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# ἄρχαί

AS ORIGENS DO PENSAMENTO OCIDENTAL  
THE ORIGINS OF WESTERN THOUGHT

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ARTICLE

## *Nómos and Díke in Plato's Laws*

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**Abstract:** In the *Laws*, Plato revised the political project of the *Republic*, dependent on the figure of the philosopher-king. Having abandoned, in old age, the belief in individual virtue, he based his final political proposal on the legal norm, conceived as a collective expression of the rationality common to humankind and the cosmos. To develop this conception of law, Plato sought inspiration from the notion of cosmic justice of the first Ionian philosophers, and from Heraclitus in particular. In the *Laws*, Plato states that, due to the rationality that governs the cosmos, everything is always directed towards the good of the whole, and justice in the human sphere is the

result of a law of attraction. By such law, the unjust man is attracted to where injustice prevails, and the just man to where justice overcomes. With this formulation of the problem of evil, the punishment of the wicked does not require the belief in the survival of the individual soul and a *post-mortem* judgment of the soul.

**Keywords:** Plato, *Laws*, Law (νόμος), Justice (δίκη).

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## *Nómos and Díke in Plato's Laws*

Plato dedicated his final years to perhaps his most ambitious work: revising the political project he had idealized in the *Republic* on new bases.<sup>1</sup> Indeed, the accomplishment of the *Republic's* program is contingent upon individual virtue, i.e., the superior intellectual and moral qualities held by the philosopher-king. By contrast, the political proposal of the *Laws*, the fruit of a more realistic understanding of human nature, is predicated on the legal norm, now seen as an expression of a common virtue.

It was a notable change since, in the *Republic*, Plato had made it clear that he did not believe in the possibility of ordering the city through laws. It would be naïve, he argued, to establish a whole legal discipline on contracts, commercial or labour relations, insults or aggressions, judicial instances, the constitution of courts, and taxes, either because such precepts, written or oral, would not be observed or maintained, or because men would spend their lives making laws and correcting them (*cf.* *R.* 425b-e, 427a). For the Plato of the

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<sup>1</sup> Today, most scholars sustain that *Lg.* represents a revision of the political project outlined in the *R.* However, according to a minority, there is no incompatibility between the two political projects, with *R.* representing the ideal and *Lg.* the feasible project, given the limitations of human nature. It may be the reason for the supposed "popular" character that has long been attributed to Plato's last work, to the composition of which he dedicated, it is estimated, at least the previous ten years of his life, given the vastness of the material he had to compile for the writing of it.

*Republic*, adequate education and the correct institutional arrangement of the city would be sufficient conditions to induce an introjection of values in the citizens so that legislation would be, if not unnecessary, at least ancillary and certainly of little value.

As Plato correctly noticed, the law's major problem is its lack of stability, a more serious risk than the possibility of its breach. Even the best legislation, issued by the wisest legislator, can be modified by the passage of time in line with social changes, customs, and mentalities. So, that was the challenge Plato faced in the *Laws*. Older, convinced that no matter how virtuous or intellectually gifted, no man would be immune to the corruption of power, driven as we are primarily by self-interest (*cf. Lg. 874e-875d*), he resorted to the best possible solution, given the inherent limits of human nature: a careful and extensive legal discipline to regulate social life in practically all its aspects. More than this, it was necessary to devise something that applied to this set of rules, like a varnish, would be able to guarantee their perpetuity. To achieve this goal, Plato drank from the fountain of Heraclitus' thought.

The *Laws* takes place in Crete. By the choice of setting and characters - three old men, a citizen of Knossos, a Spartan, and the Stranger from Athens, the discreet veil under which Plato barely conceals himself – it becomes clear his appeal to what he identified as the best in traditional Greek values. On the day of the summer solstice, the three elders set off from Knossos on a pilgrimage to the cave and sanctuary of Zeus. As is characteristic of tragedies, the dialogue takes place over the course of a single day.<sup>2</sup> To cope with the long walk, the Athenian proposes to his companions that they should entertain themselves by talking “about constitution and laws”

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<sup>2</sup> The relationship between the lawgiver and the tragic poet is made explicit in *Lg. 817b-c*, wherein the Athenian says “we ourselves, to the best of our ability, are the authors of a tragedy at once superlatively fair and good; at least, all our political constitution is framed as a representation (μίμησις) of the fairest and best life, which is in reality, as we assert, the truest tragedy”. (Here, and in all the *Laws* passages, Bury's translation has been adopted, with small adaptations).

(Lg. 625a6-7: περί τε πολιτείας τὰ νῦν καὶ νόμων).<sup>3</sup> After a general conversation about the aims of the laws and an examination of the various types of constitutions, at the end of Book III, the Cretan announces that he is in charge of setting up the laws for a new colony to be founded in Crete, to be named Magnesia. Here ends the introductory part of the dialogue.<sup>4</sup> From then on, the three elders, who had been discussing laws and political institutions in theoretical terms, moved on to deal concretely with laws and other aspects, such as the ideal location and population for setting up the new colony. At noon, mentioning divine guidance,<sup>5</sup> the Athenian proposes adopting a new type of law, consisting of a precept and a preamble, the latter intended to persuade citizens of the need to comply with the legal norm. (Lg. 722c-723b).

In the choice of the word with which he opens the dialogue, Plato offers the reader the key to its reading: “God or a man, Strangers, to whom do you ascribe the cause of the arrangement of your laws?” (Lg. 624a1-2: θεὸς ἢ τις ἀνθρώπων ὑμῖν, ὃ ξένοι, εἴληφε τὴν αἰτίαν τῆς τῶν νόμων διαθέσεως). Arrangement is the translation adopted here for the Greek διάθεσις. But one could also say composition, ordination, or disposition. And this question could be rephrased in the following terms: “Perennial values or mere social convention, foreigners? Wherein lies the grounds of your laws?”

Here, we come up against the first difficulty in interpreting of this vast work. Who or what is the god or deity under whose aegis Plato intends to house his legislative proposal? At the risk of incurring an anachronism that would lead to a naïve interpretation of

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<sup>3</sup> Burnet's edition has been used for all quotations from the Greek text.

<sup>4</sup> In my opinion, the dialogue is neatly divided into two parts. Books I to III are the introductory part, in which more general aspects are discussed: the purpose of legislation and the concept of virtue on which legislation should be based; the purpose of education, for which Plato presents three successive definitions; and an analysis of human psychology, without knowledge of which the legislator will not fulfill his task appropriately. From Book IV onwards, the political project is developed as it should apply to an actual city.

<sup>5</sup> It is the hour when the sun stands still, associated with inspiration by the nymphs and the muses (Cf. *Phdr.* 241e ss and 258e ss).

Platonic thought, we must notice that what Plato intended to designate as “god” bears little relation to the meaning that today, in the context used by the philosopher, we would tend to attribute to this word: something like the ultimate foundation of reality.

First of all, not only in the *Laws*, but at least in all the later dialogues, Plato often uses the terms god, gods, and divinity for different things, such as the soul, the world, and the celestial bodies, among others. So, considering how imprecisely Plato uses the word “god” and its correlates, one should not *a priori* conclude that he intends to designate with these words something more than simply *a being or beings of a higher potency or more perfect than human*.

Secondly, we cannot forget that, for the Greeks, although immortal, the gods were created, and nothing suggests that Plato had a different conception. In reality, it is quite the opposite. For example, in the *Timaeus*, the Demiurge – Plato's allegory that indicates the intelligence (νοῦς), the principle of rationality responsible for the rational ordering of the world, itself a god – not only creates the world, a living being (ζῷον) but also 'secondary' divinities. Since, for Plato, the gods were created, they obviously cannot be the ultimate foundation of reality. As the *Timaeus* makes it clear, the Forms, or Ideas, which the Demiurge contemplates in order to produce the world, are the ultimate foundation of reality (*Ti.* 27d5-29b2). In this respect, the *Laws* are no different from the *Timaeus*, as an analysis of Book X shows.

The *Laws* begin with the word god – and the beginning, for Plato, is the most important in any human endeavor (*R.* 377a; *Lg.* 690e, 753e). Now, it is in Book X that his concept of divinity will be fully developed. For this reason, Book X can rightly be considered the structuring axis of the dialogue, offering a privileged perspective for its interpretation. Continuing the penal code set out in Book IX, in Book X the Athenian and his companions have to deal with the crime of impiety. Plato's analysis starts with the identification of the primary cause of impiety, which, as in the *Republic*, comprises three erroneous conceptions: 1 - assuming that the gods do not exist; 2 - believing that they do exist but are indifferent to men; 3 - and

supposing that the gods allow themselves to be corrupted by prayers and offerings. In order to combat these false opinions about the gods, it is necessary to provide an extensive preamble, which forms the centerpiece of Book X. As Kleinias observes, this “prelude”, which is intended to persuade young people of the existence of the gods, “is the best we could have in defence, as one may say, of all our laws” (*Lg.* 887b8-c2). With such a remark, Plato points out that therein lies the core of his project.

In contrast to the focus on poets we saw in the *Republic*, in Book X they are no longer the primary subject of Plato's criticism. About the myths the poets tell concerning the gods, he says that, “whether good or bad for the hearers in other respects, it is hard for us to censure because of their antiquity” (*Lg.* 886c6-7). The greatest cause of the corruption of the young, the Athenian asserts, is the influence of certain theories, “a very grievous unwisdom which is reputed to be the height of wisdom” (*Lg.* 886b7-8).

This irreligious doctrine, which error the Athenian will demonstrate, appears to be a combination of the ideas of the Athenian elite at the end of the 5th century BC. It is a materialist evolutionism, in which we can identify, in particular, aspects of the mechanistic theories of Democritus and Leucippus and the sophistic theses about the superiority of nature (φύσις) over law (νόμος).<sup>6</sup> This theory aims

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<sup>6</sup> The diversity of scholarly opinion regarding the identity of the 'modern sages' against whom Plato is fighting is extensive. Amongst those who argue that they are all pre-Socratics, we can mention: 1 – Morrow (1960, p. 479) 2 – Vlastos (1975, p. 23-25), who claims that according to legislation set out in Book X of *Lg.*, all *physiologoi* could be accused of impiety, first and foremost those who hold that original constituents of the universe are material entities, but even Heraclitus and Diogenes from Apollonia, both of them who endowed their universal substance with intelligence and even thought of it as a god. According to Vlastos, the fundamental difference between Plato's world-view and that of the *physiologoi* is that, despite numerous disagreements among the latter, they were united in the assumption that the order that makes our world a cosmos is natural, i.e., it is *immanent* in nature. In contrast, Plato had to appeal to an intelligent order transcending the natural world. I believe Vlastos' argument flaw lies in his misinterpretation of the Demiurge as a *transcendent* deity. “That this god is supernatural in the literal sense of the term is plain enough: he stands outside of nature and above it; he is not himself a member of the system of interacting entities

to explain the causes of generation in the sensible world.<sup>7</sup> Firstly, there is the primary generation of the most important and beautiful things, which comes into being through the joint action of nature (φύσις) and chance (τύχη). In this context, by “nature”, Plato means “fire”, “earth”, “water”, and “air”, representing inanimate material components arranged at random but according to certain affinities (e.g., hot with cold, dry with wet, and other combinations of opposites).<sup>8</sup> Secondary generation, in contrast, is a subsequent outcome of the primary generation and is the result of technique (τέχνη), which acts with an intelligent purpose on the primary generation. In this secondary production, a hierarchical structure is observed, contingent upon its products' proximity to nature's power. Techniques such as agriculture, gymnastics, and medicine hold greater importance than those purely the product of technique and intelligence, such as legislation, justice, and the gods. These latter, mere human conventions, being mortal themselves and of mortal birth, are deprived of truth.

The thesis that generation results from an irrational power, the conception that nature, primary generation, consists of inert material substance, a product of blind forces acting without purpose, establishes an actual inversion of values, undermining the foundations of the Platonic political project. It is, therefore, necessary to refute this thesis and demonstrate the existence of the gods. However, to convince the youth corrupted by mechanistic theories,

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which constitutes nature; he acts upon the system, but the system does not act on him.” Now, the νοῦς, symbolized by the Demiurge, must necessarily be immanent and not transcendent to the world since, according to Plato, intelligence is a faculty of the soul and inseparable from it, as he reiterates in numerous passages: *Lg.* 967b; *Ti.* 30b3-4; *Sph.* 248e7-249a8; *Phlb.* 30c. Consequently, given that, for Plato, the soul and the νοῦς are immanent to the world, there is no greater incompatibility between him and the first *physiologoi*.

<sup>7</sup> The materialist theory of the godless sages is developed in the passage *Lg.* 888d7-890a10.

<sup>8</sup> These affinities result in specific rules that determine the associations and dissociations of inanimate matter, which is why Plato also calls them *necessity* (ἀνάγκη) (*cf.* *Ti.* 46e2, 48a1, and *Lg.* 889c1-2, 967a3-5).

Plato recognizes he needs “rational” argumentation with “adequate proofs” (*Lg.* 885d2-3).

The Athenian then presents a second thesis, according to which the soul, defined as the principle of motion (ἀρχὴ κινήσεως),<sup>9</sup> is responsible for the ordering of the cosmos. He begins by pointing out the source of the error of the so-called sages, which consists of an inversion since they take for first what is later and for later what is the first cause of generation:

That which is the first cause of becoming and perishing in all things, this is declared by the arguments which have produced the soul of the impious to be not first, but generated later, and that which is the later to be the earlier; and because of this they have fallen into error regarding the real nature of divine existence. (*Lg.* 891e5-9)

In the opening of his exposition, Plato undertakes an analysis of movement. Given that the characteristic note of the sensible world is the impermanence, i.e., the movement, the analysis of the causes of generation must begin precisely there. This elaborate analysis leads to the conclusion that the soul is the primary movement, superior to all others. In the sensible world, nothing can exist without a cause,<sup>10</sup> and it is therefore necessary to identify the ultimate cause of movement. Now, ψυχή is the Greek word denoting "vital breath". So, the thing that gives life and movement to inanimate matter is precisely the soul; and when the soul departs from a living being (ζῷον), it becomes an inanimate body. Consequently, the Athenian may infer that the soul is the movement capable of self-motion (*Lg.*

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<sup>9</sup> The definition of the soul as the source and principle of movement (πηγὴ καὶ ἀρχὴ κινήσεως), which is first seen in *Phdr.* 245c, does not reappear until *Lg.*, where it is fully developed. Albeit implicit, it is also the concept of soul in *Ti.*

<sup>10</sup> *Cf Ti.* 27d5-28a6, in which Plato sets out the four premises of his cosmology: 1 - the Forms or Ideas, the being that truly is, only apprehensible by reason; 2 - the sensibles, objects of perception that become and never are, of which it is only possible to form an opinion, seconded by sensation; 3 - the 'artificer', i.e., the νοῦς; and 4 - the cause (αἰτία). It is noteworthy that the principle of causality finds application solely within the domain of the sensible, but not in the realm of Ideas.

896a1-2: τὴν δυναμένην αὐτὴν αὐτὴν κινεῖν κίνησιν), thereby establishing its definition as “the prime origin and motion of what is, has been, and shall be, the cause of all change and motion in all things” (*Lg.* 896a6-b2). In this analysis, the νοῦς, “the intelligence that can only exist in association with the soul”,<sup>11</sup> is related to the rotational movement of a body around its axis. It is the most perfect movement because it is the closest to immobility.

Once he has demonstrated that the soul is the principle of motion (ἀρχὴ κινήσεως), without which no movement would be possible, Plato can invert the hierarchy of the impious thesis: the soul is the “first nature”, the responsible for all movements, good and bad. The soul and everything related to it – above all, gods and laws – necessarily take precedence over corporeal things. In Plato's view, the entire cosmos is a kind of deity (*Lg.* 821a2: τὸν μέγιστον θεὸν καὶ ὄλον τὸν κόσμον), a magnificent living being endowed with soul and intelligence, and the celestial bodies are likewise animate and intelligent beings.

Two aspects of this animist thesis are worthy of note. Firstly, while the Athenian aims to demonstrate the existence of the gods, there is no mention of the Olympian gods. This fact proves that the deity or deities whose existence needs to be proven are others. Furthermore, the whole dialogue contains no indication that Plato aimed to propose the establishment of a new religion in the city in which the celestial bodies would be objects of worship. On the contrary, throughout the dialogue, we can find several passages affirming the necessity to honour the traditional Greek gods (e.g., *Lg.* 717a6-b6). The preamble to the law against the crime of impiety does not propose the establishment of a new religious cult; it is a rational explanation of generation, the purpose of which is to convince those

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<sup>11</sup> The conception that soul and νοῦς are inseparable is central to Plato's later thought, as evidenced by its reiteration across various dialogues: *Lg.* 961d8; *Ti.* 30b3, 46d5-6; *Phlb.* 30a5-d4; *Sph.* 249a4-10. According to Plato, the νοῦς is a faculty of the soul, enabling it to apprehend the Ideas.

questioning types who are only persuaded by rational arguments and are not led by beliefs.

The second aspect is that this so-called divine soul is qualified by an intelligence that is also divine, or, in the words of the Athenian, “the intelligence (νοῦς), which is, correctly, a god for the gods” (*Lg.* 897b1-2).<sup>12</sup> Book X of the *Laws* offers a concise overview of a thesis that was fully developed by Plato in the *Timaeus*. This thesis genuinely leads his notions concerning the nature of the soul, evil, and ethics: the cosmos is the product of an intelligent purpose, an organic whole, animated and endowed with intelligence, in which human beings are an integrant element rather than separate entities.

In contrast to the notion of stars made of earth and stone revolving in space, the cosmos is conceived as a living being, a god that manifests itself to men through observing the order that governs physical nature. The world itself is a god, inhabited by other gods, the celestial bodies. In this respect, everything leads to the conclusion that these gods, including “the νοῦς”, are not “transcendent” but “immanent” in the world. In the Platonic system, only the Ideas are transcendent. On the other hand, I believe that there is no passage in which Plato compares the Ideas to gods. Therefore, there appears to be no basis to support the claim that he considered the Ideas or even the Idea of the good to be a deity.

The concept of divinity present in Book X and the *Timaeus* is not contained within the limits of faith, since it is a reality that man knows using his rational faculty, by means of a logical operation, a deduction made from the observation of nature, and not by suspending his ability to question and investigate. From the observation of the regular movements of the heavens, Plato formulated the hypothesis that intelligence is the main cause responsible for the organization of nature. Based on this hypothesis, he called the organized whole god. It is the reverse mental process of someone who, starting from the faith in a creator god, would attribute

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<sup>12</sup> In this passage, I adopted the Greek text as fixed by Burnet, rejecting the various corrections proposed (see England, 1934, p. 289, n. 3).

intelligence to the cosmos. This deduction follows the following logical scheme: 1 - Intelligence manifests itself through order and organization. 2 - The cosmos is ordered. 3 - Therefore, the cosmos is intelligent.

We can see that the animistic thesis that Plato presents in Book X of the *Laws* is no different from modern scientific theses in the sense that, in both cases, they are rational models that seek to describe and explain reality, which can be perfected or refuted. What makes it so different from modern cosmological theories is another aspect. It is the product of a mentality that was disappearing at that historical moment when man still saw himself as an integral part of nature. When he looked up to the heavens, this man, whose vanishing Plato was witnessing, could see – and could only see – an animated whole within which all generated beings were linked together like a single organism. Since he saw himself as a small part of that whole, just as a cell is part of a living being, he could not conceive that intelligence was only in the human species and not in the whole.

It is for no other reason that the godless thesis refuted by the Athenian is strikingly contemporary since we share the same mental framework with materialists such as Leucippus and Democritus. For contemporary man, as for the wise men criticized by Plato, nature has lost its unifying character. It is no longer the substratum that shelters and welcomes all created beings but a domain of objects governed by autonomous laws over which human activity can exercise its power and apply its intelligence. Only after this change in mentality – in which nature, stripped of its sacredness, is trivialized and man begins to see himself as separate from it – did it become possible to conceive of an inanimate nature capable of organizing itself randomly until it reaches complex and living beings.

At the end of the extensive exposition of his doctrine, with which he intended to demonstrate the error of the “impious sages”, the Athenian declares that it would be impossible for anyone who agreed with his thesis to deny that “all things are full of gods” (*Lg.* 899b7-8). By putting into the mouth of the Athenian this phrase that tradition attributes to Thales, Plato, at the same time as aligning himself with

these first Ionian thinkers, makes them participants in the elaboration of his project.

Now, the common feature of the first *physiologoi*, incorporated by Plato in the *Laws*, as well as in the *Timaeus*, is the conception that nature is animated, which is why these thinkers understood it as a divinity, not an anthropomorphic god but rather as “the principle that governs an ordered universe”. As it has already been noted (Cornford 1997, p. 168), because nature was understood as an animate substance, these thinkers did not have to face the later problem of explaining motion.

According to current opinion, Anaximander was the first to see nature as an integrated whole governed by an immanent law. In the only fragment that has come down to us, justice is mentioned as a process of cosmic retribution between opposing powers. For Anaximander, this law responsible for ordering the whole would be a purely mechanical force, an incessant physical process of balance between opposing forces, a proposition that proved to be genuinely seminal.

Following the path opened up by Anaximander, Heraclitus sensed that beneath the changing world that appears to our eyes like a kaleidoscope without beginning or end, there is an essential unity of all things (DK 22 B50: ἐν πάντα εἶναι),<sup>13</sup> a fundamental common structure that permeates everything. In other words, this flow does not occur in a disorderly way; this continuous process of change observes a certain balance – i.e., proportions - from which the fundamental unity of all things derives. It is what led Heraclitus to say that there is a hidden harmony that is stronger than the visible (DK 22 B54). This ordered process, for him, the actual reality, which always was, is, and will be, was compared to fire, which ignites and extinguishes “with measure” (DK 22 B30).

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<sup>13</sup> Kirk; Raven; Schofield has been adopted in all quotations from the fragments of Heraclitus, including the English translations.

Going one step further, Heraclitus can conclude that this hidden harmony, this order which imposes that changes occur according to regular proportions, which is present in the whole, is necessarily *shared*. Thus, this is what makes the world intelligible. This common rationality of the cosmos and to men, which Heraclitus glimpsed, led him to establish an intertwinement between human and divine law, which the former must reflect, an idea that can be found in the following sentences:

Those who speak with sense must rely on what is common to all, as a city must rely on its law, and with much greater reliance. For all the laws of men are nourished by the one law, the divine law; for it has as much power as it wishes and is sufficient for all and still is left over. (DK 22 B114).

The people must fight on behalf of its law as though for the city wall. (DK 22 B44).

In particular, these phrases from Heraclitus seem to resonate in some passages of the *Laws* where Plato defines how the law he postulates should be properly understood. In this respect, in Book I, the Athenian – returning for the second or third time to the subject of education, the main aim of which is to direct the emotions of the citizens properly – states that:

Each one of us possesses within himself two opposite and foolish counselors, pleasure and pain. And in addition to all these, there is reasoning (λογισμός), pronouncing which of them is good, which is bad; and reasoning, when it has become the common dogma of the city (δόγμα πόλεως κοινόν), is called law (*Lg.* 644d1-3).<sup>14</sup>

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<sup>14</sup> Instead of calculation, I translated λογισμός as 'reasoning', because, in my opinion, here Plato intends to stress the contrast between emotions and the rational faculty. As Brisson; Pradeau, 2006, p. 346, n. 110, observed in *R.* 524b λογισμός is associated with intellectual thought (νόησις). For the Greek expression δόγμα πόλεως κοινόν, I adopted 'the common dogma of the city', since, as I understand the passage, Plato defines the law as the expression of the consolidated collective

As his interlocutors had difficulty understanding him, the Athenian resorted to an allegory. Imagine, he says, that each one of us, living beings, is a puppet of the gods (*Lg.* 644d7-645c6), “whose inward affections (πάθη) of ours, like sinews or cords, drag us along and, being opposed to each other, pull one against the other to opposite actions.” To counter these ropes, hard as iron, man has only the soft “thread of reason (λογισμός), golden and holy, entitled the public law of the state.”

Similarly, when Plato states that we should govern both homes and cities “according to the immortal element within us, giving to this regulation or distribution (διανομή) of reason the name of law” (*Lg.* 713e8-714a2), we can identify the same notion of the law of the city as the product of the common rationality.

Indeed, central to the *Laws* is the concept of an ordering intelligence of the cosmos, which, as in the *Timaeus*,<sup>15</sup> is seen as the first or greatest cause of the genesis of the world. Man, *considered a component part of this whole*, shares this intelligence. As the *Timaeus* shows, thanks to the νοῦς, the world has a mathematical and rational structure, which man can know precisely because he also participates in the νοῦς of the world. Plato bases his political project on this reason and intelligence that are greater than that of a single individual. Actual law is not an individual product; the legal norm can only be considered a true law when it mirrors this rationality common to the whole and men.

Returning to Book X, after having proved the existence of the gods, the Athenian needs to refute the second impiety and demonstrate that the divinities are not indifferent to the fate of men. He delivers a long speech (*Lg.* 899d4-905d6), in which he begins by asserting that the gods, who are supremely excellent and careful,

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opinion, a public agreement about what is good or bad, arrived at from this rational faculty common to all.

<sup>15</sup> Bearing in mind that, for Plato, νοῦς is a *faculty of the soul, inseparable from it, it can be seen that the cosmologies of Book X and *Ti.* are in perfect harmony, based on the same bases: soul, the principle of movement; and νοῦς, the ordering principle (Cf. *Lg.* 966d9-e4, 967a8-b6).*

would never fail to take proper care of both the small and large parts of the whole. However, since men cannot see the whole, they may have the mistaken perception that the small parts, i.e., human beings, are being neglected by the god who cares for all and who orchestrates everything for the preservation and excellence of the whole, because they ignore the fact that what is best for them is also best for the whole.

In a lengthy passage, Plato describes how divine supervision and care over human affairs is exercised, referring to the deity responsible for the administration of the whole as "our king" (ἡμῶν ὁ βασιλεὺς) and a "petteia player"<sup>16</sup> (πεττευτής):

And inasmuch as soul, being conjoined now with one body, now with another, is always undergoing all kinds of changes either of itself or owing to another soul, there is left for the *petteia* player no further task, save only to shift the character that grows better to a superior place, and the worse to a worse, according to what best suits each of them, so that to each may be allotted its appropriate destiny. (*Lg.* 903d3-e1)

Since our king saw that all actions involve soul, and contain much good and much evil, and that body and soul are, when generated, indestructible but not eternal, as are the gods ordained by law (for if either soul or body had been destroyed, there would never have been generation of living creatures), and since He perceived that all soul that is good naturally tends always to benefit, but the bad to injure,-observing all this, He designed a location for each of the parts, wherein it might secure the victory of goodness in the whole and the defeat of evil most completely, easily, and well. For this purpose he has designed the rule which prescribes what kind of character should be set to dwell in what kind of position and in what regions; but the causes of the generation of any special kind he left to the wills of each one of us men. For according to the trend of our desires and the nature of our souls, each one of us generally becomes of a corresponding character. (*Lg.* 904a6-c3)

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<sup>16</sup> The *petteia* or *pessoi* was a Greek board game similar to the checkers game.

The choice of such an unusual expression - πεττευτής - to refer to divinity should not be seen as casual. This word, as well as the expression “our king” (ἡμῶν ὁ βασιλεὺς), refers quite clearly to fr. DK 22 B52 of Heraclitus: “Time is a child playing *petteia*, the kingly power is a child's”, where there is an identical mention of the game of *petteia*.<sup>17</sup> In addition to the use of these expressions in which Heraclitean notes vibrate, this passage's basic idea refers to fr. DK 22 B119: “Man's character is his fate”.<sup>18</sup> To clarify how the divinities oversee and manage the whole, both large and small parts, ensuring that everything is directed towards the virtue of the whole, Plato mentions the existence of a law of attraction by which the soul, according to its nature, whether virtuous or vicious, is led towards a corresponding region so that the work of supervision is easier for the gods (*Lg.* 903e).

By the power of this law, similar things tend to come together, which means that souls move towards what is similar to each other: good souls towards "regions" where virtue prevails, vicious souls towards where vice prevails. Plato's description makes it clear enough that this law is like a mechanical force acting automatically “during the very course of human existence”.<sup>19</sup> As a consequence, the punishment for wickedness consists of the wicked man being condemned to live with wickedness and his equals, to the extent of his wickedness. In contrast, to the same extent, the good man becomes closer to the gods, who can only be supremely good and just. Thus, justice is fulfilled inexorably, no longer dependent on a judgment of the souls after death or judging divinities, as was seen in the eschatological myths of *Gorgias* and *Republic*. Plato seems to have reached a much more perfect solution to the problem of evil and punishment due to injustice. This solution can even dispense with the belief in the personal souls' immortality or reincarnation.

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<sup>17</sup> αἰὼν παῖς ἐστι παίζων, πεττεύων παιδὸς ἢ βασιληίη.

<sup>18</sup> ἦθος ἀνθρώπων δαίμων.

<sup>19</sup> In *Tht.* 176d7-177a8, this law is mentioned for the first time, making it clear that the unjust men's punishment occurs here and in the *post-mortem*. It is also mentioned incidentally in *Lg.* 716b1-d4.

In his last work, Plato returned to the theme that was so dear to him of the ideal political constitution. Now, he put aside his reliance on the individual because the singular is necessarily more precarious than the collective. As such, any political construction that claims to be anchored in individual virtue will never have the solidity it needs to last. With the all-encompassing vision that can only be achieved in old age, he now sees the rationality shared between men and the cosmos as the foundation for ordering the city, its institutions, and laws, giving a cosmic dimension to the law of the city. In the same way, by virtue of the same intelligence that orders the whole, justice necessarily fulfills itself, directing the whole toward the perfection of all its parts. In the human sphere, justice operates according to a law, a force by which like attracts like, so that the punishment of the unjust or the reward of the just results from the character that the individual builds up through his desires and actions. For Plato, there is no opposition between φύσις and νόμος, as the law has its source in nature itself. In his conception of law, we can find *in nuce* the notion of Natural Law, which will be developed much later.

## Data availability

Not applicable.

## Bibliography

- BRISSON, L.; PRADEAU, J-F. (2006). Platon. *Le Lois* (traduction, introduction et notes). Paris, GF-Flammarion.
- BURNET, J. (ed.) (1903). *Platonis Opera*. Oxford, Clarendon Press.
- BURY, R. G. (1926). *Laws*. Vol. X and XI. Cambridge, Harvard University Press.
- CORNFORD, F. M. (1997). *Plato's Cosmology. The Timaeus of Plato*. Indianapolis, Hackett.
- ENGLAND, E. B. (1921). *The Laws of Plato*. 2 vol. Manchester, The University Press.

KIRK, G. S.; RAVEN, J. E.; SCHOFIELD, M. (1983). *The Presocratic Philosophers. A Critical History with a Selection of Texts*. Cambridge, Cambridge University Press.

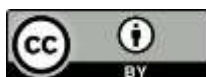
MORROW, G. (1960). *Plato's Cretan City. A Historical Interpretation*. Princeton, Princeton University Press.

VLASTOS, G. (1975). *Plato's Universe*. Seattle, University of Washington Press.

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