or by the grandfather on the father's or the mother's side, and the names of those chosen by lot 856e are to be sent to Delphi. Whichever one the god indicates is to be installed, with better luck, as heir to the household of those who have left it.

CLINIAS Good.

ATHENIAN Let there be one common law, too, for a third case, concerning the judges who are to try it and the procedure of the trials, when someone brings a charge of treason to court. And likewise, concerning whether descendants stay in their homeland or leave it, let there be this one law 857a for all three: the traitor, the temple robber, and the man who destroys the city's laws by violence. For the thief, too, whether he steals something large or something small, one law is to be laid down and one penalty for all. First, he must pay back double what was stolen, if he loses such a case and has enough other property beyond his allotment to pay it; if not, he is to be kept in prison until he pays it or persuades the one who won the case against him. 857b If someone is convicted of theft from the public, he is to be released from prison once he has persuaded the city or paid back double what he stole.

CLINIAS What do we mean, stranger, by saying it makes no difference whether the thief takes something large or small, from sacred places or secular ones, and in all the other respects in

which thefts are unlike one another? The lawgiver ought to follow them in all their variety and not impose the same penalties at all.

THE LAWGIVER AS TEACHER

Clinias objects to one penalty for all thefts; the Athenian says laws should educate, like a free doctor.

ATHENIAN Excellent, Clinias! You've run into me as I was, so to speak, rushing headlong, 857c and woken me up, and reminded me of something I'd thought about before: that lawmaking has never yet been worked out correctly in any way—to judge by the case that has just come up. What do we mean by that, in turn? It was not a bad comparison we made when we compared everyone who receives laws nowadays to slaves being treated by slaves.[2] For you should be well aware of this. Suppose one of the doctors who practice medicine by experience without any theory were to come upon 857d a free doctor talking with a free patient—using arguments not far from philosophy, getting hold of the disease from its origin, going back over the whole nature of bodies. He would promptly burst out laughing, and would say nothing but what most so-called doctors always have ready on such occasions: "You fool, you're not treating the patient, you're practically educating him, 857e as if what he needed was to become a doctor, not to get well!"

CLINIAS And wouldn't he be right to say so?

ATHENIAN Perhaps—if he had this further point in mind, that anyone who goes through the subject of laws the way we are doing now is educating the citizens, not legislating. Wouldn't that too seem a fair thing to say?

CLINIAS Perhaps.

ATHENIAN But our present situation is a lucky one.

CLINIAS In what way?

2 In Book IV the Athenian contrasted slave doctors, who simply give orders, with free doctors, who explain and persuade—his model for laws with preambles.

ATHENIAN In that there is no necessity for us to legislate. We can 858a examine every constitution for ourselves and try to discern both what is best and what is most necessary, and how it might come about. And now, in particular, it seems we are free, if we like, to consider what is best in matters of law, or, if we like, what is most necessary. So let's choose whichever we prefer.

CLINIAS It's a ridiculous choice we're setting ourselves, stranger. We'd be just like lawgivers under pressure, forced by some great necessity 858b to legislate right now, as if it were no longer possible tomorrow. But we—heaven willing—are free, like stonemasons or people beginning any other construction, to bring together a heap of materials from which we can select what suits the construction to come, and to select at our leisure. So let's take it that we are now not people building out of necessity, but people with leisure still to set some things aside and put others together. That way it is right to state some of our 858c laws as already enacted, and some as set aside for later.

ATHENIAN At any rate, Clinias, our survey of the laws would be more in keeping with nature that way. So let's look, by the gods, at the following point about lawgivers.

CLINIAS What point?

ATHENIAN In cities, I suppose, there are writings, and discourses in writing, by many other people; and there are also writings and discourses of the lawgiver.

CLINIAS Of course.

ATHENIAN Then are we to pay attention to the writings of the others— 858d poets, and those who have written down, in prose or in verse, their advice about life for people to remember—and not pay attention to those of the lawgivers? Or should we attend to these most of all?

CLINIAS Much the most.

ATHENIAN Well then, shouldn't the lawgiver, alone among writers, give advice about what is fine and good and just, teach-

ing what these things are and how those who mean to be happy must practice them?

CLINIAS Of course.

ATHENIAN 858e Then is it more shameful for Homer and Tyrtaeus and the other poets to have laid down bad precepts in their writings about life and its pursuits, and less shameful for Lycurgus and Solon and all who became lawgivers and wrote texts? Or, rightly, shouldn't the writings about laws, of all the writings in cities, prove when unrolled to be by far the finest and best, and the writings of others either conform 859a to them or, where they disagree with them, be laughable? Should we think that the laws of cities ought to be written in such a way that the writings appear in the guise of a loving and sensible father and mother? Or should they be like a tyrant and despot who gives orders and threats, writes them on walls, and is done with it?[3] So let's consider whether we too are now trying to speak about laws with this in mind, whether 859b we can or not, at least bringing our goodwill to it; and if, going along this road, we have to suffer something, let's suffer it. May it be for the good —and, god willing, that is how it will turn out.

CLINIAS Well said. Let's do as you say.

ATHENIAN Then we must first examine carefully, as we set out to do, the law concerning temple robbers, and all theft, and every kind of wrongdoing; and we mustn't be troubled if, 859c in the midst of lawmaking, we have enacted some things and are still examining others. For we are becoming lawgivers but are not yet lawgivers, though perhaps we may become so. So if you agree that we should examine the things I've mentioned in the way I've mentioned, let's examine them.

CLINIAS By all means.

ATHENIAN About everything fine and just, then, let's try to discern this: where we now agree with ourselves and where we

3 Solon was the Athenian statesman and lawgiver of the early sixth century BC; laws were published on scrolls, and also on walls and tablets.

differ—we who would claim to be eager, if nothing else, to be different from most people—and where the many, 859d in turn, differ among themselves.

CLINIAS What sort of differences of ours do you have in mind?

ATHENIAN I'll try to explain. About justice in general, and about just people, things and actions, we all somehow agree that all of them are fine. So much so that if someone were to insist that just people, even if they happen to be ugly in body, are nevertheless wholly fine by virtue of their supremely just character, hardly anyone 859e saying so would be thought to strike a wrong note.

CLINIAS And wouldn't that be right?

ATHENIAN Perhaps. But let's see: if everything that has to do with justice is fine, then among all these things, for us, are the things one undergoes as well, roughly as many as the things one does.

CLINIAS What of it?

ATHENIAN Any action that is just shares in the fine, I take it, to just the extent that it shares in the just.

CLINIAS Certainly.

ATHENIAN Then wouldn't it keep our argument consistent to agree that anything one undergoes that shares in the just becomes fine 860a to that same extent?

CLINIAS True.

ATHENIAN But if we agree that something undergone is just but shameful, the just and the fine will be out of tune, since just things will have been called most shameful.

CLINIAS What do you mean by that?

ATHENIAN It's not hard to see. The laws we laid down a little while ago would seem to prescribe the complete opposite of what we are saying now.

CLINIAS Which laws?

ATHENIAN 860b We laid down, I think, that the temple robber would justly be put to death, and so would the enemy of well-established laws; and when we were about to lay down a great many more rules of this kind, we held back, seeing that these are things undergone that are unlimited in number and magnitude, and though the most just of all things undergone, the most shameful of all. Won't the just and the fine appear to us, then, at one moment to be entirely the same, and at another the complete opposite?

CLINIAS It looks that way.

ATHENIAN 860c So it is that most people talk of the fine and the just in this discordant way, torn apart from each other in matters like these.

CLINIAS It seems so, at any rate, stranger.

ATHENIAN Then let's look again, Clinias, at our own position, and see how consistent it is on these very matters.

CLINIAS Consistent in what, with what?

ATHENIAN In the earlier discussion I think I stated explicitly, somehow—or if not before, then take me as saying it now—

CLINIAS What?

NO ONE DOES WRONG WILLINGLY

The Athenian holds that injustice is always involuntary and distinguishes wrongdoing from mere harm.

ATHENIAN 860d That all bad people are bad involuntarily, in every respect. And if this is so, the next statement must, I suppose, follow from it.

CLINIAS Which do you mean?

ATHENIAN That the unjust man is, I suppose, bad, and the bad man is such involuntarily. But it never makes sense for something voluntary to be done involuntarily. So to someone who holds that injustice is involuntary, the one who does wrong would seem to do it involuntarily. And now I too must agree to

this, since I concede that everyone who does wrong does it involuntarily—even if someone, out of love of victory 860e or of honor, says that people are unjust involuntarily but that many do wrong voluntarily, my position is the first one, not this. How, then, could I be consistent with my own statements? Suppose you ask me, Clinias and Megillus: "If this is how things stand, stranger, what advice do you give us about legislation for the city of the Magnesians? Should we legislate or not?" "Of course you should," I shall say. "Will you distinguish for them, then, between involuntary and voluntary wrongs? And shall we set greater penalties for voluntary errors and wrongs, 861a and lesser ones for the others? Or equal penalties for all, on the ground that there are no voluntary wrongs at all?"

CLINIAS You're quite right, stranger. And what use shall we make of what we're now saying?

ATHENIAN A good question. First, then, let's use it for this.

CLINIAS For what?

ATHENIAN Let's remember that a moment ago we rightly said that on the subject of just things there is a great deal of confusion and disagreement among us. With this in hand, let's ask ourselves again: 861b "Since we have neither found our way out of the difficulty about these things nor determined how they differ from one another—things that in every city, by every lawgiver there has ever been, are legislated for as two kinds of wrong, the voluntary and the involuntary—is the statement we made just now, as if spoken by a god, simply going to say that much and be done, giving no reason at all why 861c it was correct, and somehow lay down laws?" That's impossible. Before legislating, we must somehow make clear that these are two, and that the difference between them is something else, so that when someone imposes a penalty for each, everyone can follow what is said and can judge, in one way or another, what has been laid down fittingly and what has not.

CLINIAS You seem to us to be speaking well, stranger. We must do one of two things: either not say that all wrongs are involun-

tary, or [861d] first make distinctions and show that this has been rightly said.

ATHENIAN Of these two, the one is utterly intolerable to me: not to say it, when I think that this is the truth—that would be neither lawful nor pious. But in what way are they two, if each does not differ from the other as involuntary and voluntary? That is what we must try to make clear, somehow or other, by some other means.

CLINIAS Absolutely, stranger. There's no other way we can think about it.

ATHENIAN [861e] So be it. Come, then: in citizens' dealings and associations with one another, many harms occur, it seems, and there is no shortage of the voluntary and the involuntary among them.

CLINIAS Of course.

ATHENIAN Then let no one class all harms as wrongs and so suppose that the wrongs among them are twofold in the same way, some voluntary and others involuntary. (Involuntary harms, taken all together, are no fewer, in number or in magnitude, than [862a] voluntary ones.) Consider whether I'm saying anything, or nothing at all, in what I'm about to say. My claim, Clinias and Megillus, is not that if someone harms someone else without wanting to, involuntarily, he does wrong, but involuntarily, and I shall not legislate on that basis, treating this as an involuntary wrong. No, I shall not count such harm as wrong at all, whether it turns out to be greater or smaller. And often, if my [862b] view prevails, we shall say that someone responsible for a benefit does wrong, when the benefit came about wrongly. For, my friends, it's hardly right to call it simply just or unjust when someone gives someone something he has, or, conversely, takes something away. Rather, whether someone who benefits or harms another does so with a just character and in a just manner—that is what the lawgiver must look at. He must look to these two things, injustice and harm. What has been harmed he must make whole by the laws as far as possible, saving what was

lost, setting upright again 862c what someone knocked down, and making good what was killed or wounded; and once the harm has been atoned for by compensation, he must always try, by the laws, to bring those who do and those who suffer each harm from hostility into friendship.

CLINIAS That's well said.

ATHENIAN Now as for unjust harms, and gains too, when someone makes a gain by wronging another: those that are curable we must cure, as diseases in the soul. And we should say that the cure of injustice must tend in this direction.

CLINIAS Which direction?

ATHENIAN 862d That whenever someone commits a wrong, great or small, the law will teach him and compel him, in addition to paying for the harm, either never again to dare to do such a thing voluntarily or to do it very much less. Whether by deeds or words, by pleasures or pains, by honors or dishonors, by fines or even by gifts—by whatever means at all one can make people hate injustice and love, or at least not hate, the nature of justice—this is precisely the work 862e of the finest laws. But what penalty and law will the lawgiver set for those he perceives to be incurable in this respect? He knows, I suppose, that for all such people it is no longer better even for themselves to go on living, and that by departing from life they would benefit others doubly: they would become an example to others not to do wrong, and they would rid the city of bad men. So 863a for such people, and for them alone, the lawgiver must assign death as the punishment for their offenses.

CLINIAS What you say does seem quite reasonable, somehow. But we'd be glad to hear it put still more clearly: the difference between injustice and harm, and how the voluntary and the involuntary are variously involved in them.

ATHENIAN Then I must try to do as you ask, and explain. 863b Clearly this much, at least, you say to each other and hear said about the soul: that one element in its nature, whether an affection or a part, is spirit—a quarrelsome, hard-to-fight thing

implanted in it, which overturns a great deal by unreasoning force.[4]

CLINIAS Of course.

ATHENIAN And pleasure we don't call the same thing as spirit. We say it holds power by a strength of the opposite kind, and does whatever its will desires by persuasion combined with forceful deception.

CLINIAS Very much so.

ATHENIAN 863c And someone who named ignorance as a third cause of errors wouldn't be lying. But the lawgiver would do better to divide it in two. The simple kind he will regard as the cause of light errors. The double kind is when someone is ignorant and in the grip not only of ignorance but also of a conceit of wisdom, as though he knew all about things of which he knows nothing at all. When strength and power go with it, he will set this down as the cause of great and brutish errors; 863d when weakness goes with it, he will class the errors as those of children and old people. He will treat them as errors and lay down laws for them as offenders, but the mildest laws of all and the most forgiving.

CLINIAS What you say is reasonable.

ATHENIAN About pleasure and spirit, nearly all of us say that one person is stronger than them and another weaker; and that's how it is.

CLINIAS Absolutely.

ATHENIAN But we've never heard it said that one of us is stronger than his ignorance and another weaker.

CLINIAS 863e Very true.

ATHENIAN And we say that all of these urge each person toward their own will, often dragging him in opposite directions at once.

4 "Spirit" renders *thymos*; in the homicide laws that follow the same word is translated "anger."

CLINIAS Very often indeed.

ATHENIAN Now, then, I can define for you clearly, without complications, what I mean by the just and the unjust. The tyranny in the soul of spirit and fear, pleasure and pain, envy and desires, whether it does any harm or not, 864a I call injustice, without qualification. But the belief about what is best, however a city or certain individuals think it will be realized: if this prevails in souls and orders every man, then even if it goes wrong in some respect, we must say that everything done in this way is just, and so is whatever in each person becomes subject to such rule, and that it is best for the whole of human life—though many people think such harm is involuntary injustice. But we are not now having a quarrelsome argument 864b about words. Since three kinds of error have been shown to occur, we must first fix them still more firmly in our memory. One kind, then, is pain, which we call spirit and fear.

CLINIAS Certainly.

ATHENIAN The second, in turn, is that of pleasure and desires; and a third, different one is the striving after hopes and true belief about what is best. With this third divided in two, there are now five kinds, as 864c we now say; and for these five kinds we must lay down laws differing from one another, in two classes.

CLINIAS What are these?

ATHENIAN One is done on each occasion by violent and open acts; the other happens secretly, under cover of darkness and deceit; and sometimes a thing is done by both of these means. For this last the laws would be harshest, if they were to have their proper share.

CLINIAS That's reasonable, at any rate.

ATHENIAN Then let's go back to the point from which we set out on this digression, and complete the enactment of the laws. We had laid down, 864d I think, the laws about those who rob the gods, and about traitors, and also about those who corrupt the laws to overthrow the existing constitution. Someone might per-

haps do one of these things while mad, or afflicted by disease or extreme old age, or in a state of childishness, no different from a child. If any of this is made clear to the judges selected on each occasion, when the doer, or someone pleading on the 864e doer's behalf, puts it forward, and he is judged to have broken the law in such a state, he is to pay simple compensation in full for whatever harm he may have done to anyone, and be exempted from the other penalties—unless he has killed someone and his hands are not clean of bloodshed. In that case he is to go away to another country and place and live abroad for a year. If he comes back before the time the law has set, or even sets foot anywhere in his own country, he is to be bound in the public prison by the guardians of the laws for two years, and only then released. 865a

INVOLUNTARY HOMICIDE

Laws on accidental killings: purification, a year's exile, and the anger of the newly dead.

ATHENIAN Let's try, as we began, to lay down the laws on homicide of every kind, to the end; and first let's speak of killings that are violent and involuntary. If someone in a contest or public games involuntarily kills someone who is not an enemy, whether on the spot or later from the blows; or likewise in war, or in military training, when the officials hold exercises with bare bodies or with some weapons, 865b imitating the actions of war, he is to be purified according to the law brought from Delphi on these matters, and then be clean. As for doctors of every kind, if the patient they are treating dies without their intending it, the doctor is to be clean according to law. If someone kills another with his own hand, but involuntarily—whether with his bare body or with a tool or missile, or by giving drink or food, or by applying fire or cold, or by cutting off breath, whether he does it himself 865c with his own body or through other people's bodies—he is in every case to count as the killer by his own hand, and is to pay penalties as follows. If

he kills a slave, he is to reckon it as if he had destroyed his own, and keep the dead slave's master free from harm and loss, or else be liable to a penalty of double the dead slave's value, the judges assessing the value. He is to undergo purifications greater and more numerous than those who killed in the games, 865d and the authority over these is to rest with interpreters appointed by the god. If he kills his own slave, he is to be purified and released from the charge of homicide according to law. If someone involuntarily kills a free man, he is to undergo the same purifications as the one who killed the slave, and he is not to disregard an old story from the ancient myths. It is said that someone who has died by violence, having lived with the proud spirit of a free man, is angry with 865e the doer when he is newly dead. Filled himself with fear and terror because of his violent death, and seeing his own killer going about the places he himself used to frequent, he is terrified; and, being disturbed himself, he disturbs the doer—both the man and his actions—with all his power, with memory as his ally. That is why the doer must withdraw from the victim for all the seasons of a year, and keep away from all the victim's familiar places throughout the whole homeland. If the dead man is a foreigner, the killer is also to be barred from the foreigner's 866a country for the same period. If someone obeys this law willingly, the dead man's closest relative, who is to watch over all these proceedings, is to pardon him, and he would show proper moderation by making peace with him. But if someone disobeys—if he first dares to enter sanctuaries and sacrifice while unclean, and then refuses to complete the stated period of exile—the 866b dead man's closest relative is to prosecute the killer for homicide, and all penalties are to be doubled for the one convicted. If the nearest relative does not prosecute for what was done, the pollution is to be regarded as having passed onto him, the victim turning his suffering against him; and anyone who wishes may bring a case against him and compel him by law to stay away from his homeland for five years. If a foreigner involuntarily kills a foreigner living in the city, 866c anyone who wishes is to prosecute under

the same laws. If the killer is a resident foreigner, he is to go abroad for a year; if he is a foreigner through and through, then in addition to the purification, whether he kills a foreigner, a resident foreigner or a citizen, he is to be barred for his whole life from the country these laws govern. If he comes back unlawfully, the guardians of the laws are to punish him with death, and if he has any property, they are to hand it over to the victim's nearest relative. If he comes back involuntarily—if he is shipwrecked 866d on the coast—he is to camp with his feet in the sea and watch for a ship to sail on; if he is brought overland by force by others, the first official of the city to come across him is to release him and send him unharmed beyond the borders. If someone kills a free man with his own hand, but the deed was done in anger, we must first distinguish two cases of this sort. It is done in anger by those who, suddenly 866e and without any prior intention to kill, destroy someone on the spot with blows or some such means when the impulse comes over them, and immediately regret what they've done. It is also done in anger by those who have been insulted by words or by dishonoring deeds and, pursuing vengeance, later kill someone with the intention of killing, and feel no regret for what they've done.

KILLING IN ANGER

Killings in anger fall between voluntary and involuntary; penalties depend on premeditation and on the victim.

ATHENIAN So it seems we must lay down two kinds of homicide, both of them, broadly, 867a done in anger, and most justly described as lying somewhere between the voluntary and the involuntary. Still, each is a likeness of one of these. The one who nurses his anger, and takes vengeance not suddenly, on the spot, but later, with premeditation, resembles the voluntary killer. The one who gives vent to his rage without restraint, immediately, on the spot and without premeditation, is like the involuntary killer; yet he too is not entirely involuntary, but a likeness of the involuntary. 867b That is why homicides committed in

anger are hard to classify: should we legislate for them as voluntary, or some of them as involuntary? The best and truest course is to class both as likenesses, and to separate them by premeditation and its absence: for those who kill with premeditation and in anger we should legislate harsher penalties, and for those who kill without premeditation and suddenly, milder ones. For what resembles a greater evil should reasonably be punished more, 867c and what resembles a lesser one, less. And so our own laws must do this.

CLINIAS Absolutely.

ATHENIAN Then let's go back and state it again. If someone kills a free person with his own hand, and the deed is done without premeditation, in some fit of rage, let him suffer everything else that it would be fitting for someone to suffer who had killed without anger, but let him also be compelled to go into exile for two years, chastening his own anger. The man who 867d kills in anger but with premeditation is in other respects to be treated like the previous one, but is to go into exile for three years, as the other did for two, punished for a longer time because of the greater force of his anger. As for their return, let it be as follows. It is hard to legislate precisely. For sometimes the one of these two whom the law has classed as the worse may turn out to be the gentler, and the one classed as gentler the worse, having gone about the killing more savagely, while the other did it more gently. Yet 867e for the most part things do turn out as we have just described. The guardians of the laws, then, must be the judges of all these matters. When the period of exile has ended for either of them, they are to send twelve of their number as judges to the borders of the country. These should have examined the exiles' conduct during that time still more closely, and they are to judge whether to pardon them and receive them back; and the exiles for their part must abide by what such 868a officials decide. But if either of them, after returning, is ever again overcome by anger and does the same thing, let him go into exile and never return; and if he does return, let him be treated as the foreigner who returns is treated. Whoever kills a

slave of his own is to purify himself; if he kills someone else's slave in anger, he is to pay the owner double the damage. If any killer at all disobeys the law and, while still unclean, pollutes the marketplace, the games, and the 868b other sacred places, anyone who wishes may bring to trial both the relative of the dead man who allows this and the killer himself, and compel them to pay double the fines and other penalties and make them good; and the prosecutor is to keep the payment for himself, as the law provides. If a slave kills his own master in anger, the dead man's relatives may treat the killer in any way they 868c wish —except that they may on no account whatever let him live—and they will be free of pollution. If some other slave kills a free person in anger, his owners are to hand the slave over to the dead man's relatives, and they must put him to death, but in whatever way they choose. If—as does happen, though rarely—a father or mother kills a son or daughter in anger, by blows or some other violent means, the killer is to undergo the same purifications as the others and spend three years in exile. 868d When the killers return, the wife is to separate from the husband and the husband from the wife, and they are never again to have children together. Nor is the killer ever to share a hearth or sacred rites with those he has robbed of a child or a brother. Whoever behaves impiously in these matters and disobeys is to be liable to prosecution for impiety by anyone who wishes. If a husband kills his wedded wife in a fit of rage, 868e or a wife does the same to her husband in the same way, they are to undergo the same purifications and complete three years of exile. On his return, the one who has done such a thing is not to share in sacred rites with his own children or ever sit at the same table with them. If the parent or the child disobeys, he too is to be liable to prosecution for impiety by anyone who wishes. And if a brother kills a brother or sister in anger, or a sister kills a brother or sister, let it be declared that the same purifications and years of exile must apply to them as were stated for parents and children. The killer is never to share a hearth or sacred rites with those whom he has robbed of brothers, or parents of children. If anyone dis-

obeys, 869a he will rightly and justly be liable under the law already stated on impiety in these matters. But if someone becomes so unable to control his anger toward those who gave him life that in a mad fury he dares to kill one of his parents, then, if the dying parent, before death, freely releases the killer from the charge of murder, let him be purified as those who have committed involuntary homicide are, do everything else they do, and be clean. But if the parent does not 869b release him, the one who has done such a thing is to be liable under many laws. For he would be liable to the most extreme penalties for assault, and likewise for impiety and for temple robbery, since he has despoiled his parent of the soul. So if it were possible for the same man to die many times over, it would be most just for someone who kills his father or mother, and does it in anger, to suffer many deaths. For he is the one man whom no law will permit to kill his father or mother—those who brought him into the light—not even in self-defense when he is about to be put to death 869c by his parents; the law will require him to endure everything rather than do such a thing. How, then, could it be fitting for him to receive justice under the law in any other way? So let death be laid down as the penalty for anyone who kills his father or mother in anger. If a brother kills a brother in civil strife, when a fight has broken out, or in some similar way, 869d defending himself against one who struck first, let him be clean, as if he had killed an enemy in war; and the same if a citizen kills a citizen, or a foreigner a foreigner. If a citizen kills a foreigner, or a foreigner a citizen, in self-defense, let the same hold as regards his being clean. Likewise if a slave kills a slave. But if a slave kills a free person in self-defense, let him be liable to the same laws as one who has killed his father. What has been said about a father's releasing his killer from the charge of murder is to apply equally to every release of 869e this kind: if anyone at all freely releases anyone at all, treating the killing as involuntary, the killer is to undergo the purifications and spend one year abroad, as the law provides. So much, then, for killings that are violent, involuntary, or done in anger; let that be a fair account

of them. Next we must speak about those done voluntarily and out of sheer wrongdoing, with premeditation, through being overcome by pleasures, desires, and envy.

CLINIAS You're right.

DELIBERATE MURDER

The causes of murder are greed, ambition and fear; laws follow for murder and the killing of kin.

ATHENIAN Again, then, let us first say, as best we can, how many [870a] such causes there might be. The greatest is desire mastering a soul made savage by longings. This occurs most of all where most people's craving happens to be greatest and strongest: in the power of money, which, through a bad nature and lack of education, breeds countless passions for insatiable and unlimited acquisition. And the cause of that lack of education is the bad praise that wealth enjoys in the talk of Greeks and non-Greeks alike. They rank it first among good things, [870b] when it is third, and so ruin both their descendants and themselves. For the finest and best thing of all would be for the truth about wealth to be told in every city: that it exists for the sake of the body, and the body for the sake of the soul. So, although the things for whose sake wealth naturally exists are good, it would come third, after the excellence of the body and the virtue of the soul. This account would teach that the man who means to be happy [870c] must not seek to be rich, but to be rich justly and with moderation; and in that way there would be no murders in cities requiring purification by other murders. As it is, as we said when we began on this subject, this is one cause, and the greatest, that produces the gravest cases of voluntary murder. The second is the disposition of an ambitious soul, which breeds envy—a troublesome housemate, first for the very person who has the envy, and second for the best people in the city. Third, cowardly and unjust fears have caused many murders, [870d] when someone is doing or has done things he wants no one to know are being done or have been done. So people do away with those

who could inform on them, killing them when they can't do it any other way. Let these, then, stand as our preambles on all these matters. And in addition there is the account that many people hear from those who take such things seriously in the mystery rites, and firmly believe: that such crimes are punished in Hades, [870e] and that when the doers come back here again they must pay the penalty that nature prescribes, suffering what they themselves did—ending the life they then lead in the same way, at another's hands.[5] Anyone who believes this and truly fears such a penalty after the preamble alone has no need for the law on the subject [871a] to be chanted over him. But for the one who disobeys, let the following law be stated in writing. Whoever kills any of his fellow citizens with his own hand, with forethought and unjustly, is first to be barred from all customary places. He is not to pollute temples, marketplace, harbors, or any other public gathering, whether or not anyone forbids him these things—for the law forbids them, and is and always will be seen forbidding them on behalf of the whole city. [871b] And any relative of the dead man within the degree of cousin, on the male or female side, who fails to prosecute when he should, or fails to proclaim the killer's exclusion, will first take the pollution upon himself, and the enmity of the gods, as the curse of the law turns its utterance against him; and second, he is to be liable to prosecution by anyone who wishes to avenge the dead man. Whoever wishes to avenge him is to carry out everything—taking care over the ritual washings for such cases and all the other observances [871c] the god has handed down on these matters—and, having made the formal proclamation, go and compel the killer to submit to the execution of justice according to law. That these things must be accompanied by certain prayers and sacrifices to the gods whose concern it is that murders should not occur in cities, a lawgiver can easily declare. But which gods these are, and what way of bringing such cases to court would be most correct with respect to the divine, the guardians of the

5 Mystery cults such as the Orphic taught that souls are reborn and that crimes are repaid in the underworld and in later lives.

laws are to legislate together [871d] with the interpreters, the seers, and the god, and then bring these cases to trial. Their judges are to be the same ones who were said to have full authority to try those who rob temples. The one convicted is to be punished with death, and is not to be buried in the victim's country, because of his shamelessness as well as his impiety. If he flees and refuses to stand trial, let him be exiled forever. If he sets foot anywhere in the murdered man's country, whoever first meets him, whether one of the dead man's family [871e] or any citizen, may kill him with impunity, or bind him and hand him over to the officials of the court that tried the case to be put to death. The prosecutor is at the same time to demand bail from the man he charges; and the accused must provide sureties—three sureties judged adequate by the board of judges for these cases—guaranteeing that he will appear for trial. If he is unwilling or unable to provide them, the board is to take him, keep him in bonds, and produce him for the trial of the case. If [872a] someone does not kill with his own hand but plans another person's death, and, though responsible for the killing through his intention and plotting and not clean in soul of the murder, goes on living in the city, let the trials in his case be conducted in the same way, except for the bail. The one convicted may have burial in his own country, but in other respects let the same be done to him as was stated for the previous case. Let these same rules hold for foreigners toward foreigners, for citizens and foreigners toward each other, and for slaves [872b] toward slaves, both for killing with one's own hand and for plotting, except for the bail. In that matter, as has been said, those who killed with their own hands are to be held to bail, and whoever proclaims the murder is at the same time to demand bail from them as well. If a slave kills a free person deliberately, whether with his own hand or by plotting, and is convicted, the city's public executioner is to lead him toward the dead man's tomb, to a spot where he can see the grave, whip him with as many lashes [872c] as the successful prosecutor orders, and, if the murderer survives the beating, put him to death. If someone kills a slave who has

done no wrong, out of fear that he may inform on his shameful and wicked deeds, or for some other such reason, then just as he would have stood trial for murder if he had killed a citizen, let him stand trial in the same way for the death of such a slave.

Now suppose there occur crimes for which it is dreadful and in no way pleasant even to legislate, yet impossible not to—murders of kin, [872d] by one's own hand or by plotting, deliberate and utterly unjust, which mostly occur in badly governed and badly brought-up cities, though one may happen even in a country where no one would expect it. We must then repeat once more the account given a little earlier, in the hope that anyone who hears us may become more willing, because of it, to keep away of his own accord from murders that are the most unholy of all. For the [872e] myth or account—or whatever one should call it—has been clearly stated by priests of old: that Justice, who watches over and avenges the blood of kin, follows the law just mentioned, and has ordained that anyone who has done such a thing must necessarily suffer the same things he did. If someone ever killed his father, he himself must in time come to suffer the same violence at the hands of his children; if his mother, he must necessarily be born sharing a female nature, and, once born, lose his life at the hands of those he bore, in later times. For when the blood of a family has been polluted there is no other purification, nor will the stain consent to be washed out [873a] until the soul that did the deed has paid murder for like murder and has appeased and laid to rest the anger of the whole family. Fear of such punishments from the gods ought to hold a person back from these acts. But if some are overtaken by so wretched a misfortune that they dare, deliberately and with forethought, to part the soul of a father, mother, brothers, or children from its body, the law of the mortal lawgiver legislates for such cases [873b] as follows. The proclamations of exclusion from customary places and the bail are to be the same as were stated for the earlier cases. If someone is convicted of such a murder, having killed one of these, the officers of the judges and the officials are to put him to death and throw him out naked at

an appointed crossroads outside the city. All the officials, on behalf of the whole city, are each to carry a stone and throw it at the head of the corpse, and so absolve the whole city of the pollution. After this they are to carry him to the borders 873c of the country and cast him out unburied, as the law requires.

And what should happen to the one who kills the person nearest of all to him, the one called dearest? I mean the one who kills himself, forcibly robbing himself of his destined share of life, when the city has not ordered it by judicial sentence, and he has not been compelled by some agonizing and inescapable misfortune that has befallen him, nor has he met with some disgrace that leaves him helpless and unable to go on living, but through sloth and unmanly cowardice he imposes an unjust penalty 873d on himself. For such a person, the god knows what other observances are proper regarding purifications and burial, and the nearest relatives must consult the interpreters and the laws on these matters and act as they prescribe. But the graves of those who perish in this way are, first, to be apart, not shared with a single other; and second, they are to be buried without honor in those places on the borders of the twelve districts that are barren and nameless, and their graves are to be marked with neither headstone nor name. 873e

If a beast of burden or some other animal kills someone—except when it does so while competing in one of the public contests—the relatives are to prosecute the killer for murder, the case being decided by whichever country wardens the relative appoints, and as many as he appoints; and if the animal is convicted, they are to kill it and throw it out beyond the borders of the country. If some lifeless thing deprives a person of life—except for a thunderbolt or some such missile hurled by a god—that is, any other thing that kills someone, whether he falls against it or it falls on him, the nearest relative is to appoint 874a the nearest neighbor as judge over it, purifying himself and the whole family, and the thing convicted is to be cast out beyond the borders, as was said for animals.

If someone is found dead and the killer is unknown and cannot be discovered by a careful search, the proclamations are to be the same as for the others, but the charge of murder is to be proclaimed against "the one who did it"; and the prosecutor, having obtained judgment, is to announce in the 874b marketplace that the killer of so-and-so, convicted of murder, is not to set foot in the temples or anywhere in the victim's country, since if he appears and is identified, he will be put to death and cast out unburied beyond the victim's country. Let this one law, then, be laid down for us with authority on murder.

So much for these matters. Now the cases in which the killer would rightly be clean are as follows. If someone catches a thief entering his house at night to steal property 874c and kills him, let him be clean. If he kills a highway robber in self-defense, let him be clean. If anyone sexually assaults a free woman or a boy, let him be killed with impunity by the one he has assaulted, or by that person's father, brothers, or sons. If a husband comes upon his wedded wife being raped and kills the rapist, let him be clean in the eyes of the law. And if anyone kills someone while protecting his father from death, when the father is doing nothing unholy, or his mother, children, brothers, or the partner with whom he has children, 874d let him be entirely clean.

Let this, then, stand as our legislation on the nurture and education of the living soul—which make life worth living for a soul that gets them, and the opposite for one that misses them—and on the penalties there must be for violent deaths. The nurture and education of bodies has already been discussed. Next after these come acts of violence that people do to one another, involuntary and voluntary: we must define as best we can what they are and how many, and what 874e punishments each should meet with to receive its due. These, it seems, would rightly be legislated next.

WHY HUMAN BEINGS NEED LAWS

Wounding introduces an argument that no one could rule without laws, since no one has perfect knowledge.

ATHENIAN Even the least capable of those who turn to lawmaking would put wounds, and the maiming that results from wounds, second after deaths. Wounds must be divided just as killings were: some are involuntary, some done in anger, some from fear, and some are done voluntarily and with forethought. About all such cases we must first say something like this: human beings must lay down laws for themselves and live by laws, [875a] or else be no different from the most savage beasts. The reason is this: no human being is born with a nature capable both of knowing what benefits human beings in their political life and, knowing it, of always being able and willing to do what is best. For first, it is hard to recognize that the true political art must care not for the private but for the common—since the common binds cities together, while the private tears them apart—and that it benefits both the common and the private, both of them, if the common [875b] is well established rather than the private. Second, even if someone were to grasp adequately, as a matter of art, that these things are so by nature, and afterward ruled a city with absolute power, accountable to no one, he could never hold to this conviction and live his life nurturing the common good in the city as the leader and the private as following the common. Instead, his mortal nature will always drive him toward getting more for himself and minding his own interests, irrationally fleeing pain and pursuing pleasure. It will set these two in front of what [875c] is more just and better, and, creating darkness within itself, will in the end fill both itself and the whole city with every kind of evil. For if ever some human being, born by divine dispensation with a capable nature, were able to take hold of these things, he would have no need of laws to rule over him. For no law or order is stronger than knowledge, nor is it right for intelligence to be subject or [875d] slave to

anything; it must rule over all, if it is genuine and truly free, as its nature requires. But as it is, such a nature is not found anywhere at all, except to a slight degree. That is why we must choose the second best, order and law, which see and look to what holds for the most part but cannot see to every case. All this has been said for the following reason. We are now going to lay down what someone who has wounded or otherwise harmed another must suffer or pay. Now anyone can readily and rightly object, about any case: when you speak of someone wounding, do you mean wounding what, or [875e] whom, or how, or when? For each of these varies in countless ways, and they differ greatly from one another. So it is impossible either to leave everything to the courts to decide, or nothing. One thing must be left to them in every case: deciding whether or not each of these things happened. But to leave nothing to them [876a] about what penalty or suffering the wrongdoer in such cases should receive, and instead for the lawgiver himself to legislate about everything, small and great, is next to impossible.

CLINIAS Then what comes next in the argument?

ATHENIAN This: that some things must be left to the courts, and others must not be left to them but legislated by the lawgiver himself.

CLINIAS Which things must be legislated, and which handed over to the courts to decide?

ATHENIAN The most correct thing to say next would be this: in [876b] a city where the courts are poor and voiceless, hiding their own opinions and deciding cases in secret, or—what is still worse—where they are not even silent but full of uproar, like theaters, shouting praise and blame at each speaker in turn as they judge, a grievous condition usually arises for the whole city. To legislate for such courts, when one is caught by some necessity, is not a happy task. Still, one who is caught [876c] by necessity must leave them the power to fix penalties only in the most trivial matters and legislate most things himself in explicit terms—if anyone ever does legislate for such a constitution. But

in a city where the courts are established as correctly as possible, where those who are to judge have been well brought up and tested with all possible rigor, there it is right and good and fine to leave many things to such judges to decide concerning those convicted—what they should suffer or pay. In our present case, then, no one could blame us 876d for not legislating for them the greatest and most numerous matters, which even judges educated less well could discern, assigning to each offense the penalty or payment it deserves. Since we believe that the people for whom we are legislating will become judges of such matters as competent as any, we must leave most things to them. All the same, what we often said and did in legislating our earlier 876e laws—giving an outline and the general patterns of the punishments, and so providing the judges with models, so that they never step outside justice—was quite right then, and we must do exactly this now too, as we return once more to our laws. Let our written law on wounding be laid down as follows. If someone, intending and wishing to kill a person who is not an enemy—other than those the law permits—wounds him but fails to kill him, the one who so intended and wounded does not deserve 877a pity, nor should he be shown any more consideration than if he had killed; he should be made to stand trial for murder. But out of reverence for his fortune, which was not altogether bad, and for the spirit that took pity on him and on the wounded man and turned the thing aside—so that the one did not get an incurable wound, nor the other an accursed fate and calamity—in gratitude to this spirit, and not opposing it, the death penalty is to be lifted from the one who wounded, and he is to be moved 877b to a neighboring city for life, while enjoying the income from all his property. If he has done damage to the wounded man, he is to pay it to the injured party, the court that tries the case assessing the amount; and the judges are to be those who would have tried the murder if the man had died from the blow that wounded him. If a child wounds a parent, or a slave his master, in the same way, with forethought, the penalty is to be death. And if a brother wounds a brother or sister, or a sister a brother or sister,

in the same way, 877c and is convicted of wounding with forethought, the penalty is to be death. A wife who wounds her husband with a plan to kill him, or a husband his wife, is to be exiled for life. As for the property, if they have sons or daughters who are still children, the guardians are to administer it and take care of the children as orphans; but if the sons are grown men, they are not to be obliged to support the exile, and are to own the estate themselves. If someone who falls into such misfortunes has no children, 877d the exile's relatives on both sides, male and female, as far as the children of cousins, are to meet and, consulting with the guardians of the laws and the priests, appoint an heir to this household, the city's five thousand and fortieth. They are to reason in this way and on this principle: none of the five thousand and forty households belongs to its occupant, or even to his whole family, so much as it belongs to the city, both publicly and privately. And the city must keep its 877e own households as holy and as fortunate as it can. So when a household is struck at once by misfortune and impiety, so that its owner leaves no children but dies unmarried, or married but childless, having been convicted of deliberate murder or of some other offense against gods or citizens for which death is expressly laid down in the law as the penalty; or when one of the men goes into permanent exile childless, then the household must first be purified and have the pollution sent away according to law. Next, 878a as we said just now, the relatives are to meet together with the guardians of the laws and look for the family in the city that has the best reputation for virtue and is also fortunate, and in which several children have been born. From it they are to adopt one son for the dead man's father and his forefathers, naming him after them for the sake of good omen, and praying that in this way he may, with better fortune than his father, become a begetter of children for them, keeper of the hearth, and tender of their holy and sacred rites. They are to appoint him heir 878b according to law, and leave the offender to lie nameless, childless, and without a share, whenever such misfortunes overtake him.

Not all things, it seems, have one boundary directly adjoining another. Where there is a borderland, it lies in the middle, touching each boundary first, and would be between the two. And in fact we said that what is done in anger is of this kind, between the involuntary and the voluntary. So for wounds inflicted in rage, 878c let the rule be this. If someone is convicted, he is first to pay double the damage if the wound turns out to be curable, and four times the damage for incurable ones; and if it is curable but brings some great shame and disgrace on the wounded man, he is to pay four times the damage. Whenever someone who wounds another harms not only the victim but also the city, by making him unable to help defend his country against its enemies, he is to pay the city for the damage too, in addition to the other penalties. Besides his own 878d campaigns, he is to serve on campaign in place of the disabled man as well and take his post in the battle line; and if he does not do this, anyone who wishes may prosecute him for evading military service according to law. The amount of the damage—whether double, triple, or even fourfold—is to be fixed by the judges who convicted him. If a blood relative wounds a blood relative in this same way, the members of the clan and the relatives as far as the children of cousins, on the female and male side, women 878e and men alike, are to meet, decide the case, and hand over the assessment of the penalty to the natural parents. If the assessment is disputed, the relatives on the male side are to have authority to fix it; and if they themselves cannot manage it, they are finally to refer it to the guardians of the laws. When children wound their parents in this way, the judges must be people over sixty who have children of their own, not adopted but natural. If someone is convicted, they are to assess whether such a person must die or suffer some other penalty even greater than that, or not much smaller. And 879a none of the wrongdoer's relatives is to sit as judge, not even one who has reached the age the law has stated. If a slave wounds a free person in rage, the owner is to hand the slave over to the wounded man to deal with as he wishes; if he does not hand him over, he is to make good the

damage himself. If anyone alleges that what happened was a scheme arranged by agreement between the slave and the wounded man, he is to contest the case. If he fails to win, he is to pay three times the damage; but if he wins, he may prosecute the man who contrived the scheme [879b] along with the slave for kidnapping. Anyone who wounds another involuntarily is to pay simple damages—for no lawgiver is able to rule over chance—and the judges are to be the same as those named for cases of children against parents, and they are to assess the amount of the damage.

ASSAULT AND RESPECT FOR ELDERS

Laws on assault honor the old, protect foreigners, and punish violence against parents severely.

ATHENIAN All the injuries we have described so far are violent, but the whole class of assault is violent too. Concerning such things, every man, child, and woman should always think in this way: that the older is honored far above the younger, [879c] both among the gods and among human beings who mean to be preserved and to be happy. So it is a shameful and god-hated thing to see an older person assaulted by a younger in a city; and it is fitting for every young man who is struck by an old one to bear his anger calmly, storing up this honor for himself for his own old age. So let it be as follows. Everyone among us is to show respect to his elders in deed and word. Anyone who is twenty years older than himself, male or female, he is to regard as a father or mother and treat with great care; and [879d] out of respect for the gods of birth he is always to keep his hands off anyone of an age that could have fathered or borne him. In the same way he is to keep his hands off a foreigner, whether one long resident or newly arrived. He is not to dare discipline such a person with blows at all, whether he starts it or is defending himself. If he thinks that a foreigner who is striking him with insolence and effrontery ought to be punished, let him seize him and take him before the city wardens, but refrain from hitting

him, so that the foreigner may be far from ever 879e daring to strike a native. The city wardens are to take him and question him, again showing due reverence to the god who protects foreigners. If the foreigner does seem to have struck the native unjustly, they are to give him as many lashes with the whip as the blows he himself struck, and so put a stop to his foreign insolence. If he has done no wrong, they are to threaten and reprimand the man who brought him in, and let them both go. If someone strikes a person of his own age, or 880a someone older than himself who has no children—an old man striking an old man, or a young man a young man—the one struck may defend himself as nature allows, without a weapon, with his bare hands. But anyone over forty who dares to fight with someone, whether he starts it or is defending himself, will be called boorish, ill-bred, and servile, and he will get what he deserves in meeting with a disgraceful penalty. Anyone who is readily persuaded by such exhortations will be easy to manage. But one who is hard to persuade and pays no attention to the preamble should be ready to receive 880b a law like this. If anyone strikes a person twenty or more years older than himself, first, whoever happens to be present, if he is neither the same age as the combatants nor younger, is to separate them, or be held a coward in the eyes of the law. If he is the same age as the one struck, or younger still, he is to defend the wronged man as he would a brother or father or someone still further up the family. In addition, the one who dared to strike an older person, as described, is to stand trial for assault; and if he is convicted, 880c he is to be imprisoned for no less than a year. If the judges assess a longer period, the period they set is to stand. If a foreigner or a resident foreigner strikes someone twenty or more years older than himself, the same law about bystanders coming to help is to have the same force. The one who loses such a case, if he is a foreigner and not a resident, is to pay the penalty with two years in prison; if he is a resident foreigner who has disobeyed the laws, he is to be imprisoned for three 880d years, unless the court assesses a longer period in his case. Anyone present at any of

these incidents who fails to help as the law requires is also to be fined: a mina if he belongs to the highest property class, fifty drachmas if to the second, thirty if to the third, and twenty if to the fourth. The court for such cases is to consist of the generals, the infantry commanders, the cavalry squadron commanders, and the cavalry commanders.

Laws, it seems, are made partly for the sake of good people, to teach them how to live together 880e in friendship, and partly for the sake of those who have escaped education, who have a tough nature that nothing has softened, to keep them from going to every kind of wickedness. It is these people who will have caused the words that are about to be spoken. It is for them that the lawgiver would lay down his laws out of necessity, wishing that there might never be any need of them. For whoever dares ever to lay violent hands on his father or mother, or their forebears, in an assault, fearing neither the wrath of the gods above nor 881a the punishments said to await below the earth, but breaks the law as if he knew what he does not know at all, despising the ancient sayings that everyone repeats—such a man needs some extreme deterrent. Now death is not the extreme; the sufferings said to await such people in Hades go further still to the extreme. Yet though these accounts speak the very truth, they accomplish nothing to deter such souls—otherwise there would never be people who beat their mothers, or who have the unholy audacity to strike their other parents. So the punishments here 881b for such crimes, in this life, must as far as possible fall in no way short of those in Hades. Let what comes next, then, be stated like this. If anyone dares to strike his father or mother, or their fathers or mothers, when he is not in the grip of madness, first, whoever happens to be present is to come to the victim's aid as in the previous cases. A resident foreigner or foreigner who helps is to be invited to a front seat at the public contests; if he does not help, he is to be exiled from the country for life. 881c Anyone who is not a resident foreigner is to be praised if he helps, and blamed if he doesn't. A slave who helps is to become free, but one who doesn't is to be given a hundred

lashes with the whip: by the market wardens if the incident takes place in the marketplace; if it takes place in the town outside the marketplace, the city warden who is in town is to punish him; and if somewhere out in the countryside, the officers of the country wardens. If the bystander is a native, whether 881d a child, a man, or a woman, each is to defend the victim, denouncing the attacker as unholy; and whoever fails to defend him is to be liable, according to law, to the curse of Zeus of the Family and Zeus of the Fathers. If someone is convicted of assaulting his parents, first he is to be banished for life from the city into the rest of the country and excluded from all sacred places. If he does not keep away from them, the country wardens are to punish him with blows and in any way they wish; and if he comes back to the city, he is to be punished with death. If any free person eats or drinks with such a man, or has any other such 881e dealings with him, or even just meets him somewhere and willingly touches him, he is not to enter any temple, or the marketplace, or the city at all before he has been purified, considering that he has shared in an accursed fortune. If he disobeys the law and pollutes temples and city unlawfully, any official who notices it and does not bring him to trial is to have this counted, at his audit, 882a as one of the gravest charges against him. If a slave strikes a free person, whether foreigner or citizen, anyone present is to come to the victim's aid or pay the fine stated for his property class. Those present, together with the man who was struck, are to tie the slave up and hand him over to the wronged party. 882b He is to take him, put him in shackles, and whip him as many times as he likes, provided he does no damage to the owner's interest, and then hand him back to his owner to keep according to law. The law is to be this: when a slave strikes a free person without the officials' ordering it, his owner, taking him back in bonds from the man who was struck, is not to release him 882c until the slave persuades the man he struck that he deserves to live unbound. Let the same rules hold for women toward one another in all such matters, and for women toward men and men toward women.

Book X

Impiety, and the proof that the gods exist and care for us.

ATHENIAN 884a After assault, let a single legal principle covering all violent acts be stated, something like this. No one is to carry off or drive off anything belonging to others, nor use anything of his neighbor's, unless he persuades the owner. For on this sort of thing hang all the evils we have mentioned: from it they have come, they come, and they will come. The greatest of the remaining ones are the licentious and outrageous acts of the young. They are greatest when directed at sacred things, and especially great when directed at what is public and holy, or held in common by parts of the city—by tribesmen or other such associations. 885a Second, and second in gravity, are outrages against private sacred things and tombs; and third, apart from those already mentioned, outrages when someone commits them against parents. A fourth kind of outrage is when someone, disregarding the officials, carries off or drives off or uses something of theirs without persuading them; the fifth would be the civic kind, the outrage against the rights of an individual citizen, which calls for legal redress. To each of these a common law must be given. Temple robbery has already been dealt with 885b in general—what should happen to the offender, whether it is done by force or in secret. But as for the outrages someone commits against the gods in word or deed, speaking or acting, we must first set out the exhortation and then state what he should suffer. Let it be this. No one who believes, as the laws prescribe, that gods exist has ever willingly done an impious deed or let slip a lawless word. Rather, he is suffering from one

of three things: either, as I said, he does not believe this; or, second, he believes that they exist but do not care about human beings; or third, that they are easily won over, swayed by sacrifices and prayers.

CLINIAS 885c Then what should we do, or say, to them?

THE ATHEISTS' CHALLENGE

Imagined unbelievers demand proof that gods exist before being threatened with punishment.

ATHENIAN My good friend, let us first listen to what I imagine they would say, mocking us in their contempt.

CLINIAS What would that be?

ATHENIAN They might well say this, teasing us: Strangers—from Athens, Sparta, and Knossos—what you say is true. Some of us don't believe in gods at all, and others believe in gods of the kind you describe. So we demand, just as you have demanded 885d in the matter of laws, that before threatening us harshly you first try to persuade and teach us that gods exist, offering adequate evidence, and that they are too good to be charmed by gifts and turned aside from justice. As it is, we hear these things and others like them from those reputed to be the best poets, orators, seers, priests, and countless thousands of others, and most of us are not turned away from doing wrong; 885e instead we do wrong and then try to make amends. From lawgivers who claim to be gentle rather than savage, we demand that you use persuasion with us first. Even if what you say about the existence of gods is not much better than what others say, let it at least be better as regards the truth, and perhaps you might persuade us. So if our request is reasonable, try to answer our challenge.

CLINIAS Well, stranger, doesn't it seem easy to say truthfully that gods exist?

ATHENIAN 886a How so?

CLINIAS First, there's the earth and the sun, the stars and the whole universe, and the seasons so beautifully ordered, divided into years and months. And then there's the fact that all Greeks and non-Greeks believe that gods exist.

ATHENIAN My dear friend, I'm afraid of the wicked—I would certainly never say I feel respect for them—afraid that they may somehow look down on us. You two don't know the reason for their difference of view; you think their souls rush into the impious life only through lack of control over their pleasures 886b and desires.

CLINIAS And what other cause could there be besides these, stranger?

ATHENIAN One that you, living quite outside it, would hardly know about; it would escape your notice.

CLINIAS What are you getting at now?

ATHENIAN A very grievous kind of ignorance, which passes for the greatest wisdom.

CLINIAS What do you mean?

ATHENIAN Among us there are accounts set down in writing, which you don't have in your cities because of the virtue of your constitutions, as I understand it. Some are 886c in verse, others in prose, and they speak about the gods. The most ancient tell how the first nature of the heavens and of everything else came to be, and, going on not far from the beginning, relate the birth of the gods and how, once born, they dealt with one another. Whether these accounts are good or bad for their hearers in other respects is not easy to criticize, since they are ancient. But as regards the care and honor due to parents, I at least would never praise them, or call them either beneficial or at all true. 886d So let the ancient accounts be dismissed and let go, and let them be told in whatever way is pleasing to the gods. But the accounts of our modern, wise men must be held to blame wherever they

cause harm.[1] This, then, is what the accounts of such men accomplish. When you and I offer evidence that gods exist, bringing forward these very things—sun, moon, stars, and earth —as gods and divine beings, people who have been won over by these wise men would say that these things are earth and stones and are incapable of caring 886e at all about human affairs, and that all this has been nicely sugarcoated with words to make it plausible.[2]

CLINIAS That's a hard argument you've brought up, stranger, even if there were only one such account; but as there are a great many, it would be harder still.

ATHENIAN Well then? What do we say? What must we do? Should we make a defense speech, as if someone had accused us before a court of impious men and we were on trial over our legislation, charged with 887a doing something terrible in legislating on the assumption that gods exist? Or should we say goodbye to all this and turn back to our laws, so that our preamble doesn't become longer than the laws themselves? For the argument would grow to no small length if, for those who want to be impious, we were to demonstrate adequately in argument the things they said we must speak about, turn them to fear, make them loathe what they should, and only then legislate what is fitting.

CLINIAS 887b But, stranger, we've said this very thing many times in this short while: at present we shouldn't prefer brevity to length at all—for no one, as the saying goes, is chasing us and pressing us on—and it would be ridiculous and shabby to be seen choosing the shorter over the best. It makes no small difference that our arguments have some plausibility, somehow or other, that gods exist and are good, and honor justice more than human beings do. For this would be just about the finest and best preamble for all 887c our laws. So, without annoyance or

1 He means theogonies such as Hesiod's, in which gods overthrow and mutilate their fathers.

2 The philosopher Anaxagoras, for example, had called the sun a red-hot stone.

haste, let us go through these arguments as adequately as we can, holding back none of whatever power of persuasion we have in such matters.

ATHENIAN The argument you're now making seems to me to call for a prayer, since you're pressing so eagerly. But there's no more room for delay; I must speak. Come then: how could anyone argue without anger that the gods exist? One can't help being annoyed with, and hating, 887d those who have been responsible, and still are, for our having to make these arguments. They don't believe the stories they heard from their nurses and mothers when they were small children still at the breast—stories told as if they were charms, both in play and in earnest. They heard them, too, in the prayers at sacrifices, and saw the spectacles that go with them, which a young person sees and hears performed with the greatest delight: their own parents sacrificing, in the utmost earnest on behalf of themselves and their children, and addressing the gods in prayers and supplications 887e as beings who most certainly exist. They heard and saw, too, at the rising and setting of the sun and moon, the prostrations and obeisances of all Greeks and non-Greeks, in every kind of misfortune and in success—not as though the gods did not exist, but as though they most certainly did, and gave no room at all for suspicion that they don't. All this these people despise, and not on the strength of a single sufficient argument, as anyone with even a little sense would say; and now they force us to say what we are saying. 888a How could anyone admonish such people in gentle words, and at the same time teach them, first of all, that the gods exist? Still, we must dare it. We can't have both sides going mad at once—they from greed for pleasure, we from anger at people like them. So let's make some such calm preliminary address to those whose minds are corrupted in this way. Let's quench our anger and speak gently, as if talking to one of them: My boy, you are young. As time goes on it will make you 888b reverse many of the views you now hold and adopt their opposites. So wait until then before you set yourself up as a judge of the most important matters. And the most

important—though you now think it nothing—is whether one thinks rightly about the gods and so lives well, or not. First, then, there is one great point about them that I can reveal to you, and I would never be shown to be wrong about it. It is this. It is not you alone, nor you and your friends, who were the first to hold this opinion about the gods. There are always people, more or fewer, who have this disease. So, having met [888c] many of them, I can tell you this: no one who took up this opinion in youth, that the gods do not exist, has ever remained in that way of thinking all the way to old age. Two other attitudes about the gods do remain—not in many, but still in some: that the gods exist but pay no attention to human affairs; and, next, that they do pay attention but are easily won over by sacrifices and prayers. If you take my advice, you will wait until you have as clear a view about them as you can, examining whether things are this way or otherwise, [888d] and inquiring of other people, and above all of the lawgiver. In the meantime, don't dare commit any impiety concerning the gods. For whoever is laying down your laws must try, now and in the future, to teach you how these very matters stand.

CLINIAS What we've said so far, stranger, has been very well said.

ATHENIAN Very much so, Megillus and Clinias. But without noticing it we've stumbled into an extraordinary argument.

CLINIAS Which one do you mean?

ATHENIAN [888e] The one that many people consider the wisest of all arguments.

CLINIAS Put it more plainly still.

NATURE, CHANCE AND ART

The unbelievers' view: the world arose by nature and chance, while gods and laws are products of art.

ATHENIAN Some people say, I believe, that all things that come to be, have come to be, and will come to be do so some by nature, some by art, and some by chance.

CLINIAS Well, isn't that right?

ATHENIAN It's likely enough, I suppose, that wise men speak correctly. [889a] All the same, let's follow them and see what exactly the people in that camp actually have in mind.

CLINIAS By all means.

ATHENIAN It seems, they say, that the greatest and finest things are produced by nature and chance, and the lesser ones by art. Art takes over from nature the great and primary works already generated, and molds and constructs all the lesser ones—the things we all call artificial.

CLINIAS What do you mean?

ATHENIAN [889b] I'll put it more plainly still. Fire, water, earth and air, they say, all exist by nature and chance, and none of them by art. The bodies that come after them—the earth, sun, moon and stars—came to be through these elements, which are entirely without soul. Each of them was carried along by chance, according to its own power, and wherever they happened to meet and fit together in some congenial way—hot with cold, dry with wet, soft with hard, and [889c] all the things that were blended by chance, of necessity, in the mixing of opposites —in this way and on these terms they have generated the whole heaven and everything in the heavens, and all animals and plants as well, once all the seasons had arisen from these elements. Not through intelligence, they say, nor through any god, nor through art, but, as we said, by nature and chance. Art, they say, arose later out of these, a latecomer, itself mortal and born of [889d] mortal things; and later still it generated certain amuse-

ments that have little share in truth, mere images akin to one another, such as painting and music produce, along with the arts that work alongside them. The arts that do produce something serious, they say, are those that share their power with nature, like medicine, farming and physical training. Politics, too, they say, shares with nature to some small extent, but is mostly art. And in the same way all legislation 889e is not by nature but by art, and its enactments are not true.

CLINIAS What do you mean?

ATHENIAN The first thing these people say, my dear friend, is that gods exist by art—not by nature, but by certain laws—and that they differ from place to place, according to what each people agreed among themselves when they made their laws. Moreover, what is fine by nature is one thing and what is fine by law another; and what is just does not exist by nature at all. People go on disputing it with one another and constantly changing it, and whatever changes they make, 890a whenever they make them, are authoritative from that moment—coming to be by art and by laws, and not by any nature at all. All this, my friends, comes from men the young regard as wise—prose writers and poets—who declare that the height of justice is whatever someone can win by force. That is how impiety takes hold of the young, as though there were no gods of the kind the law commands us to believe in; and that is how factions arise, as these teachers draw them toward the life that is "correct according to nature"—which is, in truth, to live as master of others, and not as their slave in accordance with law.

CLINIAS 890b What an argument you've described, stranger! And what ruin it brings on the young, publicly in cities and in private households!

ATHENIAN True enough, Clinias. So what do you think the lawgiver should do, when these people have been prepared like this for so long? Should he simply stand up in the city and threaten everyone? Unless they say the gods exist, and hold in their minds that the gods are such as the law says—and the same goes

for the fine and the just and all the most important matters, 890c whatever bears on virtue and vice: they must act on these with the thoughts the lawgiver lays down in writing—then whoever fails to make himself obedient to the laws must, in one case, be put to death; in another, be punished with beatings and imprisonment; in another, with loss of civic rights; and others with loss of property and exile. And as he lays down laws for people, should he offer them no persuasion, attaching nothing to his words to tame them as far as he can?

CLINIAS 890d Not at all, stranger. If there's any persuasion to be had on such matters, even a little, a lawgiver worth anything at all must never tire, but must leave no word unspoken, as the saying goes, in coming to the aid of the ancient law with argument—that the gods exist, and all the rest you've just gone through. He must also defend law itself, and art, as existing by nature, or by something no less than nature, if indeed they are products of intelligence according to right reason. That is what you seem to me to be saying, and I believe you now.

ATHENIAN 890e My most eager Clinias, what then? Aren't arguments that are spoken to crowds like this hard to follow? And don't they also run to enormous lengths?

CLINIAS What's this, stranger? We put up with ourselves talking at such length about drinking and music, and we won't be patient when it comes to the gods and such matters? What's more, this is surely the greatest help to legislation guided by wisdom: 891a instructions about laws, once set down in writing, stay perfectly still, ready to be scrutinized at any time. So there's no need to be afraid if they're hard to take in at first, since even a slow learner can come back and examine them again and again. Nor, if they are long but useful, does it make any sense—nor does it seem pious to me—for any man not to support these arguments as best he can.

MEGILLUS I think Clinias is speaking excellently, stranger.

ATHENIAN 891b He certainly is, Megillus, and we must do as he says. If arguments like these hadn't been sown among practic-

ally everyone, so to speak, there would be no need for arguments to defend the claim that the gods exist. But as it is, there's need. When the greatest laws are being corrupted by bad men, who has a better claim to come to their aid than the lawgiver?

MEGILLUS No one.

ATHENIAN Then tell me again, Clinias—you too must be a partner [891c] in the discussion. Whoever says these things is liable to think that fire, water, earth and air are the first of all things, and to call these very things "nature," and to hold that soul came from them later. In fact, it's not just that he's liable to: he really is indicating this to us in his argument.

CLINIAS Certainly.

ATHENIAN Then, by Zeus, have we discovered something like a spring of foolish opinion in all those who have ever taken up inquiries into nature? Consider it, examining every argument. For [891d] it makes no small difference if it turns out that those who take up impious arguments, and lead others on, are not even using their arguments well, but faultily. And that is how I think things stand.

CLINIAS Well said. But try to explain how.

ATHENIAN It looks as though we must take up some rather unfamiliar arguments.

CLINIAS We mustn't shrink from them, stranger. I understand: you think we'll be stepping outside legislation if we take up such [891e] arguments. But if there's no other way to show agreement that the gods, as our law now speaks of them, are rightly spoken of, then, my admirable friend, this is the way we must speak.

SOUL IS OLDER THAN BODY

The Athenian argues that soul, the self-moving motion, is the first cause of all change.

ATHENIAN Then it seems I must now give this rather unusual argument. The arguments that have produced the soul of the impious declared that what is the first cause of the coming-to-be

and passing away of all things was not first but came to be later, and that what is later was earlier. That is how they have gone wrong about the true being of the gods.

CLINIAS [892a] I don't follow yet.

ATHENIAN Soul, my friend: nearly all of them seem to be ignorant of what sort of thing it actually is and what power it has—both in other respects and especially as regards its origin: that it is among the first things, having come to be before all bodies, and that more than anything it governs all their change and rearrangement. And if this is so, won't the things akin to soul necessarily have come to be before the things that belong [892b] to body, since soul is older than body?

CLINIAS Necessarily.

ATHENIAN Then opinion and care and intelligence and art and law will come before hard and soft, heavy and light. And the great and primary works and actions will belong to art, since they are among the first things; while the things that are by nature, and nature itself—which they wrongly call by that name—will come later and be governed by art and intelligence.

CLINIAS [892c] Why wrongly?

ATHENIAN By "nature" they mean the coming-to-be of the first things. But if it turns out that soul came first—not fire, not air, but soul came to be among the first things—then it would be almost perfectly correct to say that soul, above all, exists by nature. That is how things stand, if one shows that soul is older than body, and not otherwise.

CLINIAS Very true.

ATHENIAN Then shall we set off next toward this very point?

CLINIAS [892d] Of course.

ATHENIAN Let's be thoroughly on guard against a deceptive argument, in case, being so youthful, it talks us old men round, then slips away and makes us a laughingstock, and we seem to have reached for greater things and missed even the small ones. So consider. Suppose the three of us had to cross a river running

hard, and I, being the youngest of us and experienced with many currents, said that I should first try it [892e] by myself, leaving you in safety, and see whether it could be crossed by you older men too, or how things stood. If it proved crossable, I would then call you and help you across with my experience; but if it was impassable for you, the danger would have fallen on me. I would seem to be talking sense. And so now: the argument ahead runs rather hard, and is perhaps nearly impassable for the strength you two have. So that it doesn't make you dizzy and give you vertigo [893a] as it sweeps past, questioning you when you're not used to answering, and then produce an unpleasant awkwardness and embarrassment, I think I should proceed like this for now: first I'll question myself while you listen in safety, then answer myself in turn, and go through the whole argument that way until it has reached its conclusion about soul and shown that soul is prior to body.

CLINIAS That seems an excellent plan to us, stranger. Do as you say.

THE TEN KINDS OF MOTION

He lists the kinds of motion and shows that self-motion must come first.

ATHENIAN [893b] Come then: if ever we must call on a god for help, let it be now. Let the gods be called on in all earnestness to help prove their own existence; and holding on to this as to a secure cable, let's embark on the argument before us. When I'm examined on such matters with questions like the following, it seems to me safest to answer this way. Stranger, suppose someone asks: Do all things stand still, and nothing move? Or is the exact opposite true? Or do some of them move and others remain at rest?— [893c] Some move, I suppose, I shall say, and others remain at rest.—Then don't the things at rest stand, and the things in motion move, in some place?—Of course.—And some of them, I suppose, would do this in one location, others in several. —You mean, we shall say, that things that take on at their center

the capacity of things at rest move in one place, as the revolution turns of circles said to stand still?—Yes. And we understand that in this revolution such a motion carries the largest and the smallest circle around together, [893d] distributing itself in proportion to small and large, being less and more in proportion. That is why it has become the source of all sorts of wonders: it carries large and small circles at once at slow and fast speeds that agree with each other—a thing one might expect to be impossible.—Very true.—And by things that move in many places you seem to me to mean those that move by locomotion, always passing to another place, sometimes having a base on a single [893e] center, and sometimes on several, as they roll along. When they meet with things one after another, they are split by those at rest; but when they meet others coming from the opposite direction and moving toward them, they unite and become a single thing midway between them.—Yes, I agree things are as you say.—And when they combine they grow, and when they separate they diminish—so long as the established condition of each remains; [894a] if it does not remain, they perish by both processes. Now in what condition does the coming-to-be of anything occur? Clearly, whenever a starting point takes on growth and passes to its second stage, and from this to the next, and on reaching three becomes perceptible to those who perceive. So it is by changing and shifting in this way that everything comes to be; and it truly is, as long as it remains, but when it has changed into another condition it is utterly destroyed. Have we now described all motions, so far as they can be grasped in kinds [894b] and counted—except, my friends, two?

CLINIAS Which two?

ATHENIAN Just about, my good friend, the two for whose sake our whole present inquiry is being made.

CLINIAS Speak more plainly.

ATHENIAN It was for the sake of soul, wasn't it?

CLINIAS Certainly.

ATHENIAN Then let one motion be the one that can move other things but can't move itself—always one kind; and let another be the one that can always move both itself and other things, by combining and separating, by growth and its opposite, by coming-to-be and destruction—yet another kind 894c among all the motions.

CLINIAS So be it.

ATHENIAN Then the one that always moves something else and is changed by something else we'll put ninth; and the one that moves itself and something else, fitting in with every action and every passion, and truly called the change and motion of all the things that are—this, I suppose, we'll call tenth.

CLINIAS Certainly.

ATHENIAN Of our ten motions, which should we most rightly judge 894d to be the strongest of all and by far the most effective?

CLINIAS We must say, surely, that the one that can move itself is ten thousand times superior, and all the others come after it.

ATHENIAN Well said. Then must we correct one or even two of the things we just said, which weren't said correctly?

CLINIAS Which do you mean?

ATHENIAN What we said about the tenth wasn't quite right.

CLINIAS How so?

ATHENIAN By rights it is first in origin and in strength. 894e And the one after it we count second, though a moment ago we absurdly called it ninth.

CLINIAS What do you mean?

ATHENIAN This. When one thing changes another, and that in turn another, and so on forever, will there ever be anything among such things that changes first? How can something that is moved by another ever be the first of the things that alter? It's impossible. But when something that has moved itself alters another, and that another, 895a and in this way the things set in motion come to thousands upon tens of thousands, can there be

any beginning of all their motion other than the change of the thing that moved itself?

CLINIAS Very well put, and we must agree to it.

ATHENIAN Let's put it this way too, and again answer ourselves. If all things somehow came together and stood still—as most of these thinkers dare to claim—which of the motions we've described would necessarily be the first to arise among them? 895b Surely the one that moves itself. For they could never be shifted by something else before that, since there was no shifting in them before. So we shall say that the beginning of all motions, the first to arise among things at rest and the first to exist among things in motion—the self-moving motion—is necessarily the oldest and mightiest change of all; and the one that is altered by something else and moves other things is second.

CLINIAS Very true.

ATHENIAN 895c Now that we've reached this point in the argument, let's answer this question.

CLINIAS What question?

ATHENIAN If we should see this motion arise in something made of earth or water or fire, whether separate or mixed, what condition shall we say is present in such a thing?

CLINIAS Are you asking me whether we'll say it is alive, when it moves itself?

ATHENIAN Yes.

CLINIAS Alive. Of course.

ATHENIAN And what about when we see soul in things? Is it anything other than this? Must we agree that they are alive?

CLINIAS Nothing other.

ATHENIAN 895d Hold on, by Zeus! Wouldn't you be willing to recognize three things about each thing?

CLINIAS What do you mean?

ATHENIAN One is its being, one the definition of its being, and one its name. And also that there are two questions about everything that is.

CLINIAS Why two?

ATHENIAN Sometimes each of us puts forward the name and asks for the definition, and sometimes puts forward the definition and asks in turn for the name. Isn't this the kind of thing we want to say now?

CLINIAS What kind of thing?

ATHENIAN [895e] Division in two occurs, I suppose, in various things, including number. In the case of number, the name is "even," and the definition is "a number divided into two equal parts."

CLINIAS Yes.

ATHENIAN That's the sort of thing I mean. Aren't we referring to the same thing either way—whether, asked for the definition, we give the name, or asked for the name, we give the definition—calling one and the same thing "even" by its name and "a number divided in two" by its definition?

CLINIAS Certainly.

ATHENIAN Then what is the definition of the thing whose name is "soul"? Do we have [896a] any other than the one just given: "the motion that can move itself"?

CLINIAS Are you saying that "moving itself" is the definition of the very being that has the name we all use, "soul"?

ATHENIAN I am. And if that is so, do we still feel it hasn't been adequately shown that soul is the same as the first coming-to-be and motion of the things that are, have been and will be, and of all their opposites, since [896b] it has been revealed as the cause of all change and motion in all things?

CLINIAS No. It has been shown most adequately that soul is the oldest of all things, since it came to be as the beginning of motion.

ATHENIAN Then isn't the motion that arises in one thing because of another, and never makes anything move of itself within itself, second—or as many places down the list as anyone cares to count—since it is the change of a body that is truly without soul?

CLINIAS Right.

ATHENIAN Then we would be speaking rightly, with authority, and most truly and completely, 896c in saying that soul came to be before body, and body second and later: soul rules, and body is ruled, according to nature.

CLINIAS Most truly indeed.

ATHENIAN Now, we remember agreeing earlier that if soul turned out to be older than body, the things of soul would also be older than the things of body.

CLINIAS Certainly.

ATHENIAN Then dispositions, characters, wishes, reasonings, 896d true opinions, cares and memories will have come to be before the length, breadth, depth and strength of bodies, if soul is prior to body.

CLINIAS Necessarily.

ATHENIAN Then must we next agree that soul is the cause of good things and bad, fine and shameful, just and unjust, and all the opposites, if we are going to posit it as the cause of all things?

CLINIAS Of course.

ATHENIAN And soul, which manages and dwells in all things 896e that move in any direction—mustn't we say that it manages the heaven too?

CLINIAS Of course.

ATHENIAN One soul, or more? More—I'll answer for you both. Let's posit no fewer than two, at any rate: the one that does good, and the one capable of producing the opposite.

CLINIAS Quite right.

ATHENIAN Very well. Soul drives all things in heaven, on earth and in the sea by its own motions, whose names 897a are wishing, examining, caring, deliberating, opining correctly and falsely, feeling joy and grief, confidence and fear, hatred and love; and by all the motions akin to these—primary motions, which take over in turn the secondary motions of bodies and drive all things to growth and decay, separation and combination, and to the heating and cooling, heaviness and lightness, hard and soft, white and black, bitter 897b and sweet that follow from them. Using all these, soul, when it takes intelligence as its partner—a god, rightly, to the gods—guides all things rightly and happily; but when it keeps company with folly, it produces the opposite in everything. Shall we lay it down that this is how things are, or do we still doubt whether they may be otherwise?

CLINIAS Not at all.

ATHENIAN Then which kind of soul shall we say has come to be in control of heaven and earth and the whole circuit? The wise 897c kind, full of virtue, or the kind that has neither? Would you like us to answer this way?

CLINIAS How?

ATHENIAN If, my admirable friend, we say that the whole course and movement of heaven and of everything in it has a nature like the motion, revolution and reasonings of intelligence, and proceeds in a kindred way, then clearly we must say that the best soul cares for the whole cosmos and drives it along that kind of course.

CLINIAS Right.

ATHENIAN 897d But if it proceeds in a mad and disorderly way, then the bad soul.

CLINIAS That's right too.

ATHENIAN Then what nature does the motion of intelligence have? This, my friends, is a question hard to answer sensibly. So it's only fair that I should now help you with the answer.

CLINIAS Well said.

ATHENIAN Let's not give our answer as though we were staring straight into the sun and bringing night on ourselves at midday, as if we could ever see intelligence with mortal eyes and know it [897e] adequately. It's safer to look at an image of what we're asking about.

CLINIAS What do you mean?

ATHENIAN Let's take as our image whichever of those ten motions intelligence resembles. I'll recall it together with you, and give the answer on behalf of us all.

CLINIAS That would be excellent.

ATHENIAN Well then, do we still remember this much of what we said then: that we laid down that of all things some move and others remain at rest?

CLINIAS Yes.

ATHENIAN And again, that of the things that move, some move in one place, [898a] and others are carried in several.

CLINIAS That's so.

ATHENIAN Of these two motions, the one carried in one place must always move around some center, being a kind of imitation of circles turned on a lathe; and it must be in every way as closely akin and as similar as possible to the revolution of intelligence.

CLINIAS What do you mean?

ATHENIAN Suppose we say that both intelligence and the motion carried in one place move in the same respect and in the same way, in the same place, around the same things and relative to the same things, according to one proportion and one [898b] order, and liken them to the movements of a sphere turned on a lathe: then we would never be shown to be poor craftsmen of fine images in words.

CLINIAS You're quite right.

ATHENIAN And again, the motion that is never in the same way, nor in the same respect, nor in the same place, nor around the same things, nor relative to the same things, nor carried in one place, nor in any arrangement or order or proportion—wouldn't it be akin to every kind of folly?

CLINIAS Most truly it would.

ATHENIAN [898c] Now, then, it's no longer difficult to say explicitly that, since it is soul that drives everything around for us, we must say that the revolution of heaven is necessarily driven around, cared for and ordered either by the best soul or by its opposite.

CLINIAS But, stranger, from what has now been said, it wouldn't even be pious to say anything other than that one soul or more, possessing every virtue, drives them around.

ATHENIAN You've followed the argument excellently, Clinias. Now [898d] follow this further point.

CLINIAS What point?

ATHENIAN Sun and moon and the other stars: if soul drives all things around, doesn't it also drive each one of them?

CLINIAS Of course.

ATHENIAN Then let's discuss one of them, and what we say will turn out to fit all the stars.

CLINIAS Which one?

ATHENIAN Every human being sees the sun's body, but no one sees its soul—nor, for that matter, the soul of any other body belonging to any living creature, whether alive or dying. There is every reason to expect that this kind of thing [898e] is by nature entirely imperceptible to all our bodily senses, and can be grasped only by the mind. So let's grasp the following point about it by intelligence and thought alone.

CLINIAS What point?

ATHENIAN If soul drives the sun, we shan't go far wrong in saying that it does one of three things.

CLINIAS What things?

ATHENIAN Either it dwells inside this round visible body and conveys it everywhere, just as the soul in us carries us about everywhere; or it provides itself from somewhere outside with a body [899a] of fire or some kind of air, as some people claim, and pushes body by force with body; or, third, it is itself bare of body but has certain other powers of surpassing wonder, and guides it along.

CLINIAS Yes, that much is necessary: soul must do one of these things as it conducts everything.

ATHENIAN And this soul—whether it brings light to us all by having the sun as its chariot, or from outside, or however and by whatever means—every man must regard as a god, and as better than the sun itself. Or how else?

CLINIAS [899b] Yes—any man, at least, who hasn't reached the uttermost depth of folly.

ATHENIAN And as for all the stars and the moon, and the years and months and all the seasons, what account shall we give other than this same one? Since soul or souls have been shown to be the causes of all these things, and good with every virtue, we shall say they are gods, whether they order the whole heaven by dwelling in bodies as living creatures, or however and in whatever way they do it. Is there anyone who agrees to this and will still hold out against saying that all things are full of gods?[3]

CLINIAS [899c] No one, stranger, is so far out of his mind.

ATHENIAN Then, Megillus and Clinias, let's set terms for the man who until now hasn't believed in gods, and be done with him.

CLINIAS What terms?

ATHENIAN Either he should teach us that we're wrong to posit soul as the first origin of all things, along with all the other con-

3 "All things are full of gods" was a saying attributed to the early philosopher Thales of Miletus.

clusions we drew from this; or, if he can't give a better account than ours, he should be persuaded by us and live the rest of his [899d] life believing in gods. So let's see whether what we've said to those who don't believe in gods, to show that gods exist, is now sufficient or falls short.

CLINIAS Falls short, stranger? That's the last thing it does.

DO THE GODS CARE FOR SMALL THINGS?

Against those who think the gods neglect humans, the Athenian argues they care for small things too.

ATHENIAN Then let our argument with these people be at an end. But the man who believes that gods exist but pay no attention to human affairs must be reasoned with gently. Let's say: My excellent friend, your believing in gods is perhaps due to some divine kinship drawing you toward what is akin to you, to honor them and hold that they exist. But the fortunes of bad [899e] and unjust men, in private and public life—not truly happy, but thought extremely happy in popular opinion, though wrongly—lead you to impiety, celebrated wrongly as they are in poetry and in all kinds of stories. Or perhaps you see men reaching the end of life in old age, [900a] leaving their children's children behind them in the highest honors, and you are troubled now. Among all these you have seen—whether you learned of it by hearsay or witnessed it entirely with your own eyes—some who have committed many terrible impieties, and who, precisely through these, have risen from small beginnings to tyrannies and the highest positions. Then, because of all this, you plainly would not wish to blame the gods as responsible for such things, because of your kinship with them; but led on by unreason, and unable at the same time to be angry [900b] with the gods, you have come to your present state, where you think they exist but despise and neglect human affairs. So that your present belief doesn't advance any further into a condition of impiety, and so that, if we can somehow, we may ward it off with arguments as it approaches, let's try to attach the next argument to the one we

worked through from the beginning against the man who doesn't believe in gods at all, 900c and make use of it now. And you, Clinias and Megillus, take your turn answering on the young man's behalf, as before. If anything difficult comes up in the argument, I'll take you two on my back, as I did just now, and carry you across the river.

CLINIAS You're right. You do it that way, and we'll do what you say as best we can.

ATHENIAN Well, it may be no hard task to show this much, at least: that the gods care for small things no less than, but rather 900d more than, things of outstanding size. For he was present, I suppose, and heard what was said just now: that since they are good with every virtue, the care of all things is most properly their own.

CLINIAS He certainly heard it.

ATHENIAN Next, then, let's examine together what virtue of theirs we mean when we agree that they are good. Come: do we say that being moderate and having intelligence belong to virtue, and their opposites to vice?

CLINIAS We do.

ATHENIAN 900e And that courage belongs to virtue, and cowardice to vice?

CLINIAS Certainly.

ATHENIAN And shall we call the latter shameful and the former fine?

CLINIAS Necessarily.

ATHENIAN And shall we say that whatever is base among these belongs, if to anyone, to us, while the gods have no share in such things, great or small?

CLINIAS Anyone would agree to that as well.

ATHENIAN Well then, shall we count neglect, idleness and self-indulgence as part of the soul's virtue? Or what do you say?

CLINIAS How could we?

ATHENIAN Rather to the opposite?

CLINIAS Yes.

ATHENIAN 901a And their opposites, then, to the opposite side?

CLINIAS To the opposite.

ATHENIAN Well then, wouldn't everyone of this sort be, in our eyes, self-indulgent, neglectful and idle—the kind of man the poet said was most like stingless drones?[4]

CLINIAS And very rightly he said it.

ATHENIAN Then we mustn't say that the god has a character like that—one he himself hates, surely—and we mustn't allow anyone who tries to voice any such thing.

CLINIAS No indeed. How could we?

ATHENIAN 901b Suppose someone whose special task is to act and to care for something has a mind that cares for the great things in it but neglects the small ones. On what reasoning could we praise such a person without striking an utterly false note? Let's consider it this way. Doesn't whoever acts like this, god or man, do so in one of two ways?

CLINIAS What two ways do we mean?

ATHENIAN Either he thinks it makes no difference to the whole if the small things 901c are neglected; or, if it does make a difference, he neglects them from laziness and self-indulgence. Or is there some other way neglect comes about? For surely, when it's impossible to care for everything, it won't be neglect of small things or great when someone—whether a god or some inferior being—fails to care for the things he lacks the power and ability to care for.

CLINIAS How could it be?

ATHENIAN Now then, let the two of them answer the three of us. 901d Both agree that gods exist, but one says they can be won over, the other that they neglect small things. First, both of you

4 The poet is Hesiod, who compares the idle man to drones in *Works and Days*.

say that the gods know and see and hear everything, and that nothing within the range of the senses and of knowledge can escape them. Is that what you say, or what?

CLINIAS It is.

ATHENIAN And that they can do everything within the power of mortals and immortals?

CLINIAS Of course they'll grant that this is so as well.

ATHENIAN 901e And the five of us have agreed that they are good, indeed supremely good.

CLINIAS Very much so.

ATHENIAN Then, being what we agree they are, isn't it impossible to agree that they do anything at all out of laziness and self-indulgence? For among us, at any rate, idleness is the offspring of cowardice, and laziness the offspring of idleness and self-indulgence.

CLINIAS Very true.

ATHENIAN So none of the gods neglects anything out of idleness and laziness, since no god, surely, has any share in cowardice.

CLINIAS Quite right.

ATHENIAN 902a Then what remains is this: if they do neglect the small and slight things in the universe, they would do so either because they know there is no need at all to care for any such things—or what else remains, except that they know the opposite?

CLINIAS Nothing.

ATHENIAN Well then, my excellent and noble friend, which shall we take you to be saying? That they are ignorant, and neglect out of ignorance what they ought to care for? Or that they know they ought to, but—as the worst of men are said to do, knowing that there are better things 902b to do than what they are doing—fail to do them, because they are somehow overcome by pleasures or pains?

CLINIAS How could that be?

ATHENIAN Now, don't human affairs share in the nature of what has soul, and isn't man himself the most god-fearing of all animals?

CLINIAS So it seems, at any rate.

ATHENIAN And we say that all mortal animals are possessions of the gods, to whom the whole heaven belongs as well.

CLINIAS Of course.

ATHENIAN Now then, let anyone say that these things are small or great 902c in the eyes of the gods: either way, it would not be fitting for those who own us to neglect us, since they are most caring and supremely good. And let's consider this further point besides.

CLINIAS What point?

ATHENIAN Perception and power: aren't they by nature opposed to each other with respect to ease and difficulty?

CLINIAS What do you mean?

ATHENIAN Seeing and hearing small things is harder, I suppose, than seeing and hearing great ones; but carrying, controlling and caring for small and few things is easier for anyone than for their opposites.

CLINIAS 902d Much easier.

ATHENIAN If a doctor is charged with treating a whole body, and is willing and able to care for its large parts but neglects the small ones, will the whole ever be in good condition for him?

CLINIAS Never.

ATHENIAN Nor will the many or the great go well for ship captains or generals or household managers, nor for statesmen or anyone else of that kind, apart from the few and small. For 902e as masons say, big stones don't lie well without small ones.

CLINIAS Of course not.

ATHENIAN Then let's never consider the god inferior to mortal craftsmen, who, the better they are, the more precisely and perfectly they finish the works that belong to them, small and great alike, by a single art. Let's not suppose that the god, who is supremely wise and both willing and able to care, 903a takes no care at all of the small things, which are easier to care for, like someone idle or cowardly shirking the toil, but cares only for the great.

CLINIAS Let's never accept such an opinion about the gods, stranger. It would be a thought neither pious nor true in any way.

ATHENIAN I think we've now argued quite adequately with the man who loves to accuse the gods of neglect.

CLINIAS Yes.

ATHENIAN At least in forcing him by our arguments to admit that he is not 903b speaking rightly. But he still seems to me to need some stories as well, to act as charms.

CLINIAS What sort, my good friend?

THE PART AND THE WHOLE

A story tells the young doubter he exists for the whole, and souls find the places they deserve.

ATHENIAN Let's persuade the young man with our arguments that the one who cares for the universe has arranged everything with a view to the preservation and virtue of the whole, and each part of it, as far as it can, undergoes and does what is fitting for it. Over each of these, rulers have been appointed for even the smallest detail of what is undergone and done, and they have brought it to completion down to the last subdivision. 903c One of these parts is yours too, you stubborn man: tiny as it is, it always strains toward the whole and looks to it. But in this very matter you have failed to see that all coming-to-be happens for the sake of the whole, so that the life of the universe may have a happy existence. It does not come to be for your sake; you come

to be for its sake. Every doctor and every skilled craftsman does all his work for the sake of the whole, aiming at what is best in common; he produces the part for the sake of the whole, and not 903d the whole for the sake of the part. But you are indignant, not knowing how what is best in your case turns out best both for the universe and for you, as far as the power of your common origin allows. Since soul is always joined now to one body, now to another, and undergoes all kinds of changes, either through itself or through another soul, nothing is left for the player at the board to do except to move the character that is growing better to a better place and the worse to a worse one, according to what befits each, so that each may receive its fitting 903e lot.[5]

CLINIAS How do you mean?

ATHENIAN I think I'm describing the way in which the gods' care of all things would be easy. If someone always looked to the whole and molded all things by transforming them—making living water out of fire, say—and not many things out of one or 904a one out of many, then the things that had come to share in a first or second or even third stage of generation would be unlimited in number in this shifting arrangement. As it is, there is a wonderful ease for the one who cares for the universe.

CLINIAS What do you mean now?

ATHENIAN This. Our king saw that all our actions involve soul, and contain much virtue and much vice; and that soul and body, once they have come to be, are indestructible but not eternal, just like the gods recognized by law 904b —for there could never have been any coming-to-be of living things if either of the two were destroyed. He considered that whatever in soul is good is by nature always beneficial, and whatever is bad, harmful. Seeing all this together, he devised where each of the parts should be placed so as to make virtue victorious and vice defeated in the universe as fully, easily and well as possible. For this whole purpose he has devised what kind of seat, and what regions,

5 The image is of *petteia*, a Greek board game in which pieces were moved from square to square.

each thing must take up and inhabit as it becomes of a certain kind; but the causes of its becoming [904c] of a certain kind he left to the wishes of each of us. For as a rule each of us becomes, almost every time, whatever kind of person accords with the direction of his desires and the character of his soul.

CLINIAS That's likely, at any rate.

ATHENIAN All things that share in soul change, since they possess the cause of change within themselves; and as they change they are carried along according to the order and law of destiny. Characters that change in lesser ways travel across the surface of the land; those that fall further and into greater injustice [904d] travel into the depths and the regions called "below"—which people call Hades and other such names, and fear terribly, and dream of, both while alive and once they are released from their bodies. And whenever a soul takes on a greater share of vice or virtue through its own will and the strength of its associations: if it has mingled with divine virtue and become exceptionally virtuous, it moves to an exceptional [904e] place, wholly holy, being carried over to some other, better place; but when the opposite happens, it relocates its life to the opposite place. "This is the justice of the gods who hold Olympus," my boy—yes, you, young man, who think the gods neglect you: as you become worse you travel to the worse souls, and as you become better, to the better; and both in life and in every death you undergo what it is fitting for like to do to like, [905a] and you do it too. Neither you nor anyone else who meets with misfortune will ever boast of having got the better of this justice of the gods. Those who ordained it ordained it above all other forms of justice, and one must be thoroughly on one's guard against it. For you will never be neglected by it. You are not so small that you could sink into the depths of the earth, nor so high that you could fly up into heaven; you will pay them the fitting penalty, whether you remain here, or [905b] pass through into Hades, or are carried off to some place still wilder than these.[6] The same account will apply

6 The quoted line adapts one from Homer's *Odyssey*.

to you about those you saw rise from small to great by committing impious acts or doing something of the kind, and whom you thought had gone from misery to happiness. You believed you had seen in their actions, as in mirrors, the gods' neglect of everything, not knowing how their contribution fits into the universe. 905c And how can you think, boldest of men, that you have no need to know it? Whoever doesn't know it could never see even the outline of it, nor be able to give an account of life with respect to happiness and unhappy fortune.

THE GODS CANNOT BE BRIBED

The Athenian argues that gods, the best of guardians, cannot be won over by gifts from wrongdoers.

ATHENIAN If Clinias here and this whole council of elders of ours persuade you that you don't know what you're saying about the gods, the god himself would be doing you a fine service. But if you still need some further argument, listen, if you have any sense at all, while we speak 905d to the third man. That gods exist and care for human beings has, I for my part would say, been proved by us not at all badly. But that the gods can be won over by wrongdoers when they accept gifts—this we must concede to no one, and must refute in every way we can.

CLINIAS Very well said. Let's do as you say.

ATHENIAN Come then, by the gods themselves: in what way 905e would they be won over, if they were? And who, or what sort of beings, would they be? They must be rulers, I suppose, if they are to manage the whole heaven continuously.

CLINIAS Yes.

ATHENIAN But which rulers are they like? Or which are like them, among those we can compare, the lesser with the greater? Would charioteers of competing teams be like this, or pilots of ships? Perhaps they might be compared to commanders of armies. Or they might resemble doctors on guard against the assault of diseases on bodies, or 906a farmers anxiously awaiting

the seasons that are usually hard on the growth of crops, or keepers of flocks. Since we have agreed among ourselves that the heaven is full of many good things, and also of their opposites, but more of the good, such a battle, we say, is undying and calls for wonderful vigilance. The gods and spirits are our allies, and we in turn are the possessions of gods and spirits. What destroys us is injustice and insolence together with folly; what saves us is justice 906b and moderation together with wisdom, which dwell in the living powers of the gods—though one may also see clearly some small part of them dwelling here in us. But certain souls that dwell on earth and have acquired unjust gain are plainly bestial. They fall upon the souls of the guardians—the watchdogs, or the shepherds, or the supreme masters of all—and try to persuade them with flattering words and with charms dressed up as prayers, 906c as the tales told by bad men claim, that they may take more than their share among human beings without suffering anything harsh. But we say that the fault now named, overreaching, is what is called disease in bodies of flesh, and plague in seasons and years; and in cities and constitutions this same thing, under a changed name, is called injustice.

CLINIAS Absolutely.

ATHENIAN Then anyone who says 906d that the gods are always ready to forgive unjust people and wrongdoers, provided they're given a share of the ill-gotten gains, is bound to be saying something like this: it's as if wolves were to hand the dogs a small share of their plunder, and the dogs, tamed by the gifts, were to let them plunder the flocks. Isn't that the argument of those who claim the gods can be won over?

CLINIAS That's the one.

ATHENIAN Then to which of the guardians we mentioned could anyone compare the gods without making himself a laughingstock to every human being 906e alive? To helmsmen who are themselves turned aside by libations of wine and the savor of roasting fat, and who capsize ships and sailors alike?

CLINIAS Certainly not.

ATHENIAN Nor, surely, to charioteers lined up for a race, who are persuaded by a gift to throw the victory to other teams.

CLINIAS That would be a dreadful comparison to draw.

ATHENIAN Nor, of course, to generals, or doctors, or farmers; nor to herdsmen, nor to dogs charmed by wolves.

CLINIAS 907a Don't even say it! How could they be?

ATHENIAN But aren't all the gods the greatest of all guardians, and over the greatest things we have?

CLINIAS By far.

ATHENIAN Are we going to say, then, that those who guard the finest things, and who excel at guarding in virtue, are worse than dogs and than ordinary men—men who would never betray justice for gifts impiously offered by the unjust?

CLINIAS 907b Certainly not. It's intolerable to say, and anyone who clings to this opinion is likely to be judged, with perfect justice, the worst and most impious of all the impious, of all who engage in any kind of impiety.

ATHENIAN So the three propositions we set out—that gods exist, that they care, and that they can in no way be won over to act against justice—may we say they've been adequately demonstrated?

CLINIAS Of course. We cast our votes with these arguments.

ATHENIAN And yet they've been stated rather vehemently, out of eagerness to get the better 907c of wicked men. But this is why we fought so hard to win, my dear Clinias: so that the wicked would never suppose that, if they won the argument, they were free to do whatever they wanted—whatever, and however much, and of whatever kind, they think about the gods. That is why we were eager to speak with more heat than suits our years. If we've made even a little progress toward persuading these men somehow to hate themselves and to come to love the opposite sort of character, then our preamble to the laws on impiety 907d will have been well spoken.

CLINIAS Well, there's hope. And if not, at least the kind of argument won't bring any blame on the lawgiver.

THE LAW ON IMPIETY

Penalties for kinds of impiety, three prisons, and a ban on private shrines.

ATHENIAN After the preamble, then, we should have a statement suited to serve as interpreter of the laws, proclaiming to all the impious that they must leave their own ways for those of the pious. And for those who don't obey, let this be the law on impiety: If anyone commits impiety [907e] in word or deed, whoever happens to be present is to defend the law by reporting it to the magistrates; and the first magistrates to learn of it are to bring the case, in accordance with the laws, before the court appointed to try such matters. If any office hears of it and doesn't do this, it is itself to be liable to a charge of impiety at the hands of anyone willing to seek justice on behalf of the laws. If someone is convicted, the court is to assess a penalty for each impious offender individually. [908a] Imprisonment is to apply in every case. There are to be three prisons in the city: one near the marketplace, common to most offenders, for the safe custody of the persons of the majority; one near the meeting place of the council that gathers by night, to be called the House of Correction; and one in the middle of the countryside, in whatever spot is most deserted and wild, bearing a name that speaks of retribution. Now impiety has three causes, [908b] which we have gone through, and each such cause gives rise to two kinds; so there would be six classes of those who go wrong in matters of the gods, which deserve to be distinguished, since they call for neither equal nor similar penalties.[7] Take a man who doesn't believe in gods at all, but has a naturally just character. Such people come to hate the wicked; because they're disgusted by injustice, they don't allow themselves to do such

7 The Nocturnal Council, whose make-up and full role are set out in Book XII.

things, and they shun unjust [908c] people and are fond of the just. But then there are those who, besides believing that the world is empty of gods, are prone to lack control over pleasures and pains, and have strong memories and quick minds. Not believing in gods would be a condition shared by both; but in the harm they do other people, the first would do less damage and the second more. The first will be full of free talk about the gods, and about sacrifices and oaths, and by mocking others he might well [908d] make others like himself, if he goes unpunished. But the second, who holds the same beliefs as the first but is called "gifted," is full of cunning and guile. From this sort come many diviners and people eager for every kind of sorcery; and sometimes from them come tyrants and demagogues and generals, and those who plot with private mystery rites, and the contrivances of the so-called sophists. There could be many [908e] kinds of these, but two worth legislating for: the dissembling kind, whose offenses deserve not one death, nor two, and the other, which needs admonishment together with imprisonment. In the same way, the belief that the gods don't care produces two more kinds, and the belief that they can be won over another two. With the distinctions drawn in this way, those who have come to this through folly, without any vice of temper or character, the judge is to place by law in the [909a] House of Correction for no less than five years. During this time no other citizen is to associate with them except the members of the Nocturnal Council, who are to visit them to admonish them and for the salvation of their souls. When their term of imprisonment is over, if any of them seems to have come to his senses, he is to live among the sensible; but if not, and he is convicted again on such a charge, he is to be punished with death. But there are those who become like beasts, [909b] and who, besides believing that the gods don't exist, or don't care, or can be won over, hold people in contempt: they work on the souls of many of the living, claiming to conjure up the souls of the dead and promising to persuade the gods, as though bewitching them with sacrifices and prayers and incantations, and for the sake of money they try to ruin utterly indi-

viduals, whole households and cities. Any of these who is found guilty, the court is to sentence, according to 909c law, to be imprisoned in the prison in the middle of the country. No free person is ever to visit them, and they are to receive from the slaves a ration of food fixed by the guardians of the laws. When one of them dies, he is to be cast out beyond the borders unburied; and if any free person helps to bury him, he is to be liable to prosecution for impiety by anyone who wishes. If he leaves children fit to be citizens, those in charge of orphans are to take care of them too, as 909d orphans, no worse than the others, from the day their father is convicted.

There must be a law laid down common to all these cases, which would make most people offend less against the gods in deed and word, and indeed become less foolish, by not permitting them to deal in religious matters contrary to law. Let this law be laid down for everyone, without qualification: No one is to have a shrine in a private house. When anyone has a mind to sacrifice, he is to go to the public shrines to sacrifice, and hand 909e his offerings to the priests and priestesses whose charge is the purity of these things. He may pray along with them himself, together with anyone he wants to join him. The reasons for this are as follows. Founding shrines and gods is no easy matter; to do such a thing correctly takes a great mind. Yet it's the habit of women in particular, all of them, and of people who are sick in any way, or in danger, or in any kind of difficulty, and conversely whenever they come into some good fortune, to dedicate whatever is at hand, to vow sacrifices and promise 910a to found shrines for gods and spirits and children of gods. Awake, through fear of apparitions, or in dreams—and likewise recalling many visions and making remedies for each of them—they fill every house and every village with altars and shrines, setting them up in open spaces and wherever they happen to be. For all these reasons we must act in accordance with the law now being stated. There is also the matter of the impious, 910b so that they won't do this too by stealth—setting up shrines and altars in private houses and thinking they can win over the gods secretly

with sacrifices and prayers—and so increase their injustice without limit, bringing guilt before the gods both on themselves and on those who allow it, though these are better men than they; and so that the whole city won't reap the consequences of the impious, as in a way it would justly do. Then the god will not blame the lawgiver. Let this law be laid down: No one is to possess shrines of the gods in private houses. If anyone 910c is found to possess shrines other than the public ones, or to perform rites at them, and the one who possesses them, man or woman, has committed no great and impious wrong, whoever notices it is to report it to the guardians of the laws, and they are to order the private shrines to be taken to the public ones; if they are not obeyed, they are to impose penalties until the shrines are removed. But if anyone is shown to have committed impiety—not the impiety of children, but of impious grown men—either by founding a shrine on private ground or by sacrificing at public shrines to any gods 910d whatever, he is to be punished with death, for sacrificing while impure. Whether the offense is childish or not, the guardians of the laws are to decide, and then bring the case before the court and carry through the prosecution for impiety against them.

Book XI

Property, commerce, inheritance and the family.

ATHENIAN 913a Next we would need a proper arrangement for our dealings with one another. The principle, surely, is simple: as far as possible, no one should touch my property, or move the least bit of it without in some way getting my consent; and I should treat other people's property in the same way, if I have any sense. Let's speak first of treasure, which someone—not one of my ancestors—has stored away for himself and his family. I should never 913b pray to the gods to find it, nor, if I did find it, move it; nor should I consult the so-called diviners about it, who will one way or another advise me to take up what has been entrusted to the earth. For I would never gain as much in acquiring wealth by taking it up as I would grow in stature of soul, in virtue and justice, by not taking it: I'd have gained a better possession in place of a lesser one, and in a better place, having chosen to have justice in my soul before wealth in my estate. The saying "Don't move what should not be moved" applies well in many cases, 913c and it could be said of this one too. One should also believe the stories told about such matters, that these things do no good to a man's descendants. But suppose someone is careless of his children and, heedless of the lawgiver, takes up without the depositor's consent what neither he himself put down nor any of his forefathers. He violates the finest of laws, the simplest of enactments, and the work of no base man, who said: "What you did not put down, 913d do not take up." When a man has scorned these two lawgivers and taken up what he did not put down himself—no small thing, but at times a

huge hoard of treasure—what should happen to him? What the gods will do, the god knows; but the first person to see it is to report it: if it happens in the city, to the city wardens; if in the city's marketplace, to the market wardens; if 914a elsewhere in the country, let him inform the country wardens and their officers.[1] Once they've been informed, the city is to send to Delphi, and whatever the god ordains about the money and about the man who moved it, the city is to carry out, in obedience to the god's oracles. If the informer is free, let him gain a reputation for virtue, and if he fails to inform, one for vice. If he's a slave, it would be right for the city to set him free for informing, paying his master his price; if he fails to inform, he is to be punished with death. 914b Next after this, following on from it, would come the same rule applied to things small and great alike. If someone leaves any of his property somewhere, on purpose or not, whoever comes across it is to let it lie, believing that such things are guarded by the goddess of the wayside, to whom they are consecrated by law.[2] If anyone disobeys this, picks the thing up and carries it home: if it is of small value and he is a slave, he is to be given many lashes of the whip by whoever comes across him, provided that person is at least thirty years old; 914c if he is free, then besides being thought unworthy of a free man and to have no share in the laws, he is to pay the one who left it ten times the value of what he moved. If someone accuses another of holding some of his property, whether more or less, and the other admits holding it but denies that it is the accuser's, then, if the property is registered with the magistrates according to law, the accuser is to summon the holder before the magistrate, and he is to produce it. Once it has been produced, if the records show it registered 914d as belonging to one of the two disputants, that one is to take it and go. If it belongs to someone else who is not present, whichever of the two provides a sufficient guarantor is to take it on behalf of the absent owner, exercising that owner's

1 The saying "What you did not put down, do not take up" was traditionally attributed to Solon.

2 The goddess of the wayside (Enodia) is Hecate, protector of roads and travelers.

right of removal, in order to hand it over to him. If the disputed property is not registered with the magistrates, it is to remain until the trial in the keeping of the three oldest magistrates; and if what is held in deposit is an animal, whoever loses the case over it is to pay the cost of its keep to the 914e magistrates. The magistrates are to decide the case within three days.

Anyone who wishes may lay hold of his own slave, provided he is of sound mind, to deal with him in any way that religion permits; he may also lay hold of a runaway on behalf of a relative or friend, to keep him safe. If anyone tries to rescue into freedom a person being led off as a slave, the one leading him away is to release him, and the rescuer may take him only after providing three sufficient guarantors, on these terms and not otherwise. If anyone rescues him otherwise, he is to be liable to a charge 915a of violence, and if convicted is to pay the one deprived double the damages stated in the charge. A freedman may also be laid hold of, if he fails to attend on those who freed him, or does so inadequately. The attendance consists in this: the freedman is to go three times a month to the hearth of the one who freed him, offering to do whatever is right and at the same time within his power; and about marriage he is to do whatever his former master approves. He is not to be allowed to grow richer 915b than the one who freed him; any surplus is to go to his master. The freed slave is not to stay more than twenty years, but, like other foreigners, is to depart taking all his property with him, unless he wins the consent of the magistrates and of the one who freed him. If a freedman, or any other foreigner, comes to own property greater than the amount of the third property class, then within thirty days from the 915c day this happens he is to take his possessions and leave, and he is not to be granted any further request to stay by the magistrates. If anyone disobeys these rules, is brought to court and convicted, he is to be punished with death and his property is to become public. Suits on these matters are to be heard in the tribal courts, unless the parties first settle their complaints against each other before neighbors or chosen judges. If someone lays claim to an animal

of any kind, or to any other [915d] property, as his own, the holder is to refer the claim back to the seller, or to the person who gave it to him, someone solvent and answerable at law, or who handed it over to him lawfully in some other way: within thirty days if the transfer was from a citizen or a resident foreigner in the city, and within five months if it was from a foreigner, the middle of which is to be the month in which the summer sun turns toward winter. Whatever anyone exchanges with another by buying or selling, he is to exchange by handing it over in the place in the marketplace assigned to each kind of goods, and receiving the price on the spot; [915e] he is to do so nowhere else, and no one is to buy or sell anything on credit. If someone exchanges anything for anything with another in some other way or in other places, trusting the person he is dealing with, let him do so knowing that there are no legal actions for anything not sold in the manner now described. As for contribution loans, anyone who wishes may raise one as a friend among friends; but if a dispute arises over the contribution, let them act knowing that there will be no legal actions of any kind about such matters.[3] Anyone who sells something for a price of not less than fifty drachmas is required to remain in the city [916a] for ten days, and the buyer is to know the seller's house, because of the complaints that commonly arise over such transactions and to allow for lawful returns. When lawful return is permitted and when it is not is to be as follows. If anyone sells a slave suffering from consumption, or stones, or strangury, or the so-called sacred disease, or from any other long, hard-to-cure disease of body or mind not evident to most people: if the buyer is a doctor or a trainer, he is not to be allowed any return [916b] against such a seller; nor if the seller told the truth before selling. But if a professional sells anything of this kind to a layman, the buyer may return it within six months, except for the sacred disease; for that disease the return may be made within a year. The case is to be decided before some doctors whom the parties jointly nom-

3 An eranos was a fund raised by contributions among friends, usually lent without interest.

inate and choose, and the one who loses is to pay back double the price at which he sold.[4] If 916c a layman sells to a layman, there is to be return and a hearing, as was stated for the previous cases, but the loser is to pay back only the price. If someone knowingly sells a slave who has killed a man to a buyer who knows it, there is to be no return on such a sale; but if the buyer didn't know, the return is to be allowed whenever he becomes aware of it, and the decision is to rest with the five youngest of the guardians of the laws. If the seller is judged to have known, he is to purify the buyer's house according to the interpreters' 916d rule, and pay the buyer three times the price.

FRAUD IN THE MARKETPLACE

Laws against adulteration, false oaths and haggling in the market.

ATHENIAN Anyone exchanging coin for coin, or any animal, or anything else living or not, is to give and receive everything unadulterated, in obedience to the law. And as with other laws, let's have a preamble on this whole form of wickedness. Every man should think of adulteration, falsehood and deception as all one kind of thing—the kind which most people, speaking badly, commonly say is often all right, when it's done 916e at the right moment. They leave the right moment, the where and the when, unordered and undefined, and by this saying do a great deal of harm both to themselves and to others. A lawgiver can't leave this undefined; he must always set clear limits, whether broad or narrow; so let them be defined now. No one who calls the gods to witness is to commit any falsehood, deception, or adulteration in word or 917a deed, unless he means to be most hateful to the gods. That man is the one who swears false oaths without any thought for the gods, and second, the one who lies in the presence of his superiors. The better are superior to the worse, and, generally speaking, the older to the young; hence parents are superior to their offspring, and men to women and children, and rulers to the ruled. It would be fitting for everyone to

4 The "sacred disease" is epilepsy.

respect all of these, in every other form of authority and above all in the authority of the city, which is where our present discussion started. For everyone in the marketplace [917b] who adulterates anything is lying and deceiving, and swears oaths calling on the gods in the face of the market wardens' laws and safeguards, neither respecting men nor revering gods. It is certainly a fine practice not to defile the names of the gods lightly, keeping our dealings with the gods as pure and holy as most of us, for the most part, usually keep them. But if someone won't be persuaded, here is the law: Whoever sells anything in the marketplace is never to state two prices for what he sells; [917c] he is to state one, and if he doesn't get it, he may rightly take the goods away again, and on that day he is not to price them higher or lower. There is to be no praising of goods and no swearing of oaths about anything for sale. If anyone disobeys these rules, any citizen present who is at least thirty years old may punish the one swearing by striking him with impunity; if he ignores this and fails to obey, he is to be liable to the reproach of betraying the laws. As for someone selling adulterated goods who can't [917d] obey the present precepts: whoever comes upon him and knows the trade and can prove the fraud is to prove it in front of the magistrates. If the one proving it is a slave or a resident foreigner, he is to take the adulterated goods for himself; if a citizen fails to prove it, he is to be denounced as a bad man for defrauding the gods; if he proves it, he is to dedicate the goods to the gods of the marketplace. And whoever is shown to be selling such goods is, besides being deprived of the adulterated goods, to be whipped, one stroke of the lash for every drachma of the price he asked, [917e] by the herald, after the herald has proclaimed in the marketplace why he is to be beaten. The market wardens and the guardians of the laws are to find out from people experienced in each trade about the frauds and malpractices of sellers, write down what the seller must do and what he must not, and set them up on a pillar in front of the market wardens' office, as laws to give clear guidance to those who [918a] use the market. As for the city wardens, enough was said earlier; but

if anything more seems needed, they are to consult the guardians of the laws, write down what seems to be missing, and set up on a pillar at the city wardens' office both the first and the second regulations laid down for their office.

RETAIL TRADE

Retail trade is useful but corrupting, so citizens are barred from it and its profits are regulated.

ATHENIAN Close on the heels of fraudulent practices come the practices of retail trade. On all of this we'll first give advice and reasons, and afterward lay down a law about it. All retail trade 918b in a city has come about, by its nature, not for the sake of harm, but quite the opposite. How can anyone not be a benefactor who takes any sort of goods that are distributed disproportionately and unevenly and makes their distribution even and proportionate? This, we must say, is what the power of money also accomplishes, and we must say the merchant is appointed for this purpose. The hired laborer, the innkeeper and the rest—some trades more respectable, 918c some less—all have this function: to meet everyone's needs and even out their possessions. Let's see, then, what it is that makes retail trade seem neither fine nor respectable, and what has brought it into disrepute, so that we may cure by law, if not the whole of it, then at least parts. It's no trivial matter, it seems, and it calls for no small virtue.

CLINIAS What do you mean?

ATHENIAN My dear Clinias, it's a small class of people—few by nature and reared with the highest education—who, when they fall into needs 918d and desires of various kinds, can hold out for moderation, and when they have the chance to get a lot of money, stay sober and choose what is measured over what is abundant. The great mass of people are just the opposite: when they want, they want without measure, and when they could make a moderate profit, they choose to make an insatiable one. That's why all the classes connected with retail trade, commerce

and innkeeping have fallen into disrepute and are subject to disgraceful reproaches. For suppose someone were to compel—may it never happen, nor will it—the very best men everywhere (it's absurd to say, [918e] but it will be said all the same) to keep an inn for a time, or run a shop, or do something of that kind; or suppose women were compelled by some fated necessity to take up that way of life. We'd realize that each of these is a welcome and friendly thing, and if it were carried on according to an incorruptible rule, all such things would be honored like a mother or a nurse. But as it is, a man sets up a dwelling for the sake of trade in lonely [919a] places with long roads in every direction, and receives with welcome lodging those who arrive in need, or who are driven by the force of wild storms, offering them fair-weather calm or cool refreshment in stifling heat; but then, instead of receiving them as friends and offering the friendly gifts of hospitality that go with such a welcome, he treats them like enemy captives in his power, and releases them only for the largest, most unjust and unclean [919b] ransoms. It is these wrongs, and others like them, rightly condemned in all such trades, that have brought discredit on the relief of those in need. So the lawgiver must always be cutting a remedy for these ills. It's right, as was said long ago, that it's hard to fight against two enemies, and opposite ones at that, as in diseases and in many other things. And indeed our fight here, in these matters, is against two: poverty and wealth. The one has corrupted people's souls with luxury; [919c] the other has driven them through pain into shamelessness. What help against this disease could there be in a city that has sense? First, to have as small a class of retailers as possible; second, to assign retail trade to people whose corruption would do no great harm to the city; and third, to find a means of ensuring that the characters of those who take up these occupations won't easily come to share in unrestrained [919d] shamelessness and a soul unworthy of a free man. After what has just been said, then, let our law on these matters be as follows, with good fortune: Of the Magnesians, whom the god is restoring and resettling, none who are land-

holders among the five thousand and forty households is to become a retailer, willingly or unwillingly, nor a merchant, nor to perform any service at all for private persons who are not his equals, except [919e] for his father and mother and their forebears further back, and all who are older than himself and free, and in a way that befits a free man. What befits a free man and what doesn't isn't easy to lay down precisely by law; but it is to be judged by those who have won prizes for virtue, according to what they detest and what they welcome. Whoever takes part in retail trade unworthy of a free man by any craft, anyone who wishes may indict him for disgracing his family, before those who have been judged first in virtue; and if he is judged to be soiling his ancestral hearth with an unworthy occupation, he is to be imprisoned for a year and to keep away [920a] from such activity; if he does it again, for two years; and with each conviction the term of imprisonment is to go on doubling the previous one. A second law: Anyone who is to be a retailer must be a resident foreigner or a foreigner. And third comes a third law: so that such a person may be as good as possible, or at least as little bad as possible, as our fellow resident in the city, the guardians of the laws must realize that they are guardians not only of those whom it is easy to keep from becoming lawless and bad, those well educated by birth and upbringing, [920b] but that those who are not such, and who pursue occupations with a strong tendency to incline people to become bad, must be guarded more closely. So, as to retail trade, which is extensive and includes many such occupations: whichever of them are kept, having been judged absolutely necessary to the city, the guardians of the laws must meet again about these with people experienced in each kind of retailing, [920c] just as we prescribed earlier about adulteration, a related matter. When they meet, they are to see what balance of receipts and expenses produces a moderate profit for the retailer, then write down and post the resulting expenses and receipts and enforce them—the market wardens some, the city wardens others, and the country wardens others. In this way, roughly speaking, retail trade would benefit each

group, and do the least possible harm to those in the city who make use of it. 920d

CONTRACTS AND CRAFTSMEN

Laws on broken agreements, craftsmen's work and wages, and honors for soldiers.

ATHENIAN Whenever someone who has agreed to a contract fails to act in accordance with his agreement—except where laws or a decree forbid it, or where he agreed under compulsion by some unjust force, or where he is unwillingly prevented by some unexpected chance—for all other cases of unfulfilled agreement suits are to be brought in the tribal courts, if the parties can't first be reconciled before arbitrators or neighbors. The class of craftsmen, who 920e have equipped our life with their crafts, is sacred to Hephaestus and Athena; and those who preserve the craftsmen's works by other, defensive crafts are sacred to Ares and Athena. So this class too is rightly sacred to these gods. All of these continue to serve the country and the people: the one group as leaders in the contests of war, the other by producing tools and works for pay. It would not be fitting for them to lie about such things, 921a since they revere the gods as their ancestors. So if any craftsman fails through negligence to finish a job in the time stated, with no respect for the god who gives him his livelihood, thinking the god will be lenient since he is his own—and seeing nothing with his mind—first, he will pay a penalty to the god; and second, let a law follow: he is to owe the price of the work he has cheated the client of, and do it over again from the beginning within the stated time, for nothing. To one who takes on a job, the law gives the same advice it gave 921b to the seller: not to try for a higher price, but to ask as simply as possible what the work is worth. It gives this same instruction to the one taking on the job—for the craftsman, at least, knows the value. So in cities of free people, the craftsman must never use his craft, which is by nature a clear and truthful thing, to try to get the better of laymen by crafty tricks; and the wronged party

is to have a right to sue the wrongdoer for this. If, on the other hand, someone who has contracted work 921c from a craftsman fails to pay him his wages properly, according to the lawful agreement made—dishonoring Zeus, protector of the city, and Athena, partners in the constitution, and dissolving great partnerships out of love of a little profit—the law is to come to the aid of the bond of the city, together with the gods. Whoever has received the work in advance and doesn't pay the wages at the agreed times is to be made to pay double; and if a year passes, then, although all other money 921d that anyone lends bears no interest, this man is to pay an obol on every drachma for each month; suits for these are to be heard in the tribal courts.[5]

Since we've mentioned craftsmen at all, it's only fair to add a word in passing about the craftsmen of safety in war—generals and those skilled in such matters. It applies to them in the same way as to the others, since they are craftsmen of another kind. If any of them undertakes a public work, whether voluntarily 921e or under orders, and carries it out well, then whoever duly pays the honors which are the wages of fighting men, the law will never tire of praising him; but if someone has received some fine work of war in advance and fails to pay for it, the law will reproach him. So let this law, mixed with praise, be laid down for us on these matters, advising rather than compelling the mass of citizens 922a to honor good men—all who save the whole city, whether by courage or by the devices of war—in second place. For the first place and the greatest honor is to be given to those who have proved able to honor above all the writings of the good lawgivers.

WILLS

The dying man's wish to leave his property freely is answered, and laws on wills and heiresses follow.

ATHENIAN The most important of the contracts people make with one another have now more or less been arranged by us,

5 An obol was a sixth of a drachma, so this is interest of about 17 percent a month.

except for matters concerning orphans and the care of orphans by their guardians. 922b These must now be arranged somehow, after what we've just said. The starting points of all these are the wishes of those about to die concerning their bequests, and the fortunes of those who have made no bequest at all. I said "must," Clinias, with an eye to how troublesome and difficult these matters are. For it isn't possible to leave this unregulated: people would lay down many provisions differing from one another and contrary to the laws, to the characters of the living, and to their own earlier characters 922c before they came to make a will, if one simply gave them the power to make valid any will a person made, in whatever state he might be at the end of his life. For most of us are in a foolish and somewhat enfeebled condition, once we think we are about to die.

CLINIAS What do you mean by that, stranger?

ATHENIAN A man about to die, Clinias, is difficult; he is full of talk that lawgivers find very alarming and hard to deal with.

CLINIAS How so?

ATHENIAN 922d He wants to be master of everything, and he usually speaks in anger.

CLINIAS Saying what?

ATHENIAN "It's outrageous, by the gods," he says, "if I'm not to be allowed to give my own property or not to whomever I like—more to one, less to another—according to how they've clearly treated me, bad or good, now that they've been well tested: some in my illnesses, others in my old age and all sorts of other misfortunes."

CLINIAS Well, stranger, don't you think they're right?

ATHENIAN 922e What I think, Clinias, is that the lawgivers of old were soft, and legislated with only a small part of human affairs in view and in mind.

CLINIAS What do you mean?

ATHENIAN It was fear of this speech, my good friend, that made them lay down the law that anyone may dispose of his own

property exactly as [923a] he likes, without restriction. But you and I will give a more fitting answer to those in your city who are about to die. Friends, we'll say, you who are truly creatures of a day, it's hard for you at present to know your own property—and yourselves too, as the Pythia's inscription says.[6] So I, as lawgiver, rule that neither you nor this property belong to yourselves, but to your whole family, past and future; and still more, that the whole family and its property belong to the [923b] city. This being so, if someone slips in with flattery while you're tossed about by illness or old age, and persuades you to make a will contrary to what is best, I won't willingly allow it. I will legislate with an eye to the whole—what is best for the entire city and for the family—justly ranking each individual's interest lower. Be gracious and kindly toward us, and go on your way, the way that human nature now takes you; we will take care of the rest of your [923c] affairs, looking after them as well as we possibly can—not some of them only, but all. Let this, Clinias, be the consolation and preamble for the living and the dying alike; and the law is as follows. Whoever writes a will disposing of his property, if he is a father of children, is first to write down which of his sons he thinks fit to be heir; and if he gives any of his other children to be adopted by someone who accepts him, he is to write that too. [923d] If he still has a son who has not been adopted into some allotment, and who can be expected by law to be sent out to a colony, the father may give him as much of his other property as he likes, except for the ancestral allotment and all its equipment; and if there are more such sons, the father is to divide among them, in whatever shares he likes, what remains beyond the allotment. To a son who already has a household he is not to allot any property; likewise with a daughter: if she is betrothed to a man who is to be [923e] her husband, he is not to allot her anything; if not, he may. If any son or daughter is found to have acquired an allotment in the country after the will was made, he or she is to leave the bequest to the heir of the one who made the

6 The inscription 'Know yourself' stood at Apollo's temple at Delphi, where the Pythia was the god's priestess.

will. If the testator leaves no male children, but only female, he is to leave to whichever of his daughters he likes a husband, and to himself a son, writing him down as heir. If someone's son, natural or adopted, dies while still a child, before he can reach manhood, the one writing the will is to write 924a about this contingency too, naming who is to be his son in the second place, with better fortune. If someone who is entirely childless writes a will, he may set aside a tenth of the property he has acquired beyond his allotment and give it to anyone he likes; everything else he is to hand over to the one he adopts, and make him his son in a way no one can fault, and with the son's goodwill, as the law allows. If someone's children need guardians, and he dies having made a will and named as guardians for his children any people he likes, and as many as he likes, who are willing and agree 924b to act as guardians, then the choice of guardians is to be valid as written. But if someone dies either without making any will at all, or without naming guardians, the guardians with authority are to be the nearest relatives on the father's and the mother's side—two on the father's side and two on the mother's —and one from among the dead man's friends; the guardians of the laws are to appoint these for any orphan who needs them. The whole business of guardianship and of 924c orphans is to be the continual charge of the fifteen oldest of all the guardians of the laws. They are to divide themselves by seniority into groups of three, three for one year and another three for the next, until the five rounds come full circle; and this is never to lapse, as far as possible.

If someone dies without making any will at all, leaving children who need guardianship, the same laws 924d are to apply to his children's needs. But if a man meets with an unexpected misfortune and leaves daughters, let him forgive the lawgiver if, in arranging the marriage of the daughters, he attends to two of the three considerations—closeness of kinship and the preservation of the allotment—but passes over the third, which a father would have weighed: looking among all the citizens, with an eye to character and ways, for someone suited to be a son to him

and a bridegroom [924e] to his daughter. This he passes over because it is impossible to examine. So let this be the law on such matters, as far as it can be: If a man dies intestate and leaves daughters, then on his death his brother by the same father, or his brother by the same mother who has no allotment, is to have the daughter and the dead man's allotment. If there is no brother, but a brother's son, the same applies, provided they are suited to each other in age; if there is none of these, but a sister's son, likewise. Fourth comes the father's brother, fifth his son, sixth the son of the father's sister. And whenever someone leaves female children, the family is always to proceed in the same way by nearness of kin, going back [925a] through brothers and nephews, the males first and then the females, at each degree of kinship. Whether their ages make the marriage suitable or not, the judge is to decide by examining them—looking at the males naked, and at the females naked down to the navel. If the family has no relatives as near as a brother's grandsons, and likewise as near as a grandfather's children, then whichever of the other [925b] citizens the girl chooses with her guardians, he willing and she willing, is to become the dead man's heir and the daughter's bridegroom. Moreover, there may sometimes be many shortages, and greater ones, of such people in the city itself. So if a girl who can find no candidate at home sees someone who has been sent out to a colony, and she would like him to become heir to her father's property: if he is a relative, he is to proceed to the allotment according to the order of the law; if he is outside the family, provided that those in the city are outside the kinship, he is to have the right, [925c] if the guardians and the dead man's daughter choose him, to marry her and come home to take the allotment of the man who died intestate. If someone dies intestate and entirely without children, male or female, in other respects the previous law is to apply to him; but a woman and a man from the family are to go, as a kind of yoked pair, into the house that has been left empty in each case, and the allotment is to become theirs with full rights: [925d] first a sister, second a brother's daughter, third a sister's daughter, fourth

a father's sister, fifth a father's brother's daughter, and sixth would be a father's sister's daughter. These women are to be married to the men according to nearness of kin and what is sanctioned, as we legislated earlier. Let's not overlook how heavy such laws can be: how harshly they sometimes command the dead man's next of kin to marry his relative, and seem not to consider the countless obstacles that arise among people [925e] to such commands, so that no one is willing to obey and some would rather suffer anything at all—when there are diseases and deformities of body or of mind in some of those ordered to marry or be married. Some might think the lawgiver gives no thought to any of this, but they would be wrong. So let this be said on behalf of the lawgiver and of those subject to his laws, as a kind of common preamble. It asks those receiving the orders to forgive the lawgiver, because in caring for public concerns he could never at the same time manage the private misfortunes that befall each individual; [926a] and it asks forgiveness in turn for those subject to the laws, since they are sometimes, understandably, unable to carry out the lawgiver's orders, which he gives without knowing their circumstances.

CLINIAS Then what could one do, stranger, that would be most reasonable in such cases?

ATHENIAN It's necessary, Clinias, to choose arbitrators between such laws and those subject to them.

CLINIAS What do you mean?

ATHENIAN Sometimes a rich father's nephew would not willingly take his [926b] uncle's daughter, since he lives in luxury and has his mind set on a grander marriage. And sometimes, too, he might be forced to disobey the law, when the lawgiver commands the greatest misfortune—forcing him to take on a marriage with madness in it, or other terrible afflictions of body or soul that make life unlivable for the one who has them. So let what we are now saying about this be laid down as law, as follows: If some people [926c] have complaints against the established laws about a will—on any other matter whatever, and in particu-

lar about marriages—swearing that the lawgiver himself, were he present and alive, would never have forced those who are now forced to do one or the other to act this way, to marry or be given in marriage; and some relative or guardian contends otherwise, then we declare that the lawgiver has left the fifteen guardians of the laws as arbitrators and fathers for orphan boys and girls. Those disputing over any such matter are to go to them 926d and have the case decided, carrying out their decisions as binding. But if anyone thinks too much power is being put in the hands of the guardians of the laws, he may bring them before the court of select judges and have the disputed matters decided there. The loser is to incur censure and reproach from the lawgiver—a heavier penalty, for anyone with sense, than a large sum of money.

ORPHANS AND GUARDIANS

Guardians of the laws act as fathers to orphans; guardians who mistreat them are punished.

ATHENIAN Now for orphaned children there would be a kind of second 926e birth. After the first birth, we have described each child's rearing and education; after the second, which leaves them bereft of fathers, we must devise a way for the misfortune of orphanhood to leave those who have become orphans as little to be pitied for their misfortune as possible. First, we say, we are legislating the guardians of the laws to be fathers to them in place of their parents, and no worse than they; and indeed we instruct them to take care of them each year as if they were their own, having first given both them and the guardians a fitting preamble about the rearing of orphans. For it seems to me that we went through our earlier 927a account at an opportune moment: that the souls of the dead have a certain power after death, by which they take care of human affairs. The accounts that contain this are true, but long; one should rather trust the other traditions on such matters, which are so many and very ancient, and trust also those who lay down laws that this is so,

unless they seem utterly senseless. If this is how things are by nature, then, first, 927b let them fear the gods above, who are aware of the loneliness of orphans; then the souls of the departed, whose nature it is to care especially for their own descendants, and to be kindly to those who honor them and hostile to those who dishonor them; and further, the souls of those still living but in old age and held in the highest honor—where a city is well governed and flourishes, their grandchildren love them dearly and live with them gladly—and these have keen hearing and keen sight in such matters, and are kindly to those who 927c deal justly in them, and most indignant, in turn, at those who treat orphans and the desolate with outrage, considering them the greatest and most sacred trust. To all of these every guardian and magistrate with even a little sense must pay attention, and take care over the rearing and education of orphans, and do them every kind of good in every way he can, as if making a contribution for himself and his own. Whoever is persuaded by the story told before the law, and commits no outrage against an orphan, will never come to know 927d at first hand the lawgiver's anger on such matters. But whoever disobeys and wrongs someone bereft of father or mother is to pay double the whole damage he would pay for wronging a child with both parents living. As for the rest of the legislation for guardians concerning orphans, and for magistrates concerning the supervision of guardians: if they didn't have a model for the rearing of free children in raising their own and managing their own property, 927e and didn't also have laws on these very matters reasonably well set out, there would be some reason to lay down special laws on guardianship, as a quite different matter, marking off the life of orphans from that of children who aren't orphans with special practices. But as it is, in all such matters orphanhood among us is not much different from being under a father's rule, though in honor and dishonor, and in the care it receives, it is apt to fall far short of equality. 928a That is why, on this very point, the law has put great effort into its legislation about orphans, with both encouragement and threats. There is

also a threat of this sort that would be very timely: Whoever is guardian of a girl or a boy, and whichever of the guardians of the laws is appointed to supervise a guardian, is to love the child who has had the lot of an orphan no less than his own children, and to take no less care of the ward's family property than of 928b his own—indeed, to take better care, and eagerly. Every guardian is to observe this one law about orphans. If anyone acts otherwise in these matters, contrary to this law, the magistrate is to penalize the guardian; and the guardian is to bring the magistrate before the court of select judges and have him penalized with double the fine the court decides. If relatives, or any other citizen, think a guardian is negligent or dishonest, they are to bring him before the same court. Whatever he is convicted for, he is to pay four times 928c that amount, half to go to the child and half to the one who won the case. As soon as an orphan comes of age, if he thinks he has been badly served by his guardian, he may bring an action for mismanagement of guardianship up to five years after the guardianship has ended. If one of the guardians is convicted, the court is to assess what he must suffer or pay. If one of the magistrates is convicted, and he is judged to have harmed the orphan through negligence, the court is to assess what he must 928d pay the child; if through injustice, then besides the penalty he is to be removed from the office of guardian of the laws, and the public authority of the city is to appoint another guardian of the laws in his place for the country and the city.

DISOWNING, INSANITY AND DIVORCE

Rules for disowning a son, declaring a father insane, divorce, remarriage and children of slaves.

ATHENIAN Quarrels arise between fathers and their sons, and between sons and their parents, that are more serious than they should be. In these, fathers would think the lawgiver ought to legislate that they may, if they wish, renounce their son publicly by herald before everyone, 928e so that by law he is no longer

their son; and sons, in turn, that when their fathers are in a shameful state through illness or old age, they may indict them for insanity. These things really tend to happen among people whose characters are thoroughly bad. When only half of them are bad—say, the son but not the father, or the reverse—misfortunes born of so great a hatred don't arise. Now in another constitution a disowned son would not necessarily be left without a city. But in this one, whose laws these will be, the man without a father must of necessity 929a emigrate to another country—for not a single household can be added to the five thousand and forty. That's why the man who is to suffer this justly must be renounced not by his father alone but by his whole family. Such cases should be handled under a law something like this. If someone is seized by a thoroughly unhappy passion, whether justified or not, to wish to cast out of his kin the son he begot and raised, he is not to be allowed to do this casually, or 929b on the spot. First he must gather his own relatives as far as cousins, and likewise his son's relatives on the mother's side, and make his accusation before them, showing why the son deserves to be proclaimed out of the family by them all; and he must give the son an equal hearing to argue that he doesn't deserve to suffer any of this. If the father persuades them and wins the votes of more than half of all the relatives—the father, the mother and 929c the defendant not voting, but all the others, women or men, who are adults—then in this way and on these terms the father may disown his son, but in no other way. If any citizen wants to adopt the disowned man as his son, no law is to prevent him—for the characters of the young naturally go through many changes in the course of life. But if within ten years no one has wanted to adopt the disowned man 929d as his son, those in charge of the surplus offspring destined for the colony are to take care of such men too, so that they may take a suitable part in that same colony. If illness, or old age, or harshness of temper, or all of these together make someone deranged beyond the ordinary, and this goes unnoticed by everyone except those who live with him, and he ruins the household on the grounds that he is mas-

ter of his own property, while his son is at a loss and hesitates to bring an indictment for insanity, [929e] let there be a law for the son. First he is to go to the eldest guardians of the laws and explain his father's misfortune. They, after looking into it adequately, are to advise him whether he should bring the indictment or not; and if they advise him to, they are to act as both witnesses and advocates for the one who brings it. The man convicted is to have no authority for the rest of his life to dispose of even the smallest item of his property, and is to live out what remains of his life like a child in the household.

If a husband and wife can't get along at all, because their characters are unhappily matched, ten of the guardians of the laws, men of middle age, should always look after [930a] such cases, and likewise ten of the women in charge of marriages. If they can reconcile them, let that be binding. But if their souls are too stormy, the officials should look as best they can for partners who will suit each of them. Such people are likely not to have gentle dispositions; so they should try to match them with partners of deeper and gentler character. Those of them who quarrel while childless or with few children should form their new union [930b] with children in view as well; those who have enough children should make the divorce and the new marriage for the sake of growing old together and caring for one another. If a wife dies leaving children, girls and boys, the law laid down would be advisory, not compulsory: that the husband raise the children he has without bringing in a stepmother. But if there are no children, he must marry, until he has fathered enough children for [930c] both his household and the city. If the husband dies leaving enough children, their mother is to stay and raise them. But if she seems younger than she should be to live in good health without a husband, her relatives are to consult the women in charge of marriages, and do what seems best to them and to those women in such matters; and if they lack children, they are to do so for the sake of children too. The law's standard of enough children shall be strictly one boy and [930d] one girl. When it is agreed that a child is the offspring of the couple in

question, but a decision is needed as to which parent the child should follow: if a slave woman has intercourse with a slave, a free man or a freedman, the child is in every case to belong to the slave woman's master; if a free woman has intercourse with a slave, the child is to belong to the slave's master. If a man has a child by his own slave woman, or a woman by her own male slave, and this is plainly established, the women officials are to send the woman's child away to another country [930e] together with its father, and the guardians of the laws are to send the man's child away together with its mother.

HONORING PARENTS

Aged parents are the most powerful statues of the gods; neglecting them is punished.

ATHENIAN No god, nor any human being with sense, would ever advise anyone to neglect their parents. We should understand that a preamble like the following, about the service of the gods, would be rightly suited to the honor and dishonor of parents. Ancient laws about the gods are established everywhere in two ways. Some [931a] of the gods we see plainly and honor; of others we set up images as statues, and we believe that when we honor these, lifeless though they are, the living gods feel great goodwill and gratitude toward us for it. So whoever has a father or mother, or their fathers or mothers, lying in his house like treasures, worn out with age, let him never imagine that any statue he could have, enshrined like that at his hearth, would be more powerful—provided that its owner cares for it in the right way.

CLINIAS [931b] And what do you say the right way is?

ATHENIAN I'll tell you. Things of this sort are well worth hearing, my friends.

CLINIAS Just tell us.

ATHENIAN Oedipus, we say, when he was dishonored, called down curses on his own children—curses that everyone sings of

as fulfilled and heard by the gods. And Amyntor in his anger cursed his own son Phoenix, and Theseus cursed Hippolytus, and countless others cursed countless 931c others; from which it has become clear that the gods listen to parents against their children. For a parent's curse on his offspring is like no one else's on anyone else, and most justly so. So let no one think that when a father or mother is exceptionally dishonored by their children the god naturally listens to their prayers, but that when they are honored and overjoyed, and for that reason earnestly call on the gods in prayer for good things for their children—that the gods, then, won't listen to such prayers 931d equally and grant them to us. For then they would never be just distributors of good things—which we say is least fitting for gods.[7]

CLINIAS Very much so.

ATHENIAN Then let's take it, as we said a little earlier, that by the gods we could possess no statue more worthy of honor than a father and grandfather enfeebled by age, and mothers with the same standing. When someone delights them with honors, the god rejoices; otherwise he wouldn't have listened to them. For surely it's a marvelous thing 931e we have in this shrine of our ancestors, far beyond lifeless ones. The living ones, when we care for them, join in our prayers each time, and when dishonored, they do the opposite; the lifeless ones do neither. So if someone treats his father and grandfather and all such people rightly, he would possess the most powerful of all statues for winning a lot dear to the gods.

CLINIAS Beautifully said.

ATHENIAN Everyone with sense fears and honors the prayers of parents, knowing that they have been fulfilled for many people many times. 932a Since this is how things are arranged by nature, for good people aged forebears are a godsend as long as they live, to the very end of life, and when they depart, the young miss them sorely; but to bad people they are very frightening.

7 Oedipus cursed his sons Eteocles and Polynices, who killed each other; Amyntor cursed his son Phoenix with childlessness.

So let everyone honor his own parents with all the honors the law allows, persuaded by what we've now said. But if a deafness to preambles of this sort should hold anyone fast, the following law would be rightly laid down for them. If anyone in this city is more neglectful of his parents than he should be, and doesn't defer to them and fulfill their wishes in everything more than those of his sons and 932b all his descendants and himself, the one who suffers such treatment is to report it, either in person or by sending someone, to three of the eldest guardians of the laws, and to three of the women in charge of marriages. They are to take the matter in hand, punishing the wrongdoers, if they are still young, with beatings and imprisonment—men up to the age of 932c thirty; women are to be punished with the same punishments up to ten years older. If, beyond these ages, they don't give up the same neglect of their parents, but some of them mistreat any parent, they are to bring them before a court of a hundred and one citizens, whoever are the oldest of all. If someone is convicted, the court is to assess what he must pay or suffer, excluding nothing that a human being can suffer or pay. 932d If someone who is being mistreated is unable to report it, any free person who learns of it is to report it to the officials, or else be considered a bad man and be liable to a suit for damage by anyone who wishes. If a slave informs, he is to be free: if he is a slave of those doing the mistreating or of those mistreated, he is to be set free by the officials; if he belongs to some other citizen, the public treasury is to pay his price to his owner. The officials are to take care that no one wrongs such a person in revenge for informing. 932e

POISONING AND SORCERY

Laws distinguish harm by drugs from harm by spells and set penalties for both.

ATHENIAN As for the ways one person harms another with drugs, the fatal cases have been dealt with; but about other kinds of harm—if someone deliberately and with forethought

harms another with drinks or food or ointments—nothing has yet been set out. For there are two kinds of drugging found among humankind, and this holds up a clear statement. The one we just now explicitly [933a] mentioned is the kind in which bodies harm bodies according to nature. The other, by certain sorcery, incantations and so-called binding spells, persuades those who dare to do harm that they are able to do such a thing, and persuades their victims that they are being harmed, more surely than by anything else, by these people who can bewitch.[8] Now it isn't easy to know how these and all such things really are, nor, if one did know, would it be easy to persuade others. And when people's souls are uneasy with one another [933b] about such things, it isn't worth trying to persuade them—if they ever happen to see molded wax figures somewhere, whether at doorways, or at crossroads, or on the tombs of their own parents—urging them, when they have no clear belief about these things, to disregard them all. We should divide the law about drugging in two, according to which of the two ways someone attempts it. First we should request, advise and counsel [933c] that no one attempt to do such a thing, nor frighten most people, who are timid like children, nor again force the lawgiver and the judge to cure people of such fears. For, to begin with, whoever attempts drugging doesn't know what he is doing—in bodily matters, unless he happens to be an expert in medicine, and in matters of sorcery, unless he happens to be a seer or an interpreter of portents. [933d] So let this account be stated as the law about drugging. Whoever drugs someone to cause harm that isn't fatal, whether to the man himself or to his people, or harm to his flocks or his bees, whether fatal or otherwise: if he happens to be a doctor and is convicted on a charge of drugging, let him be punished with death; if he is a layman, the court is to assess what he must suffer or pay. If he seems to be harming someone by binding spells, or charms, or incantations, or [933e] any sorcery of that kind whatever: if he is a seer or an interpreter of portents, let him die; if he is convicted of sorcery without hav-

8 The Greek word here, *pharmakeia*, covers both poisoning and witchcraft.

ing any skill in divination, the same is to apply to him too: in his case as well the court is to assess whatever they think he should suffer or pay.

Whatever harm one person does another by theft or by violence, if the harm is greater, he is to pay greater compensation to the one harmed, and smaller if the damage he did is less; but in every case as much as the damage done each time, until he has made good the harm. And in addition each is to pay a penalty attached to each wrong, [934a] for the sake of correction: a lighter one if he did wrong through someone else's folly, having been persuaded because of youth or something of the kind; a heavier one if he did it through his own folly, or through lack of control over pleasures or pains, gripped by cowardly fears, or by desires or envies or angers that are hard to cure. He pays the penalty not because he did wrong—for what has been done can never be undone—but so that in time [934b] to come he himself, and those who see him punished, may either hate injustice altogether or be relieved of much of this kind of affliction. For all these reasons, and with an eye to all such things, the laws must aim, like a good archer, at both the size of the punishment in each case and, above all, at what is deserved. The judge, doing the same work, must assist the lawgiver whenever some law leaves it to him to assess what the defendant should suffer [934c] or pay; and the lawgiver, like a painter, must sketch outlines of cases that follow his written code. That is what we too must now do, Megillus and Clinias, as finely and well as we can: we must say what the penalties for all thefts and acts of violence should be, so far as the gods and the children of gods allow us to legislate.

MADNESS, ABUSE AND RIDICULE

Laws on keeping the mad at home, banning abuse, and limiting comic ridicule and begging.

ATHENIAN If someone is mad, he is not to appear in public in the city; the relatives of each are to keep [934d] them at home in whatever way they know how, or else pay a fine: a man of the

highest property class a hundred drachmas, whether it's a slave or a free person whom he neglects; one of the second, four-fifths of a mina; the third, three-fifths; and the fourth, two-fifths. Now many people are mad in many ways. Those we've just mentioned are mad from illness; but there are others who are so through a bad natural temper combined with a bad upbringing, who, when some small quarrel arises, raise their voices and 934e slander one another abusively—something not fitting to happen anywhere or in any way at all in a city with good laws. So let there be this single law about abuse, covering everyone: No one is to abuse anyone. Whoever is disputing with another in some discussion is to teach and learn from his opponent and those present, refraining entirely from abuse. For when people curse each other and call down imprecations, and heap shrill abuse 935a on one another in shameful words, first of all, from words, a light thing, the heaviest hatreds and enmities arise in fact. For the speaker, gratifying a thing that deserves no gratitude, his anger, feeding his rage on a bad feast, turns savage again whatever part of his soul was once tamed by education, and becomes a beast, living in bad temper, receiving a bitter return for gratifying his anger. And then in such cases everyone 935b is apt to pass on to saying something ridiculous about his opponent. No one who gets used to this has ever failed either to miss a serious character altogether or to lose a large part of his greatness of mind. For these reasons no one is ever to utter anything of the kind at all in a temple, or at public sacrifices, or again at games, or in the marketplace, or in a court, or in any public assembly. The official in charge of each is to punish it without being liable for doing so; or else 935c he is never to compete for a prize of distinction, as a man who doesn't care about the laws or do what the lawgiver has commanded. If anyone in other places, whether starting the abuse or retaliating, doesn't refrain from such language, any older person who comes upon it is to defend the law, driving off with blows those who indulge that other evil, anger; or else he is to be liable to the prescribed penalty. We are now saying that someone entangled in abuse 935d can't engage in

it without trying to say ridiculous things, and it's this we censure, when it's done in anger. But what about this? Do we accept the comic poets' eagerness to say ridiculous things about people, if they attempt to do this to our citizens in comedy without anger? Or shall we divide it in two, according to whether it's in play or not, and let someone in play say something ridiculous about someone without anger, but not let anyone do so in earnest [935e] and with anger, as we said? That point is by no means to be withdrawn; but let's legislate who is to be allowed and who not. A composer of comedy, or of iambic verse, or of lyric song, is not to be allowed, in words or in images, with anger or without, to ridicule any of the citizens in any way. If anyone disobeys, the presidents of the games are [936a] to banish him from the country altogether that same day, or else be fined three minas, sacred to the god whose contest it is. Those who we said earlier have license to compose about someone may do so about one another without anger and in play, but not in earnest and in anger. The judgment of this is to be entrusted to the director of the whole education of the young. Whatever he approves, the composer may bring before the public; whatever he rejects, the composer is neither to perform himself [936b] for anyone, nor ever be found to have taught it to anyone else, slave or free; or else he is to be deemed a bad man and disobedient to the laws.

The one who deserves pity isn't the man who is hungry or suffers something like that, but the one who is moderate, or has some virtue or some part of it, if on top of this he meets with misfortune. So it would be surprising if such a person, slave or free, were so completely neglected as to fall into utter beggary, in a constitution and city that are even moderately well run. That's why it's safe for the lawgiver to lay down [936c] a law like this for such cases: No one is to become a beggar in our city. If anyone tries to do such a thing, gathering a living by endless pleading, the market wardens are to drive him out of the marketplace, the board of city wardens out of the town, and the country war-

dens are to expel him from the rest of the territory across the border, so that the land may be entirely clear of such a creature.

If a slave, male or female, damages anything at all belonging to someone else, [936d] without the injured party himself sharing the blame through inexperience or some other imprudent conduct, the master of the one who did the damage is either to make good the damage in full, or hand over the offender himself. But if the master counters with a charge that the accusation arose from a scheme between the offender and the injured party to deprive him of his slave, he is to bring a suit for fraud against the man who claims to have been injured; and if he wins, he is to receive double the value [936e] of the slave as the court assesses it; if he loses, he must both make good the damage and hand over the slave. And if a draft animal or horse or dog or any other livestock damages any of a neighbor's property, the damage is to be paid for in the same way.

WITNESSES AND ADVOCATES

Rules for witnesses and false testimony, and a ban on the paid art of winning lawsuits.

ATHENIAN If someone isn't willing to give evidence, the one who needs it may summon him, and the one summoned must appear at the trial. If he knows and is willing to testify, let him testify; if he says he doesn't know, he may be released from the case after swearing by the three gods, Zeus, Apollo and Themis, [937a] that he really doesn't know. Anyone summoned as a witness who doesn't appear for the one who summoned him is to be liable by law for damages. If anyone calls one of the judges as a witness, then, having testified, he is not to vote in that case. A free woman may give evidence and speak in support of a party if she is over forty, and may bring a suit if she has no husband; but while her husband is alive she may only give evidence.[9] A slave, male or female, and a child may give evidence and speak in support only in cases of [937b] murder, provided they furnish a reliable

9 Themis was the goddess of divine law and right order.

guarantor that they will remain until the trial, in case they are charged with giving false testimony. Either of the two parties may charge false testimony against all or part of the evidence, if he claims that someone has testified falsely, before the case has been decided. The officials are to keep the charges under the seals of both parties and produce them for the trial for false testimony. If 937c someone is convicted twice of false testimony, no law is to compel him to testify any longer; if three times, he is no longer to be allowed to testify. If, having been convicted three times, he dares to testify, anyone who wishes is to denounce him to the officials, and the officials are to hand him over to a court; and if he is convicted, let him be punished with death. Where testimony is convicted at a trial—the witnesses being judged to have given false evidence and to have won the victory for the winning side—if more than 937d half of such testimony is condemned, the case won on the strength of it is to be retried, and there is to be a dispute and decision as to whether or not the case was decided on the strength of this testimony; and whichever way that is decided, the outcome of the earlier suits is to follow accordingly.

There are many fine things in human life, but on most of them something like blights have grown, which pollute and defile them. Take justice 937e among human beings: how is it not a fine thing, when it has civilized all human affairs? And since this is fine, how would advocacy not be a fine thing for us too? Yet these things, fine as they are, are brought into disrepute by a certain vice that cloaks itself in the fine name of an art. It claims, first, that there is a technique for lawsuits—and that it is itself that technique, both for pleading one's own case and for helping another plead his—which can win whether or not what was done in each case was just; 938a and that the art itself, and the speeches that come from the art, are a gift for anyone who gives money in return. This, then—whether it's an art or an artless knack and routine—must above all never grow up in our city. When the lawgiver asks people to obey and not to speak against justice, but to go off to another country, there is silence for those

who obey; but for those who disobey, the voice of the law is this. If anyone seems to be trying [938b] to turn the force of justice in the judges' souls the other way, and to multiply such lawsuits beyond reason, or to assist in them, anyone who wishes may indict him for malicious litigation or malicious advocacy. He is to be tried before the court of select judges, and if he is convicted, the court is to assess whether he seems to do this from love of money or from love of winning. If from love of winning, the court is to assess for how long such a man is not to bring a suit against anyone or assist in one; [938c] if from love of money, then a foreigner is to leave the country and never come back, on pain of death, and a citizen is to die, on account of the love of money he honors so in every way. And if anyone is judged to have done such a thing twice from love of winning, let him die.

Book XII

Embassies, audits, burial, and the Nocturnal Council.

ATHENIAN [941a] If anyone, as envoy or herald, misrepresents his city in dealings with another city, or when sent fails to deliver the actual messages he was sent to deliver, or again is shown to have reported incorrectly, as envoy or herald, the messages from enemies or even from friends, there are to be indictments against such people for impiety, for violating the law concerning the messages and commands of Hermes and Zeus; and there is to be an assessment of what [941b] they must suffer or pay, if convicted.[1]

Theft of property is unworthy of a free person; robbery is shameless. None of the sons of Zeus has practiced either of these, delighting in fraud or force. So let no one be deceived by poets, or by any other storytellers who go astray about such matters, into believing that when he steals or uses force he is doing nothing shameful, only what the gods themselves do. That is neither true nor likely. Whoever does such a thing unlawfully is never a god or a child of gods; [941c] and the lawgiver is better placed to know these things than all the poets together. Whoever is persuaded by our argument is fortunate, and may he be fortunate for all time; but whoever disbelieves it must from then on contend with a law like this: If anyone steals any public property, great or small, the same penalty applies. For the one who steals something small steals with the same desire, but with less

1 Heralds were under the protection of Hermes, and envoys and suppliants of Zeus.

power; [941d] and the one who removes something bigger that he didn't deposit does wrong in full. So the law sees fit to punish neither with a lighter penalty than the other on account of the size of the theft, but because one may perhaps still be curable and the other incurable. If anyone convicts in court a foreigner or a slave of stealing some public property, the court is to decide what he must suffer or what penalty [942a] he must pay, on the assumption that he is probably curable. But a citizen, raised as he will have been raised, if he is convicted of plundering his country or using violence against it, whether caught in the act or not, is to be punished with death, as more or less incurable.

MILITARY DISCIPLINE

No one should ever act without a commander; laws on evading service and prizes for valor.

ATHENIAN For military expeditions much advice is given, and many laws are made, and properly so. But the most important thing is that no one, male or female, should ever be without a commander, and that no one's soul should get into the habit of doing anything, whether in earnest or in play, [942b] on its own initiative and alone. In all war and in all peace a person should live always looking to his commander and following him, governed by him even in the smallest things—standing still when ordered, and marching, exercising, bathing, eating, getting up at night for guard duty and to carry messages; and in the midst of danger itself, neither pursuing anyone nor retreating before another without [942c] a signal from the commanders. In a word, one should train the soul by habit neither to know nor to understand at all how to do anything apart from the others, so that everyone's life may be as much as possible always collective, united and shared—for there is not, nor will there ever be, anything stronger, better or more skillful than this for safety and victory in war. This is what must be practiced in peacetime, right from childhood: ruling others and being ruled by others. Lack of rule must be removed [942d] from the whole life of all

human beings, and of the animals under human control. And indeed all choral performances should be danced with an eye to valor in war, and all agility and nimbleness should be cultivated for the same purposes; and also endurance of hunger and thirst, of cold and the opposite, and of a hard bed. Most important of all, one should not ruin the natural strength of the head and feet by wrapping them in coverings from elsewhere, destroying the growth and nature of their own 942e caps and shoes. For these are the extremities, and when they're preserved they hold the greatest power over the whole body, and the opposite when they're not; the feet are the most serviceable to the whole body, and the head the most commanding, since it holds 943a by nature all the body's principal senses. This, I think, is the praise of the military life the young man should hear; and these are the laws: Whoever has been enlisted or assigned to some unit is to serve on campaign. If anyone fails to serve through cowardice, without the generals' leave, there are to be indictments for evasion of service before the military commanders when they return from camp. Those who served are to sit as judges, each group separately—heavy infantry, cavalry, and each of the other branches likewise— 943b bringing infantrymen before infantrymen, cavalrymen before cavalrymen, and the others in the same way before their own comrades. If anyone is convicted, he is never to be allowed to compete for any prize for valor, or to indict anyone else for evasion of service, or to act as accuser in such matters; and in addition the court is to assess what further he must suffer or pay. After this, when the trials for evasion of service have been decided, the commanders of each branch are to convene a meeting again, 943c and anyone who wishes is to be judged for the prizes for valor among his own branch, presenting no evidence or testimony of witnesses about any earlier war, but only about the campaign that has just taken place. The prize for each is to be a crown of olive; and the winner is to dedicate it, with an inscription, in the temple of whichever of the gods of war he likes, as testimony for the judgment of prizes for valor throughout his life, and for second and third prizes. If anyone

goes on campaign [943d] but comes home before the time, without the commanders leading the troops home, there are to be indictments for desertion before the same people as for evasion of service, and those convicted are to incur the same penalties laid down before.

LOSING ONE'S ARMS

The Athenian distinguishes losing arms by misfortune from throwing away one's shield.

ATHENIAN Every man who brings any suit against another must be afraid of bringing a false charge for punishment, whether willingly or unwillingly, [943e] as far as he can—for Justice is called, and truly called, the maiden of Reverence, and falsehood is by nature hateful to reverence and justice. So one must beware of going wrong in justice in other matters too, but especially concerning the loss of arms in war, in case someone mistakes cases where the loss was unavoidable, reproaches them as shameful, and brings undeserved suits against an undeserving man. It's by no means easy to distinguish these cases; [944a] still, the law must try, somehow or other, to draw distinctions case by case.[2] Let's make use of a story as we explain. If Patroclus had been brought back to the tent without his arms but still breathing—as has happened to countless men—while those first arms, which the poet says the gods gave Peleus as a dowry when he married Thetis, were in Hector's hands, then the cowards of that time could have reproached the son of Menoetius with losing his arms. Then again there are those who have lost [944b] their arms by being thrown down cliffs, or at sea, or when in the chaos of a storm a great flood of water suddenly swept over them. One could offer countless such cases as soothing charms, dressing up an evil that lends itself to slander. So we must separate, as far as we can, the greater and more repugnant evil from

2 Justice (Dike) and Reverence (Aidos, the sense of shame) are spoken of as goddesses.

its opposite.[3] In reproaches, then, the application of these names allows some distinction. One wouldn't justly call a man a "shield-thrower" in every case, 944c but rather a "loser of arms." For a man stripped of them by reasonable force wouldn't be a shield-thrower in the same way as one who let them go willingly; the two differ entirely and altogether. So let it be stated in the law as follows. If someone is overtaken by the enemy while armed, and doesn't turn and defend himself, but willingly lets his arms go or throws them away, choosing a shameful life with cowardice rather than a fine and happy death with courage, then for such loss of arms 944d let there be a suit for throwing them away; but the judge must not neglect to consider the kind described before. For one must always punish the bad man, so that he may become better, not the unfortunate one; there is nothing to be gained by that.[4] What penalty, then, would be appropriate for a man who has thrown away weapons meant for defense, and turned their power to the opposite effect? It isn't possible for a human being to do the reverse of what they say a god once did, when he changed Caeneus of Thessaly from a woman's nature into a man's. For in a way the most fitting punishment of all 944e for a man who threw away his shield would have been the birth opposite to that one, a change from man into woman.[5] As it is, since he loved his life so much that he would not risk it for the rest of his days, but would live as long as possible as a coward, bound up with disgrace, let this law, the nearest thing to that punishment, apply to such cases: A man convicted of shamefully throwing away his arms of war is never to be employed as a soldier by any general or any other military 945a commander, or posted to any rank at all. Otherwise, the auditor is to penalize the officer at his audit: if the one who posted the coward belongs to the highest property class, a thousand drachmas; if to the second, five minas; if to the third, three

3 In the *Iliad* Patroclus fought in the armor of his friend Achilles, son of Peleus; Hector killed him and stripped it from his body. Menoetius was Patroclus' father.
4 "Shield-thrower" (*rhipsaspis*) was a standard Greek insult for a coward who dropped his shield to run away.
5 In myth the girl Caenis was turned by Poseidon into a man, Caeneus.

minas; if to the fourth, one mina. The man convicted, in addition to being released from the dangers of brave men, in keeping with his own nature, is to pay a fee for it besides: a thousand drachmas, if he belongs to the highest property class; five minas, if to the second; three, 945b if to the third; and likewise one mina, as with the others before, if to the fourth.

THE AUDITORS

The city chooses its best men as auditors of officials and honors them in life and death.

ATHENIAN About auditors, what account would be fitting for us to give, since some officials hold office by the chance of the lot and for a year, and others for more years and from preselected candidates? Who will be a competent auditor of such people, if any of them says anything crooked, or conducts his office bent by its weight and by his own lack of strength to match the office's dignity? It's by no means easy 945c to find a ruler over the rulers who surpasses them in virtue; still, we must try to find some auditors who are divine. For this is how things are. There are many critical points at which a constitution comes apart, as with a ship or a living creature—what we call stays, and undergirding cables, and the tendons of sinews, a single nature scattered in many places under many names. And this is not the least critical point for a constitution's being preserved, or dissolving 945d and being gone. If those who audit the officials are better than they are, and do it with blameless justice and blamelessly, then the whole country and city thrive and prosper. But if the auditing of officials is done in some other way, then, once the justice that holds all the parts of the constitution together into one has been dissolved, every office is torn apart from every other; and, no longer tending toward the same end, 945e they make one city into many, fill it with factions, and swiftly destroy it. That's why the auditors must by all means be marvelous in every virtue. So let's contrive a way for them to come into being, something like this. Every year, after the summer

solstice, the whole city must gather in the precinct shared by the Sun and Apollo, to present to the god 946a three men from among themselves, each man nominating whomever he thinks best in every respect, other than himself, and no younger than fifty. Of those nominated, they are to select those who receive the most votes, down to half their number, if the number is even; if it's odd, they are to drop the one who received the fewest votes, and keep half, eliminating the rest by number of votes. If some receive equal votes and make the number greater than half, they are to remove the excess by eliminating 946b the youngest, keep the rest, and vote again, until three are left with unequal votes. If all three, or two of them, tie, they are to leave it to good fortune and chance, determine by lot the winner, the second and the third, crown them with olive, and, having given them all their prizes, proclaim that the city of the Magnesians, having regained its safety by the god's grace, presents to the Sun its three best men, and dedicates them as first fruits 946c to Apollo, in accordance with the ancient custom, and jointly to the Sun, for as long as they live up to the verdict. In the first year they are to appoint twelve of these as auditors, to serve until each reaches the age of seventy-five; after that three are to be added each year. They are to divide all the offices into twelve parts, and examine them using every means of scrutiny fit for free people. For as long as 946d they serve as auditors, they are to live in the precinct of Apollo and the Sun in which they were chosen. After judging, some individually and others jointly, those who have held office in the city, they are to post written statements in the marketplace declaring, for each office, what it must suffer or pay in the auditors' judgment. Any official who doesn't accept that he has been judged justly may take the auditors before the select judges; and if he is acquitted of the auditors' charges, he may, if he wishes, accuse the 946e auditors themselves. But if he is convicted, then if the auditors had assessed a penalty of death for him, he is simply to die, as he must; of the other penalties, those that can be paid double he is to pay double. And we must hear how the audits of these auditors themselves are to be conducted,

and by whom. While they live, those men who have been judged worthy of the prize by the whole city 947a are to have front seats at all the festivals. Moreover, for the sacrifices, sacred delegations and other rites that the Greeks share in common, the leaders of each delegation are to be sent out from among them; and they alone of those in the city are to be adorned with a crown of laurel. They are all to be priests of Apollo and the Sun, and each year one of them is to be high priest—the one judged first among those who became priests in that 947b year—and his name is to be recorded each year, so that it may serve as a measure for counting time, as long as the city is inhabited. When they die, their laying out, funeral procession and burial are to be different from those of other citizens. The clothing is to be all white, and there is to be no dirge or wailing. A chorus of fifteen girls, and another of boys, are to stand around the bier, each in turn singing a praise of the priests composed like a hymn, 947c calling them blessed in song throughout the day. At dawn a hundred of the young men from the gymnasiums, chosen by the dead man's relatives, are to carry the bier itself to the tomb. In front go the unmarried young men, each wearing his military equipment—cavalry with their horses, heavy infantry with their arms, and the others likewise—while boys around the bier itself, in front of it, sing the traditional song, 947d and girls follow behind, together with any women who are past childbearing. After them priests and priestesses are to follow, as to a tomb that is pure, even if they are barred from other tombs—provided the Pythia's response also agrees with this, and in this way. Their tomb is to be built underground: an oblong vault of choice stone, as enduring as possible, with stone couches laid side by side. 947e There they will lay the one who has become blessed, heap up earth in a circle around it, and plant a grove of trees all round, except on one side, so that the tomb may have room to grow in that direction for all time, as those laid there need more mound. And every year they will hold a contest in music, athletics and horsemanship in their honor. These, then, are the rewards for those who pass their audit. But if any of them, relying on having been

judged, shows his human nature by becoming bad after the judgment, the law is to direct that anyone who wishes may indict him, and the trial 948a is to take place in court in some such way as this. First, the guardians of the laws are to sit on this court, then the living members of the auditors themselves, and in addition the court of select judges. The prosecutor is to write his indictment against whomever he indicts, stating that so-and-so is unworthy of the prize and of the office. If the defendant is convicted, he is to be deprived of his office, of the tomb, and of the other honors given him; if the prosecutor doesn't obtain a fifth of the 948b votes, he is to pay twelve minas if he belongs to the highest property class, eight if to the second, six if to the third, and two if to the fourth.

OATHS IN THE COURTS

Since belief in the gods has weakened, parties to lawsuits are no longer to swear oaths.

ATHENIAN Rhadamanthus deserves admiration for the way he is said to have decided cases, because he saw that the people of that time clearly believed that there are gods—reasonably enough, since in that time many were descended from gods, and he himself was one of them, as the story goes. It seems he thought that no human being should be trusted as judge, but only gods; and so his cases were decided simply and swiftly. For he would give the disputing parties an oath on each point in dispute 948c and be finished with them quickly and safely.[6] But now, when some people, as we say, don't believe in gods at all, others think the gods don't care about us, and the belief of most people, and the worst, is that in return for small sacrifices and flatteries the gods will help them steal large sums and will free them from heavy penalties in many cases, Rhadamanthus's 948d method would no longer be suitable in lawsuits for people today. Since people's beliefs about the gods have changed, the laws must

6 Rhadamanthus, son of Zeus and brother of Minos, was a legendary Cretan lawgiver and a judge of the dead.

change too. When lawsuits are filed, laws laid down with sense must remove the oaths of both parties. Whoever brings a suit against someone must write down his charges, but not swear an oath to them; and the defendant, likewise, must write down his denial and hand it to the officials unsworn. For surely it's a terrible thing, when there are many lawsuits in a city, 948e to know full well that nearly half the people have perjured themselves, while they mix easily with one another at the common meals and in other gatherings and in their private dealings with each other. So let it be the law that a judge must swear an oath when he is about to judge; and whoever appoints officials for the community must always do so either under oath or by votes carried from the altars; 949a and so too the judge of choruses and of all music, and the supervisors and umpires of athletic and equestrian contests, and in all matters where, in human opinion, perjury brings no gain to the perjurer. But in all cases where a large and obvious gain seems likely for someone who denies a charge on oath, all those who bring charges against one another are to be judged by trials without oaths. And in general, in a trial the presiding officials are not 949b to allow anyone to speak under oath to make his case persuasive, or to call down curses on himself and his family, or to use unseemly supplications or undignified laments; he is to keep always to explaining and learning what is just, in respectful language. Otherwise the officials are to treat him as speaking off the subject, and always bring him back to the question at issue. Between foreigners, as things are now, it is to be allowed to accept oaths from 949c one another, if they wish, and to give them with binding effect—for they won't grow old in the city, and for the most part won't nest in it and produce others like themselves, raised there, to be masters of the country—and for suits they file against each other the same procedure is to apply to them all.

Where a free person disobeys the city in matters that don't merit beatings or imprisonment or death—concerning attendance at choral performances, or processions, or other such public 949d ceremonies or public services, whether for sacrifice in

peacetime or for contributions in war—in all such cases the first compulsion is to be a fine, as a remedy. For those who don't comply, there is to be seizure of goods by those whom the city and the law direct to collect; and for those who defy the seizure, a sale of the goods seized, with the money going to the city. If they need a greater penalty, each of the offices is to impose the appropriate penalties on the disobedient and 949e bring them before the court, until they are willing to do what they've been ordered.

TRAVEL ABROAD AND FOREIGN VISITORS

Rules for citizens traveling as observers and for receiving four kinds of visitor.

ATHENIAN Now a city that makes no money except what comes from the land, and does no trading, must have worked out what to do about its own people traveling abroad outside the territory, and about receiving foreigners from elsewhere. So the lawgiver must advise on these matters, first trying to persuade as far as he can. It is in the nature of contact between cities to blend characters of every sort, 950a as strangers plant novelties in strangers. For those who are governed well under correct laws this would do the greatest harm of all; but for most cities, since they are in no way well governed, it makes no difference if they mix, receiving foreigners among themselves and going off on sprees to other cities in turn, whenever anyone, young or older, feels like traveling abroad, anywhere and at any time. On the other hand, to receive no one else and never to go abroad oneself is, first, not entirely 950b possible; and besides, it would look savage and harsh to the rest of mankind: people would think we were using that ugly term, "expulsion of foreigners," and arrogant, harsh ways. And one must never make light of whether one seems good to others or not. The many are not as far from judging who among other people is wicked and who is decent as they are from the reality of virtue. There is something divine and sure of aim even in bad people, so that a great many, 950c

even of the very bad, draw the line well, in their words and opinions, between the better sort of people and the worse. That is why it is a fine exhortation that many cities hold, to value a good name among the many.[7] The most correct and most important thing is to be truly good and so to hunt for a life of good repute, and never to seek it apart from that, at least if one is to be a complete man. And so it would also befit the city being founded in Crete to acquire among the rest of mankind the 950d finest and best possible reputation for virtue. There is every reason to hope, in all likelihood, if things go as planned, that the sun and the other gods will see it among the few well-governed cities and lands. So here is what must be done about traveling abroad to other lands and places, and about receiving foreigners. First, no one under forty may travel abroad anywhere, in any way whatever; further, no one may go privately, but only publicly, as heralds or envoys or as certain official observers at festivals. 950e Trips abroad in war and on campaign don't deserve to be spoken of among civic journeys, as if they were of this kind. To Pytho for Apollo, to Olympia for Zeus, and to Nemea and the Isthmus, we must send people to share in the sacrifices and games of these gods; and we must send as many as possible, and the finest and best, who will make the city 951a seem glorious in sacred and peaceful gatherings, giving it a counterpart to its glory in war; and when they come home they will teach the young that other people's customs regarding constitutions are second-rate.[8] But other observers must be sent out, of the following sort, with the permission of the guardians of the laws. If any citizens wish to observe the affairs of other people at greater leisure, let no law hold them back. For 951b a city without experience of bad and good men, never mixing with others, could never be sufficiently civilized and complete; nor could it keep its laws safe without grasping them by understanding and not by habit alone. Among the many there are always some divine

7 Sparta was known for its periodic expulsions of foreigners (*xenēlasia*).
8 Official observers (*theōroi*, literally "spectators") were a city's delegates to religious festivals abroad; Pytho is Delphi.

people (not many) whose company is worth anything; and they are born no more in well-governed cities than in badly governed ones. The man who lives in a well-governed city, if [951c] he is incorruptible, should always go out by sea and land to track them down, confirming those of his own customs that are well established and correcting any that fall short. For without this observation and inquiry a city never remains complete, nor will it if they carry out the observation badly.

CLINIAS Then how could both be achieved?

ATHENIAN Like this. First, an observer of this kind must be over fifty years old, and moreover he must have been one of those with a good name, in war as well as in other respects, [951d] if he is going to send out a sample of the guardians of the laws to the other cities. Once over sixty, let him no longer travel as an observer. When he has observed for as many of the ten years as he wishes and has come home, let him go to the council of those who oversee the laws. This council is to be a mixture of young and old, and must meet every day without fail from dawn until the sun is up. It is made up, first, of the priests who have received the awards of distinction; next, of the guardians of the laws, [951e] the ten eldest at any given time; and also the director of education, both the current one and those who have retired from that office.[9] Each of these is not to come alone, but with a young man between thirty and forty, choosing one he likes. Their meetings and [952a] discussions are always to be about laws and about their own city, and about anything different they may learn about such matters elsewhere, and also about those branches of study that seem to help in this inquiry: those who learn them see matters of law more clearly, while to those who don't, these things seem darker and obscure. Whatever of these studies the elders approve, the younger members are to learn with all diligence. And if one of those invited seems unworthy, the whole [952b] council is to blame the one who invited him. Those

9 This is the body later called the Nocturnal Council (961a–b), though here it meets at dawn.

of these young men who are well regarded the rest of the city is to watch over, keeping its eyes on them and observing them closely; it is to honor them when they succeed, but dishonor them more than the others if they turn out worse than most people. To this council, then, the man who has observed the customs of other peoples is to go straight on his return. If he has found people able to tell him some report about lawmaking or education or upbringing, or if he comes back with ideas of his own, let him share them with the whole council. 952c If he seems to have come back neither worse nor better, let him at least be commended for his great zeal; if much better, let him be praised much more while he lives, and when he dies let the council, with its authority, honor him with fitting honors. But if he seems to have come back corrupted, he is not to associate with anyone, young or old, claiming to be wise. If he obeys the officials, let him live as a private person; if 952d not, let him die, if he is convicted in court of meddling in education and the laws. And if he deserves to be brought to court and none of the officials brings him, let it be laid up as a reproach against the officials when the awards of distinction are decided.

That, then, is how the man who goes abroad should go, and what kind of man he should be. Next, the visitor who comes here from abroad must be made welcome. There are four kinds of visitor we must say something about. The first comes regularly and for good, mostly in summer, 952e like birds of passage; and most of these, just as if they had wings, fly across the sea for trade and profit at that season of the year to other cities. Such a visitor must be received by the officials appointed for the purpose in the markets, harbors and public buildings outside the city but near it; 953a they must watch that none of these foreigners introduces any innovation, and dispense justice to them correctly, dealing with them as far as necessary but as little as possible. The second is an observer in the true sense, with his eyes, and of all the spectacles of the Muses that belong to the ears. For every visitor of this kind there must be lodgings near temples, prepared for the hospitable reception of people, and the priests

and temple-keepers must look after and care for them, until, having stayed a reasonable time and seen and heard what they came for, 953b they depart without having done or suffered harm. Their judges are to be the priests, if one of them wrongs someone or someone wrongs one of them in a matter up to fifty drachmas; if some larger charge arises, their cases must go before the market wardens. Third, we must receive at public expense the visitor who has come from another land on some public business. He is to be received by the generals, cavalry commanders and infantry commanders alone, and the care 953c of such a visitor, together with the prytanes, is to belong solely to the one at whose house he is hosted and lodges. The fourth, if one ever comes, is rare; but if one of these ever does come from another land, a counterpart to our own observers, he must first be not less than fifty years old, and in addition claim to be seeing something fine that surpasses in beauty what is found in other cities, or else to be showing something of the 953d same kind to another city. Every such visitor may go unbidden to the doors of the rich and wise, being himself another of that kind. Let him go to the house of the director of education, confident that he is a fit guest for such a host, or to the house of one of those who have won prizes for virtue; and after spending time with some of these, teaching one thing and learning another, let him depart, a friend from friends, honored with fitting gifts and honors. These are the laws by which we must receive all foreigners, 953e men and women, from other lands, and send out our own, honoring Zeus the god of strangers: not driving foreigners out by rules about food and sacrifices, as the nurslings of the Nile now do, nor by savage proclamations.[10]

Any guarantee a person gives, he is to give in express terms, setting out the whole transaction in a written contract before not fewer than three witnesses if it is under a thousand drachmas, and above 954a a thousand not fewer than five. Anyone who sells on another's behalf is also a guarantor, for one who sells

10 "The nurslings of the Nile" are the Egyptians, known among Greeks for keeping foreigners at a distance.

without lawful title or who cannot pay at all; and the one who sells on another's behalf is to be liable to prosecution just like the seller.

If anyone wishes to search someone's house for stolen goods, he is to do it naked, or in a short tunic without a belt, first swearing by the customary gods that he truly expects to find them; and the other must let him search the house, both the sealed things and the unsealed ones. If anyone 954b refuses a man who wants to search, the one prevented may sue, stating the value of what he is looking for; and if the other is convicted, he must pay twice the assessed value in damages. If the master of the house happens to be abroad, the people living there are to let him search the unsealed things, while the searcher is to put his own seal beside the seals on the sealed ones and set any guard he likes for five days. If the master is away longer, the searcher is to bring in the city wardens and search that way, opening the sealed things too, 954c and then seal them up again in the same way with the household and the city wardens.

For disputed property there is to be a time limit, after which, once someone has held it that long, no dispute is allowed. Over land and houses there can be no dispute here. As for other things someone may possess: if he is seen using the thing in town, in the market and at temples, and no one lays claim to it, but someone says he has been searching for it all this time, while the holder plainly wasn't hiding it, then if 954d a year goes by like this, the one holding the thing and the other searching, no one may lay claim to such property once the year has passed. If he uses it not in town or in the market but openly in the countryside, and no one comes across it within five years, then once the five years have passed, the claimant may no longer lay claim to such property for the rest of time. If someone uses it in town but indoors, the time limit 954e is to be three years; if he keeps it in the country out of sight, ten years; if abroad, for all time: whenever the owner finds it anywhere, there is to be no time limit on laying claim to it.

If anyone uses force to prevent someone from attending a trial, whether the party himself or his witnesses, then if it is a slave, his own or another's, the trial is to be void and invalid; if it is a free man, 955a besides the trial being void, the offender is to be imprisoned for a year and liable to prosecution for kidnapping by anyone who wishes. If anyone uses force to prevent a rival in athletics or music or any other contest from taking part, whoever wishes is to report it to the organizers of the games, and they are to set the one who wants to compete free to enter the contest. If they can't, and the one who prevented him from competing wins, they are to give the prize to the one who was prevented 955b and record him as winner in any temples he wishes; and the one who prevented him may never have any dedication or inscription for such a contest, and is to be liable for damages, whether he loses the contest or wins it.

If anyone knowingly receives any stolen property whatever, he is to be liable to the same penalty as the thief. The penalty for harboring an exile is to be death.

Everyone is to regard as friend and enemy the same people as the city does. 955c If anyone makes peace or war privately with anyone, without the community, the penalty for him too is to be death. If some section of the city makes peace or war with anyone on its own account, the generals are to bring those responsible for this act to court, and the penalty for anyone convicted is to be death.

Those who perform any service for their country must do it without gifts. There is to be no excuse, and no approved argument, that one may accept gifts for good services but not for 955d bad ones: it isn't easy to know which is which, and, knowing, to hold firm. The safest thing is to listen and obey the law: perform no service for gifts. Whoever disobeys is, if convicted in court, simply to be put to death.

As to contributions of money to the community: for many reasons each person must have his property assessed, and the members of each tribe must report their year's produce in writing to the country wardens, so that, there being two kinds of

levy, the treasury may use whichever 955e it wishes, deciding each year whether it will be a portion of the whole assessment or of the income arising in that year, apart from what is paid toward the common meals.

A moderate man should present the gods with moderate offerings. Now the land and the hearth of one's home are sacred to all the gods, for everyone; so let no one consecrate these to the gods a second time. Gold and silver, in other cities, whether in private hands 956a or in temples, are possessions that arouse envy; ivory, from a body the soul has left, is not a pure offering; and iron and bronze are instruments of war. Of wood, let anyone dedicate whatever he wishes, provided it is made of a single piece, and likewise of stone, for the common temples; and of weaving, not more than one woman's work in a month. White would be a fitting color for the gods, in weaving as elsewhere; dyes should not be used except for the ornaments of 956b war. The most divine gifts are birds, and images such as a single painter can finish in one day; and let other offerings be modeled on these.

COURTS AND JUDGMENTS

Three levels of courts, and rules for enforcing the year's judgments.

ATHENIAN Now that the parts of the whole city have been distinguished, how many there should be and what they are, and laws about contracts have been stated, as far as possible, on all the most important points, the next thing would be the lawsuits. Of the courts, the first would consist of chosen judges, whom defendant 956c and prosecutor choose jointly; "arbitrators" would be a more fitting name for them than "judges." The second would consist of fellow villagers and tribesmen, divided into twelve sections. If the parties aren't reconciled before the first court, they are to go before these and contend for a larger penalty; and the defendant, if he loses the second time, is to pay an additional fifth of the damages assessed in the written charge. If someone, finding fault with the judges, wishes to contend a

third time, 956d let him take the case to the select judges; and if he loses again, let him pay one and a half times the assessment. If the prosecutor, defeated in the first court, won't let it rest but goes on to the second, then if he wins he is to receive the extra fifth, and if he loses he is to pay the same fraction of the suit. If they go on to the third court, having refused to accept the earlier verdicts, the defendant, if he loses, is to pay one and a half times, as has been said, and the prosecutor is to 956e pay half the assessment. The allotment of courts and the filling of them; the appointment of attendants for each of the offices; the times at which each step must be taken; voting and adjournments; and all such things that necessarily attend lawsuits: the order of filing earlier and later suits, the obligation to answer charges and to pay deposits, and everything else akin to these—we have spoken of them before as well, but what is right is well said 957a even twice or three times. In any case, all the minor, easily worked out regulations that the old lawgiver has left out, the young lawgiver must fill in. Private courts organized along these lines would be adequate. As for public and common courts, and those that officials must use in administering the business of each office, there are in many cities not a few regulations, and not unseemly ones, made by decent men. From these the guardians of the laws 957b must construct what befits the constitution now being born, collecting and correcting them and testing them thoroughly in practice, until each point seems satisfactorily laid down; then they are to finish the work, seal the regulations as unchangeable, and use them for the rest of their lives. As for the silence of judges and restraint of speech, and the opposite, and all the ways in which our notions of what is just and good and fine differ from the many that prevail in other cities, 957c some of this has been said, and some will be said toward the end. Anyone who is to be an impartial judge according to justice must keep his eyes on all these things, and must acquire writings about them and study them. For of all studies, the laws laid down, if they were laid down correctly, would be the most powerful in making the learner better; otherwise it would be for

nothing that our divine and wonderful law has a name akin to intelligence.[11] And indeed, as for other discourses—the praise and 957d blame of people spoken in poems, and in prose, whether written down or in all the other daily gatherings, where people dispute out of love of victory and sometimes make very foolish concessions—the lawgiver's writings would be a clear touchstone for all of them. The good judge must possess these writings within himself as antidotes to the other discourses, and set himself and the city straight: for the 957e good, securing the permanence and growth of what is just; for the bad, as far as possible, a change away from ignorance, licentiousness, cowardice, and in short all injustice, in those whose badness seems curable. But for those on whom it has truly been spun as their fate, 958a such judges and leaders of judges would assign death as the cure for souls in that condition—a thing that could justly be said many times—and would deserve praise from the whole city.

When the year's lawsuits have been tried to a conclusion, the following laws must govern the enforcement of the judgments. First, the office that tried the case is to award the winner all the property of the loser, except what the loser must necessarily keep, 958b immediately after each vote, by proclamation of a herald, in the hearing of the judges. When the month following the court months arrives, if someone has not satisfied the winner by an agreement acceptable to both, the office that tried the case is to go along with the winner and hand over the loser's property to him. If they don't have the means to pay, and the shortfall is not less than a drachma, the loser is to have no right to sue anyone else until he has paid off the whole debt 958c to the winner; but others are to have valid suits against him. If someone who has been condemned obstructs the office that condemned him, those unjustly obstructed are to bring him before the court of the guardians of the laws; and if anyone is convicted on such a charge, he is to be punished with death, as one who is destroying the whole city and its laws.

11 Plato plays on *nomos* (law) and *nous* (intelligence).

FUNERALS

Laws on graves and funerals, based on the belief that the soul, not the body, is the self.

ATHENIAN Next: when a man has been born and brought up, has begotten and raised children, has engaged in dealings 958d with moderation, paying the penalty if he has wronged anyone and receiving it from another, and has grown old in due course together with the laws, his end would come in accordance with nature. Concerning the dead, then, whether male or female: as for the religious rites owed to the gods below and to those of this world, whatever should be performed, the interpreters are to have authority to direct them. There are to be no graves anywhere on land that can be cultivated, no monument either large 958e or small; they are to fill those places whose nature suits this purpose alone, receiving and hiding the bodies of the dead with the least harm to the living. What the earth, as our mother, is by nature disposed to bear as food for human beings, let no one, living or dead, take away from any of us who are alive. No one is to heap up a mound higher than five men can build in five days; and stone slabs are to be no larger than is needed to hold an encomium on the dead man's life of not more than four lines of heroic 959a verse. As for laying out the body, first, it is not to be kept indoors longer than the time that shows who has only fainted and who is really dead; so, humanly speaking, carrying it out to the tomb on the third day would be about right. We must believe the lawgiver in other matters, and above all when he says that the soul is altogether superior to the body; that in life itself what makes each of us what we are is nothing but the soul, 959b while the body accompanies each of us as a semblance; and that when we die, the bodies of the dead are rightly called images, while the real self of each of us, which is called the immortal soul, departs to the other gods to give an account, as the ancestral law says—which gives courage to the good, but is very frightening to the bad. It says too that there's no great help

for a man once he's dead. It was while he lived that all his relatives should have helped him, so that he might live his life as just and 959c holy as possible, and after death, in the life after this one, go unpunished for evil wrongs. Since this is so, no one should ever ruin his household with spending, in the belief that this mass of flesh being buried is especially his own. Rather, he should think that his son or brother, or whoever it is he most believes he is burying with longing, has gone away, completing and fulfilling his own destiny, and that one should do well by what remains, 959d spending moderately, as on a lifeless altar of the gods below. What is moderate the lawgiver might divine not at all unfittingly. So let this be the law: for a man of the highest property class, total spending on the whole funeral is not to exceed five minas; for one of the second, three minas; two for one of the third; and one mina for one of the fourth would be the right measure of expense. The guardians of the laws must necessarily do many other things and look after many matters, and not least this: they are to spend their lives caring for children and 959e men and people of every age. In particular, at the end of each person's life, at least one guardian of the laws is to preside, whomever the dead man's household call in as overseer. It is to be to his credit if what is done for the dead man is done well and moderately, and to his shame if not well. The laying out and the rest are to be done according to the law on such matters; but we must allow the statesman who legislates the following. To order people 960a to weep for the dead, or not to, would be unseemly; but he is to forbid wailing and letting the sound be heard outside the house, and to prevent carrying the corpse out into the open streets and lamenting while going along the streets, and to require them to be outside the city before daybreak. Let these, then, be the rules on such customs. Whoever obeys is to be free of penalty; whoever disobeys a single guardian of the laws is to be punished by all of them 960b with whatever penalty they all jointly decide. Other kinds of burial, or the refusal of burial, for parricides, temple robbers and all such people, have been stated and laid down in the laws earlier, so our legislation would be

nearly at its end. But in every case the end is hardly the doing of something, or acquiring or founding it. Only when one has discovered a means of preserving what has come into being, completely and for all time, can one think that everything that needed doing has been done; before 960c that, the whole is incomplete.

HOW TO MAKE THE LAWS LAST

The Athenian asks how the laws can be made irreversible, like the thread spun by the Fates.

CLINIAS You're right, stranger. But tell us still more clearly what you meant by what you just said.

ATHENIAN Clinias, many sayings of old have been finely sung, and not least, I think, the names of the Fates.

CLINIAS Which ones?

ATHENIAN That Lachesis is the first, Clotho the second, and Atropos the third, the preserver of what has been allotted. These names are likenesses of the power that makes spun thread, set by fire, irreversible. 960d City and constitution must provide the same: not only health and preservation for bodies, but good order in souls, or rather the preservation of the laws. And this, it seems to me, is still missing from our laws: how an irreversible power is to be implanted in them by nature.[12]

CLINIAS It's no small thing you're talking about, if it really is impossible to find how anything at all could acquire such a possession.

ATHENIAN 960e But it is possible; at least, it now appears to me with perfect clarity that it is.

CLINIAS Then let's by no means give up until we've provided this very thing for the laws we've described. It's ridiculous to labor at anything in vain and leave it resting on nothing firm.

12 The three Fates: Lachesis ("allotter"), Clotho ("spinner") and Atropos ("unturnable"); the Greek of this sentence is uncertain.

ATHENIAN You're right to urge that, and you'll find I'm of the same mind.

CLINIAS Well said. So what, you say, would the preservation of our constitution and our laws be, and how would it work?

ATHENIAN [961a] Didn't we say that we must have a council of the following kind in our city? The ten eldest guardians of the laws at any given time, and all those who have received the awards of distinction, must meet together in the same place; and so must those who have traveled abroad to find out whether they might hear anything timely bearing on the guarding of the laws, and who, having come home safely, were judged, after a thorough examination by these same members, worthy to share in the council. Besides these, each member must bring along one of the [961b] young men, not less than thirty years old: he first judges for himself that the young man is worthy by nature and upbringing, and then introduces him to the others. If the others approve as well, he is admitted; if not, the decision is to be kept secret from everyone else, and above all from the rejected man himself. And the council must meet at dawn, when everyone is most free of other business, private and public. Something like that was said in our [961c] earlier discussion, wasn't it?

CLINIAS It certainly was.

THE COUNCIL AS THE CITY'S ANCHOR

The Nocturnal Council, like intelligence in the head, must know the city's single aim.

ATHENIAN Taking up this council again, then, here is what I would say. I say that if one were to cast it like an anchor for the whole city, with everything that suits it, it would preserve everything we want.

CLINIAS How so?

ATHENIAN Now is our moment to explain things correctly and spare no effort.

CLINIAS Very well said. Go ahead, just as you intend.

ATHENIAN [961d] Well then, Clinias, we must recognize for everything a preserver proper to it in each of its works: in a living creature, it is the soul and the head, above all, that by nature play this part.

CLINIAS What do you mean now?

ATHENIAN Surely it's the virtue of these two that preserves every living creature.

CLINIAS How?

ATHENIAN When intelligence arises in the soul, in addition to its other qualities, and in the head, in addition to its other parts, sight and hearing. In short, intelligence blended with the finest senses and become one with them would most justly be called the preservation of each creature.

CLINIAS It seems so, at any rate.

ATHENIAN [961e] It does. But what would intelligence, blended with the senses, be concerned with, so as to be the preservation of ships, in storms and in fair weather? Isn't it that in a ship the helmsman and sailors together, blending their perceptions with the helmsman's intelligence, preserve both themselves and everything about the ship?

CLINIAS Of course.

ATHENIAN We don't need many examples of this sort. But let's consider, say, in armies, what target generals would set themselves, and what the whole medical service would, [962a] if they are to aim correctly at preservation. Isn't it, for the generals, victory and mastery over the enemy, and for the doctors and their assistants, producing health in the body?

CLINIAS Of course.

ATHENIAN Then if a doctor were ignorant of what concerns the body, what we just called health, or a general of victory, or any of the others we went through of their own aims, could he possibly be seen to have intelligence about any of these things?

CLINIAS How could he?

ATHENIAN And what about a city? If someone were plainly ignorant of the target the statesman must look to, could he, 962b first, rightly be called a ruler at all? And then, would he be able to preserve a thing whose target he didn't know in the least?

CLINIAS How could he?

ATHENIAN So now too, it seems, if our settlement of the territory is to be complete, there must be something in it that knows, first, what we are talking about, the target—whatever our political target happens to be—and next, in what way to attain it, and who gives good advice about it or bad: first among the laws themselves, then among people. If a city 962c is empty of any such thing, it's no wonder if, lacking intelligence and perception, it acts at random every time, in each of its actions.

CLINIAS That's true.

ATHENIAN Well then, in which part or institution of our city is any safeguard of this kind adequately provided for? Can we say?

CLINIAS Not clearly, stranger. But if I must guess, it seems to me this argument is heading toward the council you said just now must meet at night.

THE UNITY OF VIRTUE

The council's members must understand how the four virtues are one.

ATHENIAN 962d You've understood perfectly, Clinias. And this council, as our present argument shows, must possess all virtue. The first principle of virtue is not to wander, aiming at many things, but to look to one thing and always shoot everything at it, like arrows.

CLINIAS Absolutely.

ATHENIAN Now we'll learn that it's no wonder the customs of cities wander, since in each city different parts of the legislation look to different things. And in most cases it's no wonder that for some the standard of justice is 962e that certain people should rule in the city, whether they happen to be better or worse; for

others, that they should grow rich, whether or not they are anyone's slaves; while others are eager for the so-called free life. Some legislate with two aims together, looking to both: that they should be free, and masters of other cities as well. And the wisest, as they think, look to these and all such things together, but they cannot name any single thing, held in special honor, that everything else is to look toward.

CLINIAS 963a Then our own position, stranger, would have been laid down correctly long ago, wouldn't it? We said that everything in our laws must always look to one thing, and we agreed, I think, that it was quite right to call this virtue.

ATHENIAN Yes.

CLINIAS And we took virtue to be four things, I think.

ATHENIAN Certainly.

CLINIAS And intelligence to be the leader of them all, to which everything else, and the other three of these, must look.

ATHENIAN You're following beautifully, Clinias. Follow the rest along with me too. We said that the intelligence of the helmsman, the doctor 963b and the general looks to that one thing to which each must look; and now we've reached the point of examining the statesman's. Questioning it as though it were a person, we might say: "My remarkable friend, and where are you aiming? What is that one thing? The doctor's intelligence can state it clearly; will you, who are superior, as you'd claim, to all men of sense, be unable to say?" Or can you two, Megillus and Clinias, spell it out on its behalf and tell me what you say it is, 963c just as I have often given you definitions of other things?

CLINIAS Not at all, stranger.

ATHENIAN Well then, what about the need to be eager to see it as a whole, and in which things it is found?

CLINIAS In which things, for example?

ATHENIAN For example, when we said there were four forms of virtue, clearly we must say that each is one, since there are four.[13]

CLINIAS Of course.

ATHENIAN And yet we call them all one. We say that courage is virtue, and wisdom is virtue, 963d and the other two as well, as if they were really not many but this one thing only, virtue.

CLINIAS Certainly.

ATHENIAN Now how these two differ from each other and have received two names, and the others too, is not hard to say. But how we have given the one name, virtue, to both, and to the others, is no longer so easy.

CLINIAS What do you mean?

ATHENIAN What I mean isn't hard to show. Let's divide the questioning and answering between us.

CLINIAS What are you proposing now?

ATHENIAN 963e Ask me why, although we call both of them by one name, virtue, we then called them two again, courage and wisdom. I'll tell you the reason: one of them, courage, is concerned with fear; wild animals share in it too, and so do the characters of very young children. For a soul becomes courageous without reason, by nature; but without reason a soul that is wise and has intelligence never came to be, is not, and never will be, since that is a different thing.

CLINIAS That's true.

ATHENIAN 964a You've now received from me in argument how they differ and are two. Now pay me back by saying how they are one and the same. Bear in mind that you're going to say how, being four, they are one; and then require me, once you've shown how they are one, to show again how they are four. And after that, let's consider whether someone who adequately

13 "Forms" (*eidē*) here may simply mean "kinds."

knows about any things that have a name and also an account should know only the name and be ignorant of the account; or whether, for anyone who is of any worth, it's shameful to be ignorant of all such things concerning matters outstanding 964b in greatness and beauty.

CLINIAS It seems so, at any rate.

ATHENIAN Now for a lawgiver and guardian of the laws, and for one who thinks he surpasses everyone in virtue and has won prizes for these very things, is there anything more important than the very things we are now discussing: courage, moderation, justice, wisdom?

CLINIAS How could there be?

ATHENIAN Then on these matters, should the interpreters, the teachers, the lawgivers, the guardians of everyone else, when dealing with someone who needs 964c to learn and know, or someone who does wrong and needs to be punished and rebuked—should they not surpass everyone else in teaching what power vice and virtue have, and in making it wholly clear? Or should some poet who comes into the city, or someone who claims to be an educator of the young, seem better than the one who has won the prize for all virtue? And then, in a city like that, where there are no guardians competent in word and deed, with adequate knowledge about virtue, would it be any wonder if this city, being unguarded, suffered 964d what many cities of today suffer?

CLINIAS No wonder at all, it seems likely.

ATHENIAN Well then? Must we do what we are now saying, or what? Must we make our guardians more exact than the many about virtue, in deed and in word? Otherwise, how will our city resemble the head and senses of wise people, as one that possesses some such safeguard within itself?

CLINIAS What do you mean, stranger, and in what way are we comparing it to something like that?

ATHENIAN 964e Clearly, with the city itself as the trunk. Of the guardians, the young, selected as the most gifted by nature, with sharpness in every part of their souls, are placed as it were at the very top of the head and look out over the whole city all around; as they keep watch they hand over their perceptions to their memories and act as messengers to their elders of everything that goes on in the city. 965a The old, likened to intelligence because they are outstandingly wise about many things worth mentioning, deliberate, and use the young as their assistants, together with their counsel. In this way the two groups together really do preserve the whole city. Is this how we say it must be organized, or in some other way? Surely not with all of them alike, and none given a specially exact upbringing and education?

CLINIAS No, my remarkable friend, that's impossible.

ATHENIAN 965b Then we must go on to an education more exact than the earlier one.

CLINIAS Perhaps.

ATHENIAN Well, would the one we just touched on turn out to be the one we need?

CLINIAS Absolutely.

ATHENIAN Didn't we say that the supreme craftsman and guardian in any field must not only be able to look to the many things, but must press on to know the one, and, knowing it, organize everything in relation to it, taking it all in at a glance?

CLINIAS Right.

ATHENIAN 965c Could there be a more exact way of examining and viewing anything at all than being able to look from the many dissimilar things to one form?

CLINIAS Perhaps.

ATHENIAN Not "perhaps," my good friend, but really: there is no clearer method than this for any human being.

CLINIAS I trust you, stranger, and I agree; let's proceed along this line in our discussion.

ATHENIAN Then it seems we must compel the guardians of our divine constitution too to see exactly, first of all, what it is that is the same throughout 965d all four, which we say is one in courage, moderation, justice and wisdom, and so is justly called by one name, virtue. If we like, my friends, let's get a firm grip on this now and not let go until we have said adequately what it is that we must look to, whether as one, or as a whole, or both, or however it is by nature. Or, if this escapes us, do we think we will ever 965e be adequately equipped for virtue, when we won't be able to say whether it is many, or four, or one? No, not if we take our own advice: we will contrive somehow or other to have this come about in our city. But if you think we should let it drop altogether, we must consider that.

CLINIAS By the god of strangers, stranger, we must certainly not let such a thing drop, since you seem to us to be quite right. But how could one contrive it?

ATHENIAN 966a Let's not say yet how we could contrive it. First let's settle, by agreeing among ourselves, whether it must be done or not.

CLINIAS Well, it certainly must, if it's possible.

ATHENIAN Well then, do we think the same about the fine and the good? Must our guardians know only that each of these is many, or also how and in what way it is one?

CLINIAS It seems almost unavoidable that they must also understand how it is one.

ATHENIAN 966b And what if they understand it, but can't demonstrate it in words?

CLINIAS How could that do? That's the condition of a slave you're describing.

ATHENIAN Well then, does the same account hold for us about all serious matters: that those who are to be real guardians of the laws must really know the truth about them, and must be

able to express it adequately in speech and follow it in action, judging what is done well and what is not in accordance with nature?

CLINIAS Of course.

KNOWING THE GODS

Guardians must grasp the priority of soul and the order of the stars, the grounds of belief.

ATHENIAN 966c Now isn't one of the finest things the subject of the gods, which we went through so earnestly: to know that they exist and how great a power they evidently wield, as far as a human being can know these things? And while we pardon most people in the city if they merely follow the voice of the laws, we should entrust nothing to those who are to share in the guardianship unless they have labored to acquire every proof there is about the gods. And this refusal to entrust would mean never 966d choosing as a guardian of the laws, or admitting among those distinguished for virtue, anyone who is not divine and has not labored over these things.

CLINIAS It's only just, as you say, that anyone who is lazy or incapable in such matters should be kept far away from what is fine.

ATHENIAN Do we know, then, that of the things we went through earlier, there are two that lead to belief about the gods?

CLINIAS Which?

ATHENIAN One is what we said about the soul: that it is the oldest 966e and most divine of all the things to which motion, taking on birth, has given ever-flowing existence. The other concerns the orderly motion of the stars and of everything else under the control of the intelligence that has ordered the universe. For no human being who has viewed these things neither carelessly nor like a layman has ever been so godless by nature as not to be affected in the opposite way from what the many 967a expect. They think that those who deal with such matters through astro-

nomy and the other arts necessarily linked with it become godless, having seen, as they suppose, that things happen by necessity and not through the thought of a will aiming at the fulfillment of good things.

CLINIAS And what would the real situation be?

ATHENIAN As I said, the situation now is the complete opposite of what it was when those who thought about the heavenly bodies thought them soulless. Even then wonder 967b crept in about them, and those who went into their precise workings suspected what is now truly accepted: that if they were soulless and had no intelligence, they could never use such wonderful calculations with such precision. And some even then dared to venture this very claim, that it was intelligence that had ordered everything in the heavens. But these same people, going wrong again about the nature of soul, that it is older than bodies, 967c and thinking it younger, overturned everything again, so to speak, and themselves much more so. For everything before their eyes, all that moves in the heavens, seemed to them to be full of stones and earth and many other soulless bodies, which dispensed the causes of the whole cosmos.[14] These were the views that at that time produced much godlessness and made such studies distasteful; and in particular the poets came out with abuse, likening philosophers to dogs 967d barking in vain, and saying other foolish things besides. But now, as I said, the situation is the complete opposite.

CLINIAS How so?

ATHENIAN No mortal can ever become firmly reverent toward the gods unless he grasps the two things now being stated: that soul is the oldest of all things that have had birth, and is immortal, and rules over all bodies; and, besides, as has now been said many times, the intelligence of the things that are, which we said is 967e in the stars. He must also learn the studies that necessarily come before these, and, having seen what they have in

14 Chiefly Anaxagoras, who made intelligence (*nous*) the orderer of the cosmos.

common with the art of the Muses, apply them harmoniously to the practices and customs of character; and he must be able, for whatever has an account, 968a to give the account. Someone unable to acquire these things in addition to the ordinary civic virtues would hardly ever be an adequate ruler of a whole city, but rather an assistant to other rulers. So now, Clinias and Megillus, we must consider whether, to all the laws we have gone through, we will add this one too: that the Nocturnal Council of officials, 968b having shared in all the education we have described, is to be a guard established by law for the sake of preservation. Or what shall we do?

CLINIAS My good friend, how could we not add it, if we can manage it even to a small degree?

ATHENIAN Then let's all strive toward such a goal. I too would gladly help you in this—and perhaps I'll find others besides me—because of my experience and study of such matters, which has been very considerable.

CLINIAS Well, stranger, we must by all means go along the path on which the god himself seems to be leading us. But how it could 968c be done correctly—that is what we should now discuss and investigate.

ATHENIAN It isn't possible any longer, Megillus and Clinias, to lay down laws on such matters before the council has been organized—then is the time to legislate what its members are to have authority over. At this stage, what would set these things up would be teaching, with much time spent together, if it is to be done correctly.

CLINIAS How so? What should we take this remark to mean?

ATHENIAN First, surely, a list would have to be drawn up 968d of those who would be suited to the nature of guardianship by age, capacity for learning, character and habits. After that, what they must learn is neither easy to discover nor easy to learn from someone else who has discovered it. And besides, as to the times—when and for how long each subject should be taken up—it would be pointless to state these in writing; for not even to the

learners themselves 968e would it be clear what is being learned at the right time until knowledge of the subject has come to be within the soul of each of them. So it wouldn't be right to call everything about these matters secret; rather, it cannot be told in advance, because telling it in advance makes nothing of what is said clear.

CLINIAS Then what must we do, stranger, since this is how things stand?

ATHENIAN As the saying goes, my friends, the prize seems to lie there in the middle for all of us; and if we are willing to stake the whole constitution, throwing, as they say, either three sixes or three ones, 969a then that is what we must do. I will share the risk with you by stating and explaining my views about the education and upbringing that our discussion has now set in motion once again. The risk, though, would be no small one, and not comparable to any other. This, Clinias, I urge you to take care of. For you will win the greatest glory for the city of the Magnesians, or whatever name the god gives it, if you set it up correctly; or at any rate you will never escape being thought the most courageous 969b of all who come after.[15] If this divine council comes into being for us, my dear friends, the city must be handed over to it; and virtually none of today's lawgivers would dispute this. Then what we touched on in our argument a little earlier, as in a dream, will really be almost fulfilled as a waking reality, when we sketched a sort of image of how head and intelligence are joined together—if, that is, the men are carefully selected, properly 969c educated, and, once educated, settled in the citadel of the land, and become guardians such as we have never before seen in our lives for excellence in preserving.

MEGILLUS My dear Clinias, from everything we've now said, either we must give up founding the city, or we must not let this stranger go, but by entreaties and every means we can contrive make him our partner in founding it.

15 Three sixes or three ones was the best or worst throw with three dice, that is, all or nothing.

CLINIAS [969d] You're absolutely right, Megillus. I'll do just that, and you help me.

MEGILLUS I will.