

*Abstract:*

In his criticisms of Plato's *Laws* Aristotle says that the regime is oligarchical while the Athenian Stranger says it is a combination of Democracy and Monarchy. Who is right? My contention is that both are. The regime has the outward appearance of democracy but a remark of Aristotle's shows that this is a veil to deceive the populace about its real oligarchy. This deceit is deliberate on the Stranger's part but a further remark of Aristotle's shows that the oligarchy of the regime is itself a veil for the philosophy of the regime. The *Laws* turns out to be less a treatise on politics than a protreptic to philosophy. It does for old men what the *Republic* does for young men. The two dialogues are saying the same thing. Their differences spring from the differences in the audience to which each is addressed.

### PLATO'S *LAWS* IN THE HANDS OF ARISTOTLE

Aristotle's discussions and criticism of Plato's *Laws* present a number of problems of interpretation, particularly as regards the accuracy of his statements about what the *Laws* says. Scholars have wrestled with these problems and come up with a variety of answers. I myself have also done so.<sup>1</sup> However, I would like to return to one of these problems and have another and rather different go at resolving it.

The problem I have in mind is Aristotle's claim that the regime of the *Laws*, despite being called a mixture of democracy and monarchy, is really a mixture of democracy and oligarchy with a tendency towards oligarchy. He backs up this claim with various additional claims about the way officials are appointed.<sup>2</sup> Some scholars think the claim rests on an equivocation. Plato is using monarchy in one way (to refer to the principle of virtue and wisdom) and Aristotle is using it in another (to refer to a powerful office permanently in the hands of one man). And the same holds of oligarchy too, that what Aristotle calls oligarchy (rule by the wealthy) is, in fact, in the way Plato intends it,

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<sup>1</sup> In my *A Philosophical Commentary on the Politics of Aristotle* (University of North Carolina Press, 1998): pp. 91-99.

<sup>2</sup> *Politics* 2.6: 1266a1-30.

really the principle of virtue and wisdom again. Some scholars, on the other hand, think that Aristotle is right and that the regime of the *Laws* is indeed oligarchical. Their view is that Plato's deeds did not match his words and that while he claimed to be doing one thing, namely setting up an aristocracy of virtue and wisdom, he was, perhaps despite himself, really doing another, namely setting up an oligarchy of mere wealth.<sup>3</sup> One drawback to these views, however, is that they force us to say that Plato or Aristotle rather badly misunderstood Plato. Of course one or other of these conclusions might prove to be correct, but I think we should try to avoid both of them if we can. For neither is easy to believe: Plato was clever enough to know what he was doing and Aristotle, while perhaps unsympathetic as a critic, is seldom simply inaccurate. Might there not be a way of understanding both Plato and Aristotle so that we do not have to attribute misunderstanding to either of them?

One way of doing this is Morrow's, that Aristotle had a different text of the *Laws* from what we now have. The suggestion is that Aristotle's text was an earlier version which did suffer from the faults he outlines, but that Plato corrected this version, partly to avoid Aristotle's criticisms, and it is the revised version that we now have.<sup>4</sup> I will, however, not endorse this view, and for two reasons. The first is that it is just speculation without any evidence to back it up (it is a sort of scholarly *deus ex machina*). The second is that this view still attributes misunderstanding to Plato (for the unrevised version was such a misunderstanding). So it only solves the problem by reintroducing it in another way.

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<sup>3</sup> Sir Ernest Barker, *Greek Political Theory* (Methuen, London: 1918): pp. 389, 396-97; Glenn R. Morrow, *Plato's Cretan City* (Princeton, 1960): pp. 137-38, 158-59, 171, 230-31, 528-31; Eckart Schütrumpf, *Aristoteles Politik* (Akademie Verlag, Berlin, 1991): 234-37; Richard F. Stalley, *An Introduction to Plato's Laws* (Hackett, 1983): pp. 117-20.

<sup>4</sup> In Ingemar Düring ed., *Plato and Aristotle in Mid-Fourth Century* (Göteborg, 1960): 161-62.

I wish to propose, therefore, a different account. It takes its cue from a remark of Aristotle's to the effect that among those who want to set up mixed aristocracies (and Plato is clearly setting up some such aristocracy in the *Laws*) some go wrong in giving too much to the rich and deceiving the populace.<sup>5</sup> Aristotle does not mention Plato's *Laws* by name here but I think it not unreasonable to suppose he has it in mind. At any rate my suggestion is going to be that Plato, and the Athenian Stranger, knew full well that they were setting up an oligarchically inclined regime but that they did this in such a way as to make it appear that the regime was more democratic and more evenly balanced than it really was. Plato and the Athenian are not, on this account then, guilty of self-misunderstanding but of a certain kind of indirection or deception. If so, then while it remains true that Aristotle rejects this deception as an error (as he rejects many other ideas of Plato's), it ceases to be true that either he or Plato himself have misunderstood Plato. On the contrary Plato fully understands what he is doing, and so does Aristotle, and they differ only on whether this is a correct way to set up a mixed aristocracy.

Now one might immediately object that to remove the charge of self-misunderstanding by replacing it with the charge of deception is no improvement. Plato is still guilty of something and indeed of something worse (since deception is a moral failing while ignorance is not). But I think that need not be true, for it all depends on the nature of the deception and the reasons for it. At any rate, to make my case I need to give some summary overview of the constitutional provisions of the *Laws*, showing how these provisions might fairly be called deceptive in the way Aristotle claims. I then need to show whom Plato and the Athenian wanted to deceive and why deception was the necessary method to follow.

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<sup>5</sup> *Politics* 6(4).12: 1297a7-10.

We can divide the constitutional provisions of the *Laws* into several stages, beginning with the assembly and then going on to the offices.

As far as the assembly is concerned, all 5040 citizens are members of it, which is democratic enough. But attendance at it is optional for the lower classes while imposed under penalty of a fine on the upper classes,<sup>6</sup> and its powers and functions are relatively slight, neither of which things is democratic.<sup>7</sup> The assembly has, for instance, no deliberative role (a main characteristic of democratic assemblies). Its main job is to elect various offices and, though its powers here are large, these powers are qualified in certain crucial ways. As regards the election of the guardians of the laws (perhaps the most important body in the regime), the assembly does this in three stages. At the first stage everyone proposes any candidate he wishes and the 300 with the most votes are chosen. At the second stage everyone votes for whom they prefer among these 300 and the 100 with the most votes are chosen. At the third stage those with the most votes are chosen (37 at the beginning when the office is first set up, and then, in subsequent elections, as many, one supposes, as are needed to fill up vacancies in the 37).<sup>8</sup>

The fact that the choice of the guardians is by election and not lot is significant, and it is going to have its effect on the result. For the wealthy, because of their wealth, stand out from the mass and are therefore more known, more likely to have distinctive qualities, and more likely to have strong and influential friends. Thus they are far more likely to attract the necessary attention and so to get the necessary votes to be among the initial 300. Conversely, most of the poor, who lack quality and influence, are going to

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<sup>6</sup> *Laws* 764a.

<sup>7</sup> As Aristotle rightly remarks, *Politics* 2.6: 1266a9-12.

<sup>8</sup> *Laws* 753b-d.

find achieving this very hard if not indeed impossible.<sup>9</sup> On the other hand, as Aristotle points out,<sup>10</sup> a smallish group of citizens could, by banding together round one candidate favorable to themselves, manage on their own to get him into the 300. The same will be true at the second stage, and those candidates (the more wealthy, of course) who are more known or have some quality or are supported by some clique will most likely get into the 100. And similarly again at the third and final stage. In other words, despite the fact that all the citizens are voting, the final result is going to be skewed, more often than not, towards some alone among the citizens. And this effect will be heightened by the fact that the guardians serve for 20 years. Certainly the result would be very different from what would happen if the lot was used instead, whether at the beginning or after the first vote, and if the guardians served for one or a few years only. In fact, what starts off looking rather democratic—all the citizens choosing from among all the citizens—ends up being in practice rather oligarchic. The vote, intensified because of its triple nature, will have an inevitable tendency to favor the wealthy and privileged and influential few. This result is so obvious, and the process of election that produces it so clearly contrived, that one cannot seriously suppose Plato and the Athenian Stranger were not aware of it and did not intend it. One cannot seriously suppose, therefore, that, in giving the vote an initial appearance of democracy (all voting from all), they were not intending to hide its ultimate oligarchic effect.

The same skewing of results towards the wealthy and privileged few occurs in the election of the council (the next major office after that of the guardians). Election is here

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<sup>9</sup> For instructive parallels we only have to think of elections in modern states. Technically anyone can be a candidate for office, but in practice only the very few who are wealthy, or influential, or have won the backing of some powerful party have any chance of winning, or even, in some cases, of getting their names on the ballot.

<sup>10</sup> *Politics* 2.6: 1266a26-28.

again done by the assembly but now, unlike in the case of the guardians, according to the division of the citizen body into its four economic classes. On the first and second days of the process everyone is obliged, under penalty of a fine, to nominate candidates from the first and second wealthiest classes respectively. On the third day everyone in the top three classes is obliged, under penalty of a fine, to nominate from the third class but no fine is imposed on those of the fourth and least wealthy class if they do not wish to nominate from this class. On the fourth day the top two classes are obliged, under penalty of a quadrupled or trebled fine, to nominate from the fourth class, but no fine is imposed on those of the third and fourth classes if they do not wish to nominate from this class. This completes the stage of nomination. At the next stage everyone is obliged, under penalty of a fine, to vote from among these candidates and the 180 from each class who receive the most votes are chosen. At the final stage 90 from each class are chosen by lot and the resulting four groups of 90 form the council for the year.<sup>11</sup>

This is a complex procedure that turns out to have the same characteristics as the election of the guardians. It looks democratic on the surface (for all the citizens are in principle voting from among all the citizens and at the end there is the use of the lot), but it is thoroughly oligarchic in its results. In fact, the game is all over at the first and nominating stage. To begin with, as Aristotle points out,<sup>12</sup> more candidates will be nominated from the top two classes than from the lower two because some in the lower two classes will not do any nominating. For the poorer, quite apart from the absence of a fine in their case, can less afford to be at leisure than the wealthier, and so many of them, having already spent two days away on nominating from the upper classes, will be glad

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<sup>11</sup> *Laws* 756b-e.

<sup>12</sup> I think, but without complete certainty, that this is what he is saying at *Politics* 2.6: 1266a20-22.

of the chance to skip the remaining two days. Hence the lower two classes, and especially the lowest, will have fewer candidates to eliminate at the next stages and perhaps, in some cases, they will have none at all to eliminate (if only 180 or 90 are nominated at the first stage). For one must note that there is nothing in the procedure that *requires* more than, or even as many as, 180 or 90 to be nominated. Certainly it will be open to the upper classes, and especially the upper two classes, to nominate no more, or indeed fewer, than 90 from the lower classes and, moreover, to nominate only those favorable to themselves or only those easily swayed or bought. Hence they could, by their own nominating procedure, pretty much guarantee a council pliant and favorable to themselves at the very first stage and so render nugatory the remaining two stages, and *above all* render nugatory the democratic stage of the lot. For one should keep in mind that the fact that the nominees from the upper classes are chosen by all does not make these nominees any less oligarchic. At most it will prevent them from being a narrow oligarchy. The successful oligarchic nominees must be favorable to all and not just to the wealthy or their fellow oligarchs. Doubtless this is a good thing, but it is not, as such, a democratic thing.

Again one cannot seriously suppose that Plato and the Athenian Stranger were not aware of this consequence and did not intend it. One cannot seriously suppose, therefore, that, in constructing this complex procedure and giving it the appearance of democratic elements (all voting from all and the lot being used at the end), they were not intending to hide its ultimate oligarchic effect. In fact one can perhaps support this conclusion from the text itself. For when the Athenian speaks of the lot as one sort of equality and a sort that the regime must allow for alongside proportional equality, he also says that the latter

equality is the genuine and best equality and that allowing also for the former is a concession to the man in the street, to prevent him getting angry.<sup>13</sup> Clearly the Athenian would prefer not to have this equality. So that is in fact what he does. He has it but in such a way as to make possible it having no or little effect on the actual choice of officials. It appears in the formalities of the regime (so as to satisfy democratic passions) but it disappears from the actual workings of it (so as to avoid democratic results). And that is clearly a sort of deception.

The same skewing of things towards oligarchy appears again in the appointment of other officials. The generals are nominated by the (oligarchically elected) guardians, and though the voting is done by all the soldiers (serving or retired) and though counter nominations from others are permitted, there is nothing to prevent the guardians nominating, and getting away with nominating, only as many candidates as there are places to fill. Similar things hold for the nomination of subordinate officers by the generals.<sup>14</sup> In other words, democratically looking provisions are designed to allow for, and even to encourage (though not, of course, to guarantee) oligarchically skewed results.

When we turn to the appointment of officials of city and market, these are chosen by all but not from all; they are chosen only from the top one or two classes. Of the religious officials, the most important are the treasurers and the expounders. The first are chosen by the top class alone and the second are elected by all as divided in tribes (and not in classes).<sup>15</sup> But election, as already remarked, favors the few privileged and wealthy and influential and this will be all the more the case where all vote as tribes since then no provision is made (unlike in the case of election to the council) for election from the

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<sup>13</sup> *Laws* 757.

<sup>14</sup> *Laws* 755c-6b.

<sup>15</sup> *Laws* 760a-e, 763c-4b.



lower classes. The priests, to be sure, are appointed by lot<sup>16</sup> but they are subordinate to the expounders, who determine all the duties, and to the treasurers, who determine the expenses. As regards athletics and culture, the officials here are to be chosen only from experts and only experts are compelled to vote (the rest may come or not come as they wish), or they are to be chosen only from the middle two classes and the lowest class is not compelled to vote.<sup>17</sup> Lot is, to be sure, introduced to decide between those with the most votes but, as before, things have already been oligarchically skewed at the previous stage of voting. In the case, indeed, of the chief officer in this field, the minister of education, no attempt is made to introduce even the appearance of anything democratic into his appointment, since he is chosen from the guardians alone and by existing officials alone.<sup>18</sup> We might say similar things about the courts, where some at least are chosen by officials from officials, and where the conduct of the most serious cases, if not the final judgment, is likewise in the hands of existing officials.<sup>19</sup>

Such then is a summary view of the offices. That these offices, and hence the regime as a whole, are skewed in an oligarchic direction seems clear and, as was noted earlier, has been conceded by several scholars. If there are other scholars who still disagree, the reason is, in large part, that the Athenian does at least describe his aim, not as giving greater weight to wealth, but as giving greater weight to virtue and wisdom. In fact virtue and wisdom, or superior capacity generally, seem to be what he means by the monarchical element in the regime.<sup>20</sup> The problem is, of course, that the provisions actually laid down clearly favor the more wealthy, and one can hardly suppose that the

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<sup>16</sup> *Laws* 759b-c.

<sup>17</sup> *Laws* 765a-c.

<sup>18</sup> *Laws* 765d-6c.

<sup>19</sup> *Laws* 766d-8c.

<sup>20</sup> *Laws* 756e-8a; Barker, *op. cit.*, pp. 388-39; Stalley, *op. cit.*, pp. 116-20.

Athenian or Plato would assent to the view that virtue always or necessarily accompanies wealth.<sup>21</sup> Thus it does indeed turn out, as Aristotle said, that there is nothing monarchical in the regime, for there is nothing in the regime to ensure the presence there of virtue or capacity as an *independent* factor over and above wealth. Attempts to get round this problem by denying the oligarchic effect of the constitutional provisions, as in particular by Stalley, are not convincing. They are simply in conflict with the evidence. The constitutional provisions are what they are and they will have the effect that they will have regardless of what the Athenian says or does not say. “By their deeds ye shall know them.” Aristotle’s general charge, then, that the *Laws* is biased towards oligarchy, must be allowed to stand.

Why then should scholars want to deny this charge? My sense is that they would not want to, or would want to less, if there were a clear and convincing way of absolving Plato of the further charge of being confused about what he was really doing.<sup>22</sup> My suggestion, mentioned at the beginning, that Plato is being deliberately deceptive is meant to provide such a way. However, I need to explain both how this works and how it does not discredit Plato. Now we do, of course, find deliberate deception elsewhere in the Platonic dialogues. We find it, in fact, quite openly used in the *Republic*.<sup>23</sup> The reason for the deception in the *Republic* is clear enough: to keep the lesser types content with their lesser condition. The same is also true of the *Laws*. Certainly the use of the lot is recommended in the *Laws* on the grounds that it will keep the lesser types quiet. The fact, then, that this use is more apparent than real, and deliberately so, confirms its deceptive

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<sup>21</sup> A point that Barker in particular stresses, *op. cit.*, p.389.

<sup>22</sup> Stalley, for instance, seems driven in this direction in part because of Barker’s failure to absolve Plato of such a charge; Stalley, *op. cit.*, pp.117-20; Barker, *op. cit.*, pp.389-90.

<sup>23</sup> *Republic* 459c-60b.

character. It is the sort of deception that Aristotle expressly has in mind, namely deception in the formal provisions of the regime. But this still leaves open the question, not as to why Plato and the Athenian deceive the populace, but as to why they want to use this deception to shift things toward the wealthy. For the wealthy are not, either as such or for Plato and the Athenian, the same as the virtuous and the wise. Yet it is in the name of virtue and wisdom that Plato and the Athenian shifts things toward the wealthy. So what is going on here?

My suggestion, following another hint of Aristotle's, is that Plato and the Athenian are not only deceiving the populace; they are also deceiving the wealthy and, moreover, deceiving Clinias, Megillus, and us the readers. The hint from Aristotle is that Plato in the *Laws* brings things round little by little back to the regime of the *Republic*.<sup>24</sup> Barker draws our attention to this reference when he notes the change in tone in the twelfth book of the *Laws*.<sup>25</sup> There is indeed such a change, but I think we should make rather more of it than Barker does. The *Republic*, as we know, quite expressly puts rule in the hands of the few wise, the few philosophic sages. The *Laws* ends up doing the same, and primarily through two new offices that are introduced in the twelfth book. I have myself not discussed these offices yet, and Aristotle does not mention them either, or not by name, in his critique of the *Laws*. I think, nevertheless, that they are part of what he intends when he says that the *Laws* brings things round back to the *Republic*.

The offices in question are those of the scrutineers and of the nocturnal council. Both these offices are vested with great dignity, authority, and prestige. They effectively have the power of suspending, removing, and overruling all other offices. It is they, in

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<sup>24</sup> *Politics* 2.6:1265a2-10.

<sup>25</sup> Barker, *op .cit.*, p. 399.

fact, who will guarantee—if guarantee is possible—that the officers actually chosen will not just be the wealthy, but also the virtuous (something not guaranteed by anything else in the regime). The scrutineers are elected by all from all, and election is repeated until the number is reduced to three, who join the board of scrutineers that year and serve, as all scrutineers do, until the age of 75. As such, this cycle of election is a repetition of the oligarchic procedure already discussed. But there are other features present in this case that are going to give a rather different result. The job of the scrutineers is to roam the rest of the regime, as it were, and scrutinize all the other offices, imposing penalties where penalties are due, and examining beforehand all those elected to office to see if they are fit for the office in question.<sup>26</sup> Their whole life, bearing, dress, distinction, and even death is endowed with such awe and dignity as would impress upon all but the most unscrupulous that by virtue alone, and not by craft, could any receive or occupy so exalted an office. Moreover provision is made, lest any scrutineer fail and go wrong, that the scrutineers should themselves be watched by everyone like hawks. The scrutineers are further described as the single most important factor in whether the city survives or not. Similar things are true of the nocturnal council, which is described as the anchor of the city. Its job is to understand the target to be aimed at, how to hit it, and which laws and which persons provide the best help in this regard. Since its membership includes the most senior guardians (including the current and past ministers of education), its control over the fundamental law and structure of the city will be as profound, if not more so, than the control of the scrutineers over the management of its day to day business. In

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<sup>26</sup> It is a standard provision in the *Laws* that those chosen to the other offices be subject to examination before taking up office. Who is to do this examination is not expressly said in book six where the offices are discussed, but one can hardly doubt that it will be one of the functions of the scrutineers introduced in book twelve.

short both offices together will be the simply controlling authority (and one should note that nothing is said about it being impossible for a man to be a scrutineer and a guardian at the same time; indeed, given the qualifications of age and quality required, it is likely there will be a lot of overlap).<sup>27</sup>

If we look further at what are said to be the necessary qualifications for being a guardian (and therefore the qualifications that successful candidates will be scrutinized for in advance of taking up office), it becomes apparent that these are virtually the same as are required for someone to become a guardian in the *Republic*. The guardians of the *Laws*, in fact, will have to be as much philosophers as the guardians of the *Republic*. There are enough hints too that they will need to accept something like the classic theory of ideas.<sup>28</sup> The engine for ensuring this result is the office of the scrutineers and the nocturnal council. These two offices sit, as it were, on top of the oligarchic structure set out in book six and almost literally force it round into a hierarchy of philosophers. The oligarchy of the regime, hiding behind the veil of the balance and outward democracy of the regime, is itself a veil for the philosophy of the regime. It is not just the case, then, that the democrats are deceived into accepting an oligarchy; the oligarchs are deceived into accepting a philosoph-archy. In the end, it is not the upper classes tout court who rule, but rather those of the upper classes (and those too of the lower classes allowed to get through the oligarchic sieve) who are virtuous and wise and naturally fit to be trained in virtue and wisdom. The merely rich, or the poor, who are in office but have no virtue and no or little capacity for virtue, will quickly be spotted by the scrutineers and either

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<sup>27</sup> *Laws* 945b-48b, 951d-52d, 961a-62d.

<sup>28</sup> *Laws* 964a-69d.

removed or prevented from taking up office again. They will certainly not advance into the highest reaches of the regime.

It is here, I think, where we come to the most fundamental disagreement between Aristotle and Plato on political questions. For Aristotle is far more sympathetic to the mass than Plato ever shows himself to be. He really believes that virtue can be found in the mass, and such virtue as deserves to be given some genuine and not merely apparent control in the regime.<sup>29</sup> Platonic writings do not endorse this line of argument of Aristotle's. The assumption always is that virtue and skill go with the few and the trained, never with the many and untrained. Now Aristotle would doubtless agree with this assumption when it comes to the highest virtue.<sup>30</sup> Certainly his own best regime is as élitist and as undemocratic as Plato's *Republic*. It is only as regards the lesser and second best regimes that they differ, and it is only here that Aristotle endorses and supports the claims of mass virtue over the virtue of the few. But the reason for this disagreement is, I think, that Plato does not really believe in any second bests at all. True, he does make the Athenian say that the *Laws* is a second best,<sup>31</sup> but, as we have just seen, this second best turns out not to be sustainable unless or until it is effectively turned round into the first best of philosophic rule. Plato remains divinely mad to the end.

What is really going on, then, in the *Laws* is, I suggest, the same as what is really going on in the *Republic*. Neither is a disquisition on politics proper. Both are rather protreptics to philosophy. The *Republic* is more obviously this. But the *Laws* is no less so in the end. The difference lies in the audience that is the object of the protreptic. In the *Republic* it is enthusiastic young men. In the *Laws* it is staid old men. So just as the

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<sup>29</sup> *Politics* 3.11.

<sup>30</sup> *Politics* 3.13.

<sup>31</sup> *Laws* 739a-e.

*Republic* turns on what excites young men (the thrill of tyranny, the common availability of wealth and women), the *Laws* turns on what excites old men (the respectability of private property and families, the stateliness of legislation—the *Laws* is mainly laws, after all, as Aristotle said<sup>32</sup>). The former replaces the thrill of tyranny and free food and sex with the thrill of philosophy and the Ideas; the latter replaces the stability of ordered respectability with the stateliness of the philosophic heavens. So the Athenian, in his discussion with Clinias and Megillus, pretends that the respectable upper classes, duly prosperous and possessed of heirs from their own loins, deserve to rule just as such, and he fashions his regime on that supposition, thereby producing a sort of moderated oligarchy. That is enough to win the willing assent of the two old men. But these two old men do not realize that, by thus giving their assent, they have assented, not to oligarchy, but to philosophy, or they do not realize to what extent their love of respectability has seduced them into accepting the dialectic of wisdom. Hence when the Athenian unveils, in the twelfth book, the philosophy that was secretly driving the oligarchy, they not only do not resist what he says, they even enthusiastically embrace it.

In short, by appealing directly to private wealth, respectability, and age—all of which Clinias and Megillus need no persuasion to embrace—the Athenian, without questioning that appeal, changes it into a different appeal, the appeal of philosophy. At the end the change is rather remarkable. Clinias and Megillus, the staid old men, have become enthusiastic youths whom the Athenian has a hard time holding back.<sup>33</sup> The respectable old man, by contrast, in the first book of the *Republic*, Cephalus, is quickly repulsed by Socrates' philosophizing, and that largely because, deep down, he is not

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<sup>32</sup> *Politics* 2.6: 1265a1-2.

<sup>33</sup> *Laws* 968b-69d.

respectable, just old.<sup>34</sup> Clinias and Megillus are genuinely respectable, but they are not philosophic. The Athenian's task is to make them philosophic, or to elicit their latent passion for philosophy. He does it, as all protreptics must do it, by appealing to some other and not latent passion that can serve as a seduction into the other passion. For young men this passion is one thing; for old men it is something else. No matter. The point is to seduce. This seduction is the deliberate deception I really had in mind when I spoke of deception at the beginning. It is not the deception of the ill-intentioned lie, but the deception of the benevolent protreptic.

The success of this protreptic is why I would want to argue that the *Epinomis* is genuinely Platonic and the true continuation of the *Laws*. For it is the continuation of the unleashed enthusiasm for philosophy of Clinias and Megillus at the end of the *Laws*. They say then that they must force the Athenian into becoming a joint founder of the new colony.<sup>35</sup> The forcing or persuading is what I propose has gone on between the two dialogues. So the second, the *Epinomis*, opens with the agreement already in place to continue where the *Laws* left off. For I imagine the three interlocutors now to be conversing as members of the new colony's nocturnal council<sup>36</sup> and so as carrying out what was left as a task for that council at the end of the *Laws*, namely the curriculum of studies.<sup>37</sup> But this claim doubtless needs more argument than I can give it here.

At all events I would at least want to assert the following. While the *Republic* is Plato's protreptic for young men tempted by the wild but base pleasures of tyranny, so the *Laws* is his protreptic for old men comfortable in the quiet pleasures of traditional

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<sup>34</sup> *Republic* 330d-31d.

<sup>35</sup> *Laws* 969c-d.

<sup>36</sup> *Epinomis* 992e.

<sup>37</sup> *Laws* 968c.



respectability. In both cases the seduction works: it produces philosophic enthusiasm. It is not true that philosophy can only or best be taught to the young and daring; it can also be taught to the old and staid. One just has to find the right tools for the seduction. And the seduction works on readers too, only it works on different readers (it is no accident, for instance, that we teach the *Republic* and not the *Laws* to our freshmen classes). Both dialogues go together. They belong equally to the fullness of Plato's protreptic art. The *Laws* should not, therefore, be read as a later writing than the *Republic* (even if it is), nor should it be read as a later development of Plato's thinking. The chronological division of the Platonic dialogues gets no support, properly understood, from the style, character, and doctrine of the *Laws*. The *Laws* is the same as the *Republic*, as Aristotle said. The difference in its fashioning is just that it speaks to a different audience.