

Copyright
by
Samuel W. Mead
2020

**The Report Committee for Samuel W. Mead
Certifies that this is the approved version of the following Report:**

**Moderating the Aims of Wise Legislation: On the Purpose of Dorian
Politics in Book III of Plato's *Laws***

**APPROVED BY
SUPERVISING COMMITTEE:**

Devin Stauffer, Supervisor

Thomas L. Pangle

**Moderating the Aims of Wise Legislation: On the Purpose of
Dorian Politics in Book III of Plato's *Laws***

by

Samuel W. Mead

Report

Presented to the Faculty of the Graduate School of

The University of Texas at Austin

in Partial Fulfillment

of the Requirements

for the Degree of

Master of Arts

The University of Texas at Austin

December 2020

Abstract

Moderating the Aims of Wise Legislation: On the Purpose of Dorian Politics in Book III of Plato's *Laws*

Samuel W. Mead, M.A.

The University of Texas at Austin, 2020

Supervisor: Devin Stauffer

This report analyzes Plato's treatment of Dorian politics in Book III of his *Laws*. That treatment tests and finds insufficient a premise stated in Book I, that virtue is the necessary and sufficient condition for political prosperity. This premise is used to support the criteria of wise legislation set down in Books I and II. In challenging this premise, Plato uses Book III to show that wise legislation cannot aim for or rely upon virtue alone, be it civic or philosophic; wise legislation must look to the lower necessities, and most of all, to the necessity of a mixed regime.

Table of Contents

Introduction.....	1
Part One: Overview of Books I and II: The Highest Aims of Wise Legislation	3
Part Two: Sparta and the Dorian League	9
Part Three: Conclusion	28
Bibliography	33

Introduction

Modern political philosophy all but starts with a critique of ancient political philosophy's utopian character (Machiavelli *Prince* XV; Hobbes *Leviathan* chpt. 6, para 58; chpt. 31, para. 41; chpt. 46, paras 1 and 11; Descartes *Discourse on Method* I.6-8). Plato in particular, perhaps the most famous proponent of ancient philosophy, devoted the bulk of his political works to legislating cities-in-speech. Compared to Aristotle, Xenophon, and Thucydides, he gave little explicit treatment of the regimes around him or of those available to him through contemporary historical accounts. More than any other ancient, then, he could well seem a dreamer, unaware of the real world's harshness and the severe limits it imposes on wise and prudent legislation. But Book III of his *Laws* tells a different story. This book is a rare and neglected instance wherein the philosopher dwells at length on the regimes of Sparta,¹ Persia, and Athens. His treatment of Sparta plays the largest role of the three – as I aim to show, it indicates his awareness of the many obstacles to the fulfillment of legislation's highest aims.

Scholarly dispute over this section often focuses on the extent to which Plato distorted the historical evidence available to him in the interest of his own theorizing.² This paper does not deny that Plato used history in this way. But in focusing so much on the historical accuracy of Plato's Sparta, scholars have neglected the political theory Plato is expressing, even while they acknowledge its presence. That theory, presented through a dramatized history as it is, does not leave the earthly realm of politics for a naïve hope in perfect legislation. In fact, it is through his portrayal of Sparta that Plato severely qualifies the lofty criteria and aims of wise legislation his Athenian stranger espouses in Books I and II of the *Laws*. Plato thereby offers a sobering

¹ In this paper, for simplicity's sake, I refer to Sparta and Lacedaemon interchangeably.

² See Morrow (1960, 72); den Boer (1956, 169-170); Weil (1959, 7-12); cf. Rahe (2016).

reminder of the obstacles to establishing not only virtue and prosperity within a political community, but the political stability required for them both.

In order to show that this is the case, I analyze, in Part One, those sections of Books I and II that elucidate the stranger's criteria for wise legislation. Then, after a short summary of the pre-political history in Book III's first section, I turn to the main interpretive work of the paper. Part Two analyzes the stranger's account of Sparta's origins and its survival of the Dorian League's corruption. This account challenges the stranger's premise in Book I that virtue is *the* necessary and sufficient condition for happiness in the political community, and qualifies his thesis that virtue must be *the* fundamental aim of wise legislation. Most of all, the treatment of the Dorian League shows the weakness of the highest virtue (prudence) in politics, and indicates the need for political institutions that establish internal stability in the face of a populace that makes various and competing, irrational demands. As a result of the examination of Sparta and its Dorian neighbors, the stranger modifies and moderates his criteria for wise legislation's goals; he emphasizes virtue less and internal political stability (via institutions) more. Still, neither Plato nor his Athenian stranger rest satisfied with legislation that fosters stability alone. In Part Three, the conclusion of the paper, I briefly discuss those aspects of the stranger's portrayals of Persia and Athens that show the limits – and perhaps even the costs – of Sparta's political stability: unlike Sparta, both Persia and Athens had room in their regimes for the cultivation of prudence and intelligence.

Part One:

Overview of Books I-II: the Highest Goals of Wise Legislation

At the start of the *Laws*, we see a philosophic Athenian stranger³ ask two elderly Dorian statesmen – Kleinias from Crete and Megillus from Sparta – whether their laws are of divine or human origin. The trio is on a pilgrimage to the cave and temple of Zeus, where the God of justice is said to have given to Minos a set of laws for Kleinias’ homeland. As the old men proceed, the Athenian turns the subject of their discourse to Cretan laws and the intentions behind them (625c7-625e1-2, 626a5-b1). But after Kleinias explains his lawgiver’s intentions, he cannot show how they measure up to the stranger’s criteria for the correct aims of legislation, criteria that Kleinias himself finds compelling. According to Kleinias, Cretan laws are directed above all towards war,⁴ but according to the stranger, and as Kleinias himself eventually agrees, the best lawgiver would see war as only a regrettably necessary means to peace and goodwill (628d-e). And while Cretan laws inculcate courage on the battlefield more than any other virtue, any lawgiver “worth much of anything” would rank courage the lowest in comparison to the other virtues that laws must foster (630c-e). Still, the stranger assuages Kleinias’ trepidation at the implied criticisms of the Dorian lawgivers: it is not the lawgivers themselves, says the stranger, but Kleinias’ interpretation of their legislation that is defective (630d-631a).

These opening exchanges with Kleinias allow the stranger to correct his interlocutors’ interpretation of Dorian laws. Through his correction, the stranger makes his fullest and most explicit statement on the criteria and goals of wise legislation. Kleinias, in the stranger’s view,

³ In the *Politics* (1265a12), Aristotle seemingly reads the *Laws* as if the Athenian stranger were Socrates. In Cicero’s *de Legibus* (1.15) – a dialogue explicitly modeled on Plato’s *Laws* – the Athenian stranger is identified as Plato himself. Cf. Strauss (1975, 1-2).

⁴ Still, there is some ambiguity in Kleinias’ mind on this point: see 626b1-4.

should not have said Dorian laws are primarily aimed at war and courage. Rather, he should have said that the Dorians are renowned because they have correct laws. Correct laws, says the stranger, “make those who use them happy. For they provide all the good things” (631b3-7). But the good things that correct laws provide are, apparently, divided into two classes: the human goods and the divine goods. There are four divine goods ranked from highest to lowest: prudence (or intelligence),⁵ moderation, justice, and – both last and least – courage. So, too, are there four human goods ranked highest to lowest: health, strength, beauty, and wealth. In the stranger’s account, the attainment of the divine goods is *the* necessary and sufficient condition for the attainment of the four human goods: “if a city receives the greater it will also acquire the lesser. If not, it will lack both” (631b8-c1). But this premise implies that the attainment of virtue is also *the* necessary and sufficient condition for the city’s happiness.⁶ For happiness, apparently, means here the city’s possession of all eight of the enumerated goods. Thus, so long as legislation concerns itself with the virtues and their proper ranking, it need not concern itself with the human goods – focus on the virtues, and the rest will take care of itself.

But is this view realistic? Is virtue both necessary *and* sufficient to guarantee both the human goods *and* happiness? In other words, is virtue really so powerful as to guarantee prosperity?⁷ And to what extent can the four virtues, let alone all eight of the goods, be

⁵ See 631c7-8; the stranger seems here to use prudence and intelligence interchangeably.

⁶ In what follows, I will often use the terms “prosperity” or “political prosperity” for what virtue is said here to guarantee (the human goods and happiness as a whole). Presumably, when the stranger refers to happiness here, he means the happiness of the broader political community, which consists in “those who use” the laws. As I suggest later, private individuals who are “knowers” may use their own reasoning for guidance more than they use laws (see 645b3-5).

⁷Or is health not a necessary (if not sufficient) condition for the virtues and happiness rather than the other way around? This question can also be raised for strength and wealth – at least these two might be the ‘equipment’ or ‘tools’ of virtue, and therefore necessary (if not sufficient) conditions for virtue’s actualization.

harmonized with each other? (Is justice so easily harmonized with prudence? Might there not be times when justice comes at the cost of health or wealth?) Moreover, to what extent *can* a law code truly foster the highest virtue (prudence or intelligence) in its citizenry, let alone the rest of the virtues? To what extent can a law code even foster moderation (cf. 653a7-b6)? The stranger's expectations for virtue's power and for the goals of wise legislation appear exceedingly high, if attractive.⁸ But, as we will see, this is not his last word on the matter – in Book III, he will put his own criteria to the test.

The stranger never again states so explicitly and lengthily the criteria and aims for wise legislation. But in his long “digression” on symposia, music, and education – a digression which occupies more than the entirety of Book II – he supplements that criteria and furthers his portrayal of the lawgiver's political art “whose business it is to care for souls” (641e and 650b6-8).

On the premise that virtue is the necessary and sufficient condition for prosperity, wise legislation's key task is to provide an education in virtue for its citizens. In the stranger's digression, education in virtue is first characterized as education “that makes one desire and love to become a perfect citizen who knows how to rule and be ruled with justice” (643e4-6). But justice is only the third divine good; it falls below prudence and moderation.⁹ Perhaps it is not surprising, then, that this civic education has its limits. According to the stranger, the city, presumably populated by citizens who receive this education (cf. 645b8-c3), does not “acquire *true* reasoning (*logismos*) within” itself “and live according to it” (645b4-7, emphasis added, cf.

⁸ In fact, this section has generated criticism on the part of one follower of Francis Bacon, Lord Thomas Macaulay: “Plato, at the commencement of the dialogue on Laws, lays it down as a fundamental principle that the end of legislation is to make men virtuous... [it is] unnecessary to point out the extravagant conclusions to which such a proposition leads.” Macaulay (1888, 612-613). See Patch (1999, 22).

⁹ Justice itself, in the stranger's portrayal of the divine goods, is merely a combination of the second good (moderation) and the fourth (courage) (see 631c).

Pangle 401). Rather, citizens must “take over *a* reasoning” from someone else: a “private individual” who is a “knower” (465b4-6, emphasis added). In fact, the knower’s reasoning, when it is adopted by the citizens, is no longer called reasoning at all; it rather “becomes a common opinion (*dogma*) called law” (644d3). If the individual knower-lawgiver is “worth much of anything,” he will not ground civic obedience to law on the citizens’ limited capacities to reason (647a8-9). Rather, he will rely on their passions, most notably on shame (644e and 647a-b). Thus, civic education, education to the civic virtue of ruling and being ruled with justice, does not teach individual citizens to live by the light of their own reason; it rather attunes and balances their sub-rational passions for the sake of lawful obedience. This is the education that wise legislation must provide.

Still, unlike the citizens, the private, individual knower acquires within himself true reasoning and lives according to it (645b3-5). Civic virtue and this knower’s virtue are thus distinct from one another. The stranger’s criteria for wise legislation have the task of fostering civic virtue – do they also have the task of fostering the virtue of an individual knower? The fullest answer to this question would require a careful and lengthy interpretation of Book II. But let me give here a few considerations that suggest the answer is a qualified ‘yes’.

In Book I, civic education, the education befitting a “perfect citizen,” is an “education from childhood in virtue” (643e3). At the beginning of Book II, education is redefined as “the virtue that first comes into being in children” (653b1-2), and it consists in the correct habituation and harmonization of “pleasures and liking, pain and hatred” (653b2-3). But this habituation is not yet complete virtue; it is neither the virtue of prudence (the highest divine good) nor is it *complete* consonance between reason and the passions. Prudence is rare – “he is a fortunate person to whom it comes even in old age” (653a7-9). And complete consonance is only made

possible, it is not guaranteed, by the right habituation of pleasures and pains (see 653a7-9 and b4-6). In the best but rarest outcome, then, prudence and full consonance with reason flower later in life – he who has these and “all the good things that go with them is a perfect human being” (653a9-b1). The majority of those who receive the education defined at Book II’s outset could, at best, merely approximate the perfect human being’s consonance.

Let me suggest that this majority is equivalent to the citizens who receive the civic education sketched in Book I. For the latter, too, have limited consonance with reason; they do not live by the light of their own reason (or prudence), but are compelled by shame and other sub-rational passions to obey someone else’s reasoning made law. Let me further suggest that the private individual knower – the man who acquires true reasoning about the passions (and about reasoning itself (see 644e-645a)) and lives according to it – is equivalent to the “perfect human being” who has prudence and complete consonance between reason and passion in Book II. If these equivalencies are correct, it seems that the education sketched in Book II may serve two functions at least. First, it will correctly habituate the pleasures, pains, and passions of most citizens who receive it. (Later in life, these citizens’ habituation will require upkeep and rejuvenation through song and religious festivities (653c7-d5)). Second, this education will not be sufficient for, but will be conducive to, the subsequent development of prudence and complete consonance in a few, private individuals who become capable of living in full accordance with reason. It would thus seem that wise legislation would have, as its goal, the production of at least two kinds of human beings: perfect citizens and perfect human beings. We suspect that the stranger’s subsequent discussion on music, choruses, and poetry is aimed, albeit not exclusively, at such production.

The goals of wise legislation that we have uncovered in Book I and the beginning of Book II can thus be stated as follows. Wise laws make those who use them happy because wise laws furnish all good things, human and divine. But virtue (the divine goods) is the necessary and sufficient condition for both the human goods and happiness; virtue guarantees prosperity. Thus *the* key task for wise law is to cultivate virtue. But virtue is not only fourfold (the four divine goods), it is also twofold: on one hand, there is the virtue of the perfect citizen, whose lawful obedience is fostered through the attunement of his sub-rational or irrational passions, especially the passion of shame. On the other hand, there is the rarer, complete virtue of the private knower, who has the prudence and consonance of a perfect human being. The laws, being a “*common* opinion,” primarily produce the former, incomplete virtue. But the education that these laws provide – an education that correctly arranges pleasure and liking, pain and hatred – may be a necessary (if not sufficient) condition for the flowering of prudence and complete consonance with reason in a few, promising individuals. The city’s poetry, music, and choruses will, among other things, cultivate *civic* virtue (653c). With luck, they will also serve as good soil for the rarer, *human* virtue of prudence (cf. 655b4-5).

But can wise legislation focus so exclusively on virtue, civic or trans-civic, as its goal? As indicated above, *the* crucial premise of the stranger’s legislative criteria is that virtue is the necessary and sufficient condition for the attainment of the human goods and happiness. But we must ask again – is this premise true? If it is not true, the aims of wise legislation set out in Books I and II must be qualified; wise legislation may, indeed, have to lower its sites to less exalted ends. One of the primary functions of Book III is to test the premise we have seen in Book I – this test takes the form of an examination of Sparta and the Dorian League.

Part Two:

Sparta and the Dorian League

At the beginning of Book III, the stranger abruptly turns from the musical and poetic qualities of education to the “first origin and transformation of political regimes” (676a1). The stranger asserts that myriads and myriads of cities have come into being and passed away; even the better cities have become worse and met their destruction (676c). This assertion certainly sharpens our doubts in the sufficiency of virtue to guarantee prosperity for a political community; it would seem that better cities are, ultimately, not saved by their own virtue. Nor is any divine being said, in the context, to have come to their aid. The stranger proceeds to give a hypothetical account of how human beings passed, via cataclysm, out of civilized life and into uncivilized life, and then, gradually, back into civilized life and the full development of the city (the regime). The process is harsh and slow (677e10-678c3, 681a1-3). But over time, and due to diverse human needs, the political regime’s formation leads to the subsequent adoption and formalization of laws (678a, 679e6-680a1); in the context, no god is said to have given the community their laws, rather “certain men...picked out the ones they find especially agreeable to the community” (681c4-d5). At the very least, then, the account of the origins raises, among other things, the following question: if a god is not the origin of legislation, if a god does not reward the better cities and punish the worse, if law ultimately originates from human need, how much can we rely upon the divine goods (the virtues) to achieve political prosperity?

In any case, at the end of the stranger's account, he veers into a questionable¹⁰ rendition of specifically Dorian origins. After sacking Troy, the Achaeans returned to Greece, but were exiled or killed by younger men who had taken over the homeland during the war. Apparently, the exiles banded together under Dorieus, named themselves the 'Dorians,' and settled in the Peloponnese (682d-e). This brings the interlocutors back to the subject of Dorian laws, and it brings us to our main discussion – in the stranger's words, it brings us back "as if according to a god, to the point at the beginning of our dialogue about laws where we digressed and fell into the topics of music and drunken carousals" (682e7-10).

This return to the beginning is also a return to the subject of the criteria for wise laws. But now, rather than stressing the total sufficiency of the virtues, the stranger stresses the need to consider preservation (political stability) itself; by examining Lacedaemon's founding, the interlocutors may learn "what has and has not been nobly settled, which laws preserve the things that are preserved, and which [laws] destroy the things that are destroyed" (683b1-3). Still, the question of happiness is not off the table; the stranger hopes also to find "what sort of changes can make a city happy" (683b2-4). We may thus expect a return to the question of whether the virtues guarantee such happiness – let alone preservation – for the community.

In fact, we do return to that question, albeit in a transfigured form, after the stranger describes the founding of the Dorian League. "According to myth," Megillus' ancestors divided their army into three parts and settled Lacedaemon alongside Argos and Messene; each city therefore had its own army, and Lacedaemon had two kings while Messene and Argos each had one. Despite this division, the cities remained close; "everyone at that time swore that they

¹⁰ On the historical accuracy of the Stranger's presentation of the Dorian founding, see, above all, Raymond Weil (1959). Nothing in history suggests the Dorians were descended from the Achaeans. The stranger subsequently though tacitly retracts his suggestion of this descent at 685e.

would come to their aid if anyone subverted their monarchies” (683d10-e1). With these observations, the stranger makes the following, initially puzzling statement:

Athenian stranger: In the name of Zeus! Is a monarchy dissolved, or has *any rule* ever been dissolved, by anybody other than the rulers themselves? Or have we now forgotten that we established this just a little while ago now, in the speeches we chanced to make?

Megillus: How could we?

Athenian stranger: Then we shall now have made such a thesis even firmer. For it’s likely that the deeds we’ve chanced upon lead us to the same argument, so we won’t be investigating the same argument on the basis of some empty figment, but on the basis of something that really happened and possesses truth. (683e3-684a1, emphasis added)

The examination of Lacedaemon can help the interlocutors test the thesis that only rulers themselves are responsible for the dissolution of any rule, a thesis which the interlocutors have, apparently, considered earlier. In fact, we find no exact match to this thesis in the previous pages of the *Laws*. But as Patch argues,¹¹ the stranger is here making an inference from his statement on the divine and human goods at 631b1-c1. Because virtue is the necessary and sufficient condition for happiness and the human goods, no rule is ever destroyed except by the rulers themselves, that is, through their lack of virtue. Still, now, the stranger makes no suggestion that kingly virtue guarantees the happiness of the city; he now only implies that virtue will prevent dissolution of rule.¹² The stranger seems to be lowering his (and his interlocutors’) expectations for what virtue can achieve. In any case, the stranger suggests to his interlocutors that an examination of Lacedaemon and the Dorian League in which it began, as well as an examination of what caused that league’s destruction and what allowed for Lacedaemon’s persistence, are necessary. These examinations of “something that really happened” will, apparently, confirm the

¹¹ See Patch (1999, 145-147 and appendix, 192-202). Cf. England (1921, 361) and Pangle (1988, 431). Cf. also 683e and 688b-c.

¹² See Pangle (1988, 431).

new thesis on kingly virtue (683e9-4a1). But will they confirm that thesis (as well as its more extreme predecessor from Book I), or will they undermine it?

The Origin of the Dorian League: its “Advantages” and Intention

The first step to answering these questions is to follow the stranger’s lead, and recount and examine the advantages and intention that accompanied the Dorian League’s founding. As previously stated, Megillus’ ancestors divided themselves into three cities, each with its own army and king (while Lacedaemon had two kings). Solemn oaths were sworn between the three cities “in accordance with the common laws they set up for ruling and being ruled” (684a3-4). The kings swore they would never make their rule harsher, while the populaces swore “that if the rulers kept their oaths, they in turn would never dissolve the monarchies or allow others to try to do so” (684a6-8). And everyone swore that each of “the kings would help the other kings or populaces if they were treated unjustly, and the populaces would help the other populaces or kings if they were treated unjustly” (684b1-3). Supported by oaths and a commitment to justice, the kingdoms hoped to establish a stable league and to preserve just relations for the indefinite future. The founding legislators of the Dorian League must have trusted that, come what may, the three Dorian cities would keep their oaths and risk themselves to protect each other from corruption and injustice. That is, the Dorian founders relied on the virtue of justice in both the kings and their subjects (that both would abide by their oaths). Apparently, this arrangement promised a “very great advantage,” namely, that “there would always be two cities ready to take the field against any one of the cities that disobeyed the established laws” (684b7-7). In this respect, it would seem that the virtue of justice promises the advantage of protection (or health, the first human good), but the stranger will soon question this promise. Additionally, this

arrangement of mutual protection implies that a virtuous king might need the help of neighboring forces in order to stop his own city from corrupting its laws – kingly virtue may be weak; it may need supplementation in the face of an unruly citizenry.

But in one respect, an unruly citizenry is exactly what the Dorian founding avoided with the second advantage the stranger attributes to it. The citizenry, as the stranger now presents it, is as about as reasonable as someone who commands gymnasts or doctors to do what is pleasant “as they care for and cure the bodies they care for” (684c4-5). Like such a person, the citizenry has the tendency to “command their lawgivers to establish such laws as the populaces and the majorities will accept voluntarily” (684c1-3). In particular, *demosi* pose a problem when it comes to property legislation. In “many other cities,” when a new set of laws is established, land tenure must be rearranged and old debts must be dissolved; otherwise, a sufficient degree of equality will never be possible (684d6). But when lawgivers in these cities attempt the necessary property reforms, there is potentially dangerous, even religiously zealous, protest among the citizenry.¹³ The second advantage to the Dorian founding was, in particular, its avoidance of this protest. But the Dorians had this advantage neither because their lawgivers were particularly virtuous, nor because they had a particularly virtuous or public-spirited *demos*, but because the Dorians had no property of their own to redistribute in the first place. At the time of the founding, the Dorians acquired their property by dispossessing it from others and enslaving them. By robbing others of their land, the Dorian lawgivers could distribute it to their own citizenry equitably, and preempt popular backlash. Thus, while the Dorian founding apparently benefited from the virtue of justice (the mutual oaths), did it not also benefit by enslaving an entire people? Virtue, then, at

¹³ See 684d4-e4. On the religious, see Pangle (1988, 522n17).

least in the form of justice, may not be the necessary and sufficient condition for political prosperity, let alone for wealth (the fourth human good) in the form of property.

In any case, given the content of the oaths sworn at the founding, one would think the Dorians were intent merely on protecting their own cities. But by the stranger's account, the Dorians "intended (*dieneomai*) their arrangement to be a sufficient defense not only of the Peloponnese but of all the Greeks, in case any of the barbarians might do them injustice" (685b7-c2). Specifically, the Dorians planned on protecting Greece from the return of the Assyrian empire. This is Panhellenism at its finest – only here does the stranger attribute the "noble discovery" of the Dorian League to brothers of semi-divine lineage (685d5, cf. 687a4-6).¹⁴ True, an ingredient of the Dorians' intention was their fear of the Assyrians (685c8). But this fear was mitigated by the Dorians' confidence in the "superior virtue" of their own forces. For before it was divided, their army had defeated the very army that defeated Troy: the Achaean's (685d6-e1). Thus, at the outset of the Dorian League, there was a noble intention to defend Greece from injustice, an intention largely, albeit not exclusively, buoyed by the belief in a heroic tradition of virtue. In this way, it seems the Dorians took confidence in the sufficiency of their own virtue – in the form of martial courage – to guarantee them strength (the second human good).

Their noble intention could seem to make the Dorians worthy of success. And it seems that the Dorians saw it this way; alongside their noble plans, there arose "great expectations" (*megala prosdokomena*) for the league's (and each of its member's) success and stability (686a7). Bolstering these expectations even further were the toils and risks the Dorians had shared together (the sacrifices they had made), as well as belief in the kinship between their

¹⁴ The stranger's statement here is a tacit retraction of his previous, quasi-historical account at 682d-e that supported Sparta's autochthony. See Strauss (1975, 43-44).

brother-founders.¹⁵ But these alone could not guarantee success. The Dorians also felt the need to employ “many diviners, including the Delphic Apollo” (686a3-4). But while diviners, too, nurtured the Dorians’ expectations, diviners, too, could not guarantee the league’s prosperity, let alone stability. In fact, the “original intention” (*he tote dianoia*) that informed the league was not “carried through,” and the Dorians’ expectations dissolved (686b3-4). The league’s members turned on each other, and this prevented them from effectively aiding the rest of Greece, let alone themselves (692d-e).

Thus, despite both of its original advantages, – just or not – and despite its original, noble intention, the Dorian League failed. But it failed not on account of its morally dubious second advantage (conquest of the Helots). It failed, rather, because the first “advantage” – oaths of mutual protection – was in fact no advantage at all: two upstanding cities may indeed prevent a third from corruption, but in the event that two cities break the established laws at the same time, it is all but impossible for a single, lawful city to restore the original order. In the stranger’s words, “of the three existing dwelling places, two of them [Argos and Messene] swiftly corrupted their regime and laws, while only one held fast” – Lacedaemon (685a2-4).

So, at least in the Dorian League’s case, the virtues did not guarantee prosperity. But perhaps this is only because the Dorians, and specifically the Dorian kings, were insufficiently virtuous; perhaps this failure is merely a vindication of the stranger’s premise that any rule is dissolved by a lack of virtue in its rulers. If we follow this premise, it would seem that the kings of Argos and Messene, alone, are to blame for the corruption of their respective cities and of the Dorian League as a whole (cf. 690d5-e1). The two kings broke their oaths, and they strayed from the League’s original plan to defend Greece. If the kings had been sufficiently virtuous, it seems,

¹⁵ On the questionable reliability of Sparta’s traditional belief that their kings were originally brothers, see Rahe (2016, 69-71).

the League would have been an overwhelming success against the Persian threat (see 692c). Above all, it seems the Dorian League failed because these kings were lacking in “the leader of all virtue, which would be prudence, and intelligence, and opinion” (688b).¹⁶ In other words, as the stranger says, “the cause of the destruction of the kings and of the whole intention¹⁷ (*holou tou dianoematos*) was... caused by all the rest of vice, and especially ignorance regarding the greatest of human affairs” (688c4-d1). Without prudence, one is ignorant of the greatest of human affairs.

But the immediate lesson that the stranger draws from this point has less to do with the imprudence of kings than with lawgiving itself, and this lesson now shows a glimpse of the stranger’s limited estimation of prudence’s power in politics. Civic destruction, caused especially by lack of prudence (the “greatest sort of ignorance”) is, in the stranger’s view, “natural” (*pefukennai*), and therefore both prevalent and liable to perpetual repetition in human history (688e5, compare with 676b-c). Because this is the case, “the lawgiver *at least* should try to instill as much prudence *as possible* in the cities and drive out lack of intelligence *as much as possible*” (688e6-8, emphasis added). But what is the character of this lack of intelligence such that it poses such an obstacle to wise legislation? And, as we have asked before, to what extent, and how, *is* it possible to instill prudence in cities, and how much can that virtue achieve if it is so difficult to instill? Analysis of what the stranger calls “the greatest ignorance,” and application of that analysis to the Dorian League’s members and lawgivers leads to answers. But this analysis will mark not only Argos’ and Messene’s monarchs, but the Spartans and, most of all,

¹⁶ Cf. 687e7. Previously, the stranger had used prudence and intelligence interchangeably – he now adds to them opinion.

¹⁷ I disagree with England’s description of this intention as imperial (see England 1921, 376). As I suggest below, per the Stranger’s portrayal, the Dorian League fell apart before it could develop any *unified* imperial ambitions to take over Greece. However, if they *had* lasted long enough as a League, such ambitions probably would have formed (see 687a-b).

the Dorian lawgivers as contributing causes of the Dorian League's destruction. It will also show the infeasibility of virtuous rule in the face of multiple, irrational aspects of the city's *demos*.

The Cause of the Fall: The Greatest Ignorance

The greatest ignorance, the greatest lack of prudence that leads to political destruction, the stranger describes in the dense passage that follows:

When someone doesn't like, but rather hates, what in his opinion is noble or good, and likes and welcomes what in his opinion is wicked and unjust. This dissonance between pleasures and pain on the one hand, and the opinion that accords with reason (*logos*) on the other, I assert to be the ultimate and greatest [ignorance], because it belongs to the major part [or majority] (*plethous*) of the soul. For the part of [the soul] that feels pain and pleasure is like the populace (*demos*) and the majority (*plethos*) in the city. So when the soul opposes sciences, or opinions, or reason – the natural rulers – this I call lack of intelligence: in a city, when the majority (*plethos*) refuses to obey the rulers and the laws, and in one man, when the noble arguments (*kaloï logoi*) in the soul achieve nothing, but indeed go contrary to these things. All these, I at any rate, would set down as the sorts of ignorance that are most discordant, both in the city and in each one of the citizens, and not the sorts of ignorance belonging to craftsmen – if you understand what I mean, strangers. (689a5-c3)

There are, in fact, two forms of the greatest ignorance: one within individual souls, and one that characterizes the majority's attitude towards its rulers and laws. Probably, the two are mutually influential. We start with the first.

a. The Greatest Ignorance in the Individual Soul

The whole passage seems to suggest that the greatest ignorance is merely the powerlessness of "opinion that accords with reason" in the face of non-rational and un-

opinionated pains and pleasures;¹⁸ it is the opposite of what the education sketched in Book II provides. Apparently, the greatest ignorance, the greatest vice which results *from* lack of prudence and *in* civic corruption, is nothing more incontinence.¹⁹ But there is something notable about this incontinence. When it occurs “in one man,” noble arguments (*kaloi logoi*) in the soul achieve nothing on behalf of sciences, or opinions, or reason (*logos*), or even laws, but “indeed *go contrary to these things*” (689b6-7, emphasis added). In other words, strange as it may sound, noble arguments can, in fact, bolster pleasures and pains (or likes and hates) in their fight against

¹⁸ Cf. Strauss (1975, 45): “If pleasure and pain oppose that which is by nature fit to rule, namely, opinions, or, in the case of the city, if the multitude does not obey the rulers and the laws, we have the most outrageous kind of ignorance. (Ignorance is not the absence but the powerlessness of opinion. In other words, the greatest ignorance is incontinence).”

¹⁹ The following is a possible, alternative interpretation. Taken by itself, the first sentence of the passage could seem to equate the greatest ignorance with divergent opinions about the “noble or good”: when a man hates what is, in his opinion, noble or good, he (simultaneously) has a low opinion of it. He does not hate that thing *entirely* (after all, he is still of the opinion that it is noble or good). Rather, he is at odds with himself when it comes to the ultimate status of its goodness or nobility. This reading ignores the stranger’s second, explanatory sentence, which distinguishes between opinion on one hand, and pleasures and pains (parallels to liking and hating) on the other. However, a rereading of the whole passage may suggest that its division between the parts of the soul is in fact murkier than one would suppose. The stranger claims the dissonance between opinion on one hand and pleasures and pains (or likes and hates) on the other belongs to the major part (*plethos*) of the soul. In other words, the dissonance itself belongs to a *single* – albeit major – part of the soul, rather than existing between two, independent parts. Might we not conclude, then, that opinion and pleasures and pains (likes and hates) belong, in fact, to the *same* part of the soul? And if this is true, might not the stranger think that a strict dichotomy between opinion on one hand and pleasures and pains on the other is misleading, albeit amenable to his interlocutors’ sub-philosophic psychology (cf. 625e2-627a8)? True, the stranger subsequently refers to the “the part [of the soul] that feels pain and pleasure,” a reference that would apparently distinguish this part from whatever part holds opinion. Yet, this reference does not actually require such distinction – the part of the soul that feels pain and pleasure may *also* have opinions that accompany or even infuse with such feelings. And might not the analogy of this part of the soul to the populace (*demos*) and the majority (*plethos*) in the city suggest such accompaniment or infusion? For the *demos* surely consists of individual souls, which have opinions, if confused ones. It is at least possible, then, that the stranger is pointing us to a framework of the soul that does not operate on a strict separation between pain, pleasure, and opinion.

those very things one would expect noble arguments to defend. Somehow, noble arguments can support desires even when those desires are “wicked and unjust” (689a6).

The stranger does not explain the mechanics of this phenomenon, but let me suggest that Megillus himself exemplifies it in his dialogue with the stranger. The interlocutors surmised that if the Dorians *had* maintained their original intention to defend Greece from injustice, the league “would have possessed an irresistible power in war” (686b3-4). With this power, the league could easily snuff out any expedition “by the Persians or by anybody else against Greece” (692c5-7). But the stranger tantalizes Megillus with prospects for the league that go far beyond and even contradict the defense of Greece. With all their power, the stranger suggests, the Dorians could “maintain their own freedom while they *ruled over anyone else they wished*,” and they could “enable themselves and their descendants to do whatever they wanted with the *whole human race, Greeks as well as barbarians*” (687a7-b1, emphasis added). It would be “on account of these things that men gave them praise” (687b2). Thus, the Dorians would achieve the “worthiest part” of their desires (687b7-8). Megillus is excited by this missed opportunity (see 686d and 687b);²⁰ empire and conquest of neighbors, rather than the defense of those neighbors against injustice, now look to him praiseworthy, even noble. But, from the viewpoint of the original intention to defend Greece, is not such conquest an unjust encroachment upon liberty? That is, as noble as empire looks, does it not contradict the nobility of defending the freedom of others? These questions do not occur to the Spartan. Rather, in Megillus, we see an illustration of the soul’s “greatest ignorance”; we see how easily noble arguments (or accounts, (*logoi*)) leave

²⁰ The stranger, too, may have suffered this problem (See 686c-d). But unlike Megillus, he recovers himself almost immediately.

justice behind and support desires that are imperialistic in character, and, from a certain viewpoint, “wicked and unjust” (689a6).²¹

Still, insofar as Megillus thinks that in achieving these imperialistic desires, his Dorian ancestors would have achieved the “*worthiest part*” of their desires and “gain[ed] themselves *praise*” for doing so, he may believe that in achieving them, the Dorians would have made a noble display of their own virtue (687b2 and b7-8, emphasis added). It seems, then, that in the individual soul *without* prudence and *with* the greatest ignorance, there may arise convictions related to the virtues that lend themselves to an expansive grasp for hegemony.

But the stranger has tantalized Megillus with a counterfactual: the League itself collapsed before its original intention to defend Greece could morph into unified, imperialistic aspirations (again, see 685b-c, 685e, and 686b). So, how *did* the greatest ignorance in the individual soul contribute to the failure of the league? In keeping with his premise that rulers alone are responsible for the dissolution of rule, the stranger states that the kings of Argos and Messene, seized by the greatest ignorance, “desired to have more than the established law allowed” (691a4). Apparently, in their arrogance, the kings broke their oaths and attempted to expand their hegemony further over their own people (cf. 692b6). Whether or not this was simply the case in Argos and Messene (and we will qualify it soon), the stranger suggests with the forgoing statement that the power of unchecked monarchy is too much for most souls to bear. He thereby impresses upon his interlocutors the imprudence of legislation that endows these souls with unchecked monarchy. But this amounts to a critique, not so much of the Dorian kings as the Dorian lawgivers themselves, who were ignorant of the “mortal soul, whose nature, so long as it

²¹ Still, if Kleinias, too, serves as an example of this dissonance (see 600e-663a), concerns about the injustice of one’s desires may linger in the back of the mind. Cf. also *Gorgias* 474c-475d, and 472.

is still young²² and irresponsible, [cannot] bear the greatest sort of rule among human beings” (691c6-7). The founders blundered. They failed to realize that unchecked power makes the irresponsible soul’s intention (*dianoia*) liable to the greatest sickness, namely, lack of intelligence (*anoia*) (691c-d; cf. 689b3 and 692b). The founders themselves thus contributed to the League’s corruption by giving the “greatest sort of rule” to souls prone to the greatest ignorance (691d).

But perhaps another factor in the League’s destruction has revealed itself in the drama with Megillus that we have just sketched. As we have seen in Megillus, individual Spartan statesmen are not immune to the greatest ignorance or to the charms of hegemony. And the stranger himself claims Sparta has never ceased fighting against Messene and Argos (687a7-b4, and see 698e). Might it not be the case, then, that the Spartans developed their own aspirations supported by noble arguments, i.e. aspirations to conquer both of their Dorian neighbors? In fact, history confirms that Sparta conquered and enslaved the Messenians and constantly encroached upon Argive territory. And while the Messenians often revolted against the Spartans, the Argives often vied with the Spartans for Peloponnesian hegemony.²³ If the greatest ignorance led Argos’ and Messene’s kings to tyranny, it also led the Spartans to imperialism.

If the greatest ignorance in an individual, irresponsible, power-wielding soul leads to such disastrous results, the solution could seem to be an easy one: give wise and prudent souls the ruling offices – put virtue in charge. If the prudent man himself does not succumb to the greatest ignorance, would not his rule guarantee political stability and fend off political dissolution? Per the stranger’s premise that dissolution is caused only by unvirtuous kings, the

²² Cf. 687e: the soul’s “youthful” condition is not limited to the young.

²³ See Patch (1999, 150); cf. Rahe (2016, 90-120) and Weil (1959, 111-112).

answer would be yes. And the stranger briefly flirts with the idea of installing a virtuous monarch after explaining the greatest ignorance to his interlocutors; he goes so far as to suggest that “nothing that pertains to ruling is to be given to citizens who” have this greatest ignorance (689c6-7). So it would seem that only prudent and consonant (that is, virtuous) men ought to have full and complete political control.²⁴ But the stranger almost immediately implies the impossibility of this option when he considers the second form of the greatest ignorance, the form that characterizes the majority in the city.

b. The Greatest Ignorance in the City

To repeat, there are two versions of “the greatest ignorance”: that in the individual soul, and that which occurs “when the majority refuses to obey the rulers and the laws” (689b4-5). As seen in his discussion of property redistribution, the stranger has stressed just how common it is for a majority to make such refusal (684d-e).²⁵ One can certainly hope that the majority will obey a virtuous and prudent individual. But the unlikelihood of this obedience is made clear when the stranger enumerates seven of the common and “naturally opposed” “claims to worthiness of rule” that are made by different parts of the city (690d3). The rule of prudence over the ignorant is only one of the claims made; there are six more claims with which it must contend. These claims are made by: (1) parents over descendants; (2) the well-born over those who are not well-born; (3) the elderly over the younger; (4) masters over slaves; (5) the stronger over the weaker; (6) those who have received divinely or luckily dispensed lots (690a-690d). Most obviously, the

²⁴ Still, there is some ambiguity in the precise way in which the stranger is referring to prudence here. See 689c7-689e1.

²⁵ See page twelve of this essay.

claim of the strong over the weak is “a compellingly necessary” and “most widely spread” claim to rule, a claim which, insofar as it is neither identical to nor combined with prudence, is liable to fight against it (690b6-7). This is perhaps the clearest denial of the stranger’s premise that virtue guarantees prosperity; the virtue of prudence guarantees neither the presence nor the cooperation of strength (the third human good). But insofar as the rest of the claims, too, are not identical with prudence (or made by the prudent), they, too, compete with prudence. The virtue of prudence is vastly outnumbered. If it is to have any share of the rule at all, it must make a large concession to the rest of the claims to rule; and in the face of them, prudence may not have any share at all.

These seven claims to rule also give us the final variable in list of causes of the Dorian League’s corruption. The stranger notes that the mutual opposition of the seven claims to rule is a major source of civil strife that the lawgiver must take into account (690d4). The Dorian lawgivers themselves seem to have insufficiently understood the necessity of giving the majority a share of the rule. For while the stranger criticizes the kings of Argos and Messene for their corruption, the close proximity of this criticism to his enumeration of the claims to rule forces us to wonder: was not civil strife in the *demos*, in fact, a greater cause of these kingdoms’ downfall than the stranger lets on? In other words, if the Dorian lawgivers gave too much power to the kings, did they not also give insufficient power to the people those kings ruled? The monarchs of Argos and Messene, given too much power by the lawgivers, succumbed to the greatest ignorance in the soul, and broke the oaths they made to their *demoi*. But the *demoi*, in turn, with their various and competing factions that make claims to rule, were given an insufficient share of

power, broke their oaths as well, and revolted against the kings (cf. 691d).²⁶ Both the kings *and* the *demoi* (and the lawgivers themselves) then, are responsible for the dissolution of rule. Thus, the examination of Argos and Messene, rather than confirming the stranger's premise that kings alone are responsible for dissolution, suggests an unruly *demos* shares in that responsibility. Still, as we have already suggested, the cause for the Dorian League's destruction rests not within the context of Argos and Messene alone. For not only did Sparta break its own oath and fail to restore order between the rulers and ruled in its neighbors' kingdoms, it reduced the chances of restoration even further by vying with its neighbors for hegemony. But ultimately, the Dorian lawgivers, who gave Argos, Messene, and Sparta their original legislation, bear most of the blame; the lawgivers understood neither the nature of the *demos* nor the nature of the individual human soul. Ignorant of the greatest ignorance in both its forms, they unwittingly created a perfect recipe for civic destruction when they legislated powerful monarchical offices, and trusted in both the virtue of their kings and the virtue of their populaces to keep their oaths.

The Spartan Solution: Not Virtue, but Institutions

Thus, as a result of the examination of the Dorian league, it seems neither the virtue of kings, nor the virtue of the multitude, nor even the complete rule of the virtuous themselves can be trusted to guarantee political prosperity, let alone stability. The stranger's portrayal of the Lacedaemonian regime further supports this notion. In contrast with Argos and Messene, Lacedaemon has maintained internal political stability for an admirable length of time. And according to the stranger, the measures that the Dorian lawgivers should have taken are clear by

²⁶ Cf. Weil (1959, 111-112), but see also Plato's *Eighth Letter*, 354b

examining the causes of Lacedaemon's preservation in contrast with the causes of the Dorian League's destruction (691b1-9). But what we find in the stranger's presentation of Sparta is not a reliance on virtue to procure prosperity or stability. What we find are institutions that give various factions of the city some share of the rule. That is, these institutions, gradually and incrementally installed, allowed the Spartans to combine almost all of the seven competing claims to rule.

Now, in the stranger's words, it is likely that "some god" foresaw the future, and increased Lacedaemon's chances of preservation by "bringing about the birth of twin kings" (691d8-e1). It seems the factional conflict between these kings forestalled either ruler from succumbing to or acting on the same tyrannical impulses that corrupted the kings of Argos and Messene.²⁷ However, if a god was behind this twin birth, he apparently lacked the foresight required to establish the additional institutional changes that would ensure Lacedaimon's survival. Luckily, an additional "human nature" (Lycurgus) came along, albeit mixed "with some divine power" (the messages he claimed to receive from the oracle), and "proceeded to mix the moderate power of old age with the willful strength of family lineage: the council of the twenty-eight old men was given, in the greatest matters, a vote equal to the power of the kings" (692a1-3, cf. Plutarch's *Life of Lycurgus*, 5.2-5.4 and 6.1). The elderly, who are "mortal souls" closer to death than the young, perhaps derive some moderation and sober-mindedness from their heightened awareness of life's fragility, gained through time, experience, and waning hopes (691c6).²⁸ Their sobriety would counteract whatever youthful and tyrannical ambitions the kings

²⁷ Cf. Pangle (1988, 523n28); cf. Aristotle's *Politics*, 1271a25: "...they hold that factional conflict between the kings means preservation for the city." But cf. 695b.

²⁸ On the old, cf. Aristotle, *Rhetoric*, 1389b13-1390a22. According to Aristotle, the old "only seem to be moderate – for their desires have waned and they are enslaved to gain". Cf. Rahe (2016, 55-59): "the

might harbor. In other words, not only did Lycurgus' institutional admixture place a legal check on the kings' decisions, it checked the youthful desires of those kings by means of the more sober-minded and less *thumotic* influence of the elderly.²⁹ Yet, unbeknownst to Lycurgus, the *thumos* in the regime required one further institutional check, namely the democratic "power of the Ephors" that placed the regime under "the power based on lottery" (692a6). In this respect, not Zeus, but Theopompus was the "third savior" needed for Lacedaemon's preservation (ibid., cf. Plutarch, 6.3 and 7.1).

Lacedaemon has persisted, but neither because it was given a complete set of wise legislation at its outset, nor because its kings were particularly wise, prudent, or virtuous. Rather, Lacedaemon muddled through with institutional checks and balances installed incrementally. Explicitly, Lacedaemon's institutions give a portion of the rule to three of the 'seven claims to rule': the well-born status of the kings, the old age of the councilors, and the lot-based ephorate. Perhaps out of deference to Megillus, the stranger passes over the role that master-slave relations play in Lacedaemon's rule over the Helots, a relation that would also imply a form of rule of the strong over the weak, the fifth claim to rule. But if we add these two claims, Lacedaemon combines five of the seven claims to rule. Unmentioned is the rule of parents over progeny, though it would be surprising if this claim were not also in Sparta. But more noticeably absent is the rule of the wise or prudent.³⁰ Lacedaemon thus gives most, if not all, of the seven claims to

qualities which render old men less generous and more selfish than the young render them also shrewder, less trustful of foreigners, and *far less apt to embark on grand but foolish ventures* (emphasis added)."

²⁹ Cf. Book II, 666b, where the stranger attributes *dusthumia* to old age, but seems there to regard the influence of the old as a potential problem for the *education* of the youth. Sparta, of course, is criticized by the stranger for its poor education of its youth at 666e-667a. We are reminded of that criticism at the end of Book III at 702a.

³⁰ Strauss (1975, 48) says that "all seven titles to rule, with the exception of course of the rule of masters over slaves, seem to have been used for the mixture." Cf. Patch (1999, 159): "The rule of wisdom or of wise laws was not obviously employed. But consider 689d6-7 in the light of England's note ad loc. There,

rule some share in its governance. Its institutions thereby ward off the civil strife that befell Argos and Messene. But Lacedaemon does not give prudence any political power; in this respect Sparta does not need virtue to avoid political dissolution.

the Athenian defines "the greatest wisdom" as moderation, the virtue which he ascribes to the Spartan senators."

Part Three:

Conclusion

Near the outset of this paper, we asked whether the stranger's premise – that the possession of virtue guarantees the attainment of political prosperity (happiness and the human goods) – was a realistic basis for wise legislation. As the stranger suggested, the examination of Lacedaemon and the Dorian League would test a variation of this premise, namely, that no rule has ever been dissolved by anybody but the rulers themselves. But it seems that both the premise and its variation have been undermined in that examination. The stranger's accounts of Argos, Messene, and Sparta, if anything, show the need for institutions, rather than the sufficiency of virtue, to secure internal political stability. A major role in the destruction of Argos and Messene was their lack of institutions; while their kings had far too much power, their citizenry had far too little power. Sparta, on the other hand, has an admirable longevity, but virtuous kings were not its cause; Sparta's kings were perhaps just as unwise as the kings of Argos and Messene, but the Spartan kings were checked by parts of the citizenry who had their own share of the rulership, though these citizens themselves were never said to be prudent, or virtuous.³¹

In keeping with his premise, the stranger claimed that “nothing that pertains to ruling is to be given to citizens” who have the “greatest ignorance.” But while he briefly entertained giving ruling offices to the prudent alone, he quickly lowered his sights to “prudence in its smallest form,” i.e., a basic form of continence (something more akin to the civic virtue sketched in Book I) (689d5). Still, even a monarch with this smallest form of prudence cannot guarantee preservation (let alone prosperity) – the stranger's list of the seven worthy titles to rule shows the

³¹ The council of elder men was said to have the *moderate* power of old age, but as we have suggested, this moderation is less a virtue than a function of time and disappointed hopes.

necessity of sharing power with various, unvirtuous, irrational parts of the *demos*. Even if a lawgiver could install a fully prudent and virtuous ruler, such a man's power would, in the face of these parts of the *demos*, be severely limited – the stronger are “the most compellingly necessary” claim to rule, but the strong are not identical to the prudent (690b6). Thus prudence, the highest of divine goods, cannot guarantee the presence of strength, the third human good; the prudent man may be politically impotent.

The premise that virtue is the necessary and sufficient condition for happiness and the human goods is, thus, insufficient to guide wise legislation. Political stability requires the right institutions, and the right balance of power between the rulers and the multitude, as Sparta shows. It is not surprising, then, that at the end of his treatment of Sparta, the stranger reformulates the proper goals of a lawgiver. The lawgiver must honor, above all, “the good things pertaining to the soul,” but he must also honor, he cannot ignore, “the beautiful and good things pertaining to the body, and third, the things said to accrue from property and money” (697b4-6); that is, he cannot ignore what virtue itself does not guarantee. And whereas in Book I, the stranger said that the lawgiver must look above all to the virtues, now, the stranger says that the lawgiver must look to freedom and friendship in addition to prudence. But whereas prudence was the highest of divine goods in Book I, it is now indistinguishable from moderation (the third divine good) and friendship (693c2-5). By freedom, the stranger means the political freedom of the multitude (giving it a share of the rule), and by friendship, he means the friendship (and internal political stability) that results from this freedom.³²

That such freedom and friendship are necessary is further borne out by the stranger's explanation of Persia and Athens. In the highest period of its history, Persia was ruled by men

³² Patch (1999, 162-163).

who “shared their freedom with the ruled, and drew towards equality; as a result the soldiers felt more friendly toward their generals and faced danger with eager spirits” (694a6-b1). When subsequent Persian rulers went “too far in depriving the populace of freedom, and by bringing about more despotism than is appropriate, they destroyed the friendship and community within the city” (697c7-d1).³³ As a result, their subjects lost their “eager spirit to run risks and fight,” and became “useless in war” despite their countless numbers (697d8-698a1). In Persia, then, political freedom of the multitude supplied strength (strength in the form of an eager and devoted army). In Athens, too, there was freedom, and the multitude had a share in the rule. It is true that the Athenian stranger goes so far as to suggest that an overabundance of freedom ultimately corrupted Athens’ laws (698b1, 699e2-6). But by ‘too much freedom’ he does not mean that Athenian institutions gave its populace too much of a share in the rule. He rather means that Athens’ populace, as a result of poetic innovation (corrupt and mixed music), lost its sense of “enslavement” to the laws, an enslavement that was not provided by disenfranchisement, but by austere and awe-filled piety and traditional music as well as fear of the Persian empire (698b1-d2). When Athens combined the freedom of its populace with fear of the Persians and an awe-filled enslavement to the law, it was a success in terms of friendship as well as force (an army willing to defend itself against Persia) (698c1-3).

Thus, through Persia and Athens, too, we see that wise legislation cannot rely on virtue alone, but must look to necessity, the necessity of sharing rule with the imprudent majority. We see, in other words, Plato’s awareness of the many necessities that wise legislation must face. In

³³ But cf. 695c-d: Darius, too, established friendship and a sense of community among his citizens, but he did so by “establishing laws, through which he introduced a sort of general equality and regulated by law the tribute promised to the Persians by Cyrus.” He thereby “won over the Persian populace with money and gifts.”

this respect, the modern critique of Plato as a starry-eyed utopian with excessively high expectations for virtue and legislation would be unfounded.

But let me make a final, brief suggestion about the stranger's use of Persia and Athens as case studies. For though the stranger ostensibly uses them to highlight Lacedaemon's measured mixture of monarchy and democracy, these examples also suggest that in spite or on account of its moderating institutions, Lacedaemon fails to produce certain virtues and desirable experiences that other regimes were capable of fostering, if only briefly. That is, we see through the examples of Persia and Athens that despite his reformulated and moderated goals of wise legislation, the stranger is not satisfied with a regime that cultivates internal political stability alone.

At its height, Persia granted a freedom of speech to prudent men who consulted with their king; that is, unlike Sparta, Persia produced prudent men, and allowed them a noticeable influence on politics, if only briefly and within the limited scope of foreign policy (prudence is noticeably lacking in Persia's domestic affairs). With prudence's influence came "a common sharing in intelligence"; intelligence was never mentioned as one of Sparta's assets (694b6). And yet, by the end of Book III, the stranger insists that intelligence remain one of the three chief aims of lawgiving (the other two being freedom and friendship) (see 701d8-9). As for Athens, at the height of its enslavement to law, there was a class of educated men who knew the proper ordering of music (see 700c1-5). Education was, at least in this form, available to some Athenians. Education is not an asset of Lacedaemon; if anything, Lacedaemon is, as the stranger twice suggests, more akin to an "armed camp" that fails to educate its youth (cf. 702a2-3 with 666e1-667a5).

The stranger sees the difficulty of obtaining internal political stability; he sees that virtue is insufficient to guarantee it, and he sees the necessity of political institutions to establish it. But

if both Athens and Persia were capable of fostering a modicum of prudence, intelligence, and education, perhaps the best possible regime, in the stranger's eyes (and therefore, in his eyes, the best possible legislation) can combine the stability of Sparta with something of the intellectual virtues of Persia and Athens at their best. He may even believe that something of the education he sketched in Book II can still feasibly be combined with a regime with Sparta's stability. Stability itself may be admirable,³⁴ but a regime that can simultaneously endure and provide its citizens with a civic education is all the more honorable. Even better is a regime whose civic education also provides, for a few individuals, good soil for the subsequent flowering of true prudence, complete consonance with reason, and the virtue of a perfect human being. We can expect in the subsequent books of Plato's *Laws* that the Athenian will take these aims into consideration without losing sight of the lower necessities of legislation as he advises Kleinias in his founding project.

³⁴ But cf. 696b3-697b5.

Bibliography:

- den Boer, W. 1956. "Political Propaganda in Greek Chronology." *Historia: Zeitschrift für Alte Geschichte* 5 (2): 162-177.
- Descartes, René. 2007. *Discourse on Method*. Ed. Pamela Kraus and Frank Hunt, trans. Richard Kennington. Newburyport, Mass.: Focus.
- England, E. B. ed. 1921. *The Laws of Plato*. 2 Vols., edited with an introduction and notes. Manchester: Manchester University Press.
- Hobbes, Thomas. 1994. *Leviathan*. Ed. Richard Tuck. Cambridge: Cambridge University Press.
- Macaulay, Thomas Babington. 1898. "Lord Bacon." *The Works of Lord Macaulay*. New York: Longmans, Green, and Co.
- Machiavelli, Niccolò. 1992. 1998. *The Prince*. 2nd ed. Trans. Harvey Mansfield. Chicago: University of Chicago Press.
- Morrow, Glen R. 1993. *Plato's Cretan City: A Historical Interpretation of the Laws*. Princeton: Princeton University Press.
- Pangle, Thomas L. trans., ed. 1988. *The Laws of Plato*. Translated with an interpretive essay. Chicago: University of Chicago Press.
- Patch, Andrew J. 1999. "Plato's Jurisprudence: The Goals of Wise Legislation in Plato's *Laws*." Ph.D. diss., University of Toronto.
- Plutarch. 1992. *Lives*. Vol. 1. Trans. Bernadotte Perrin. Cambridge, Mass.: Harvard University Press.
- Rahe, Paul A. 2016. *The Spartan Regime: It's Character, Origins, and Grand Strategy*. New Haven: Yale University Press.
- Strauss, Leo. 1975. *The Argument and the Action of Plato's Laws*. Chicago: University of Chicago Press.
- Weil, Raymond. 1959. *L' "Archeologie" de Platon*. Paris: Librairie C. Klincksieck.