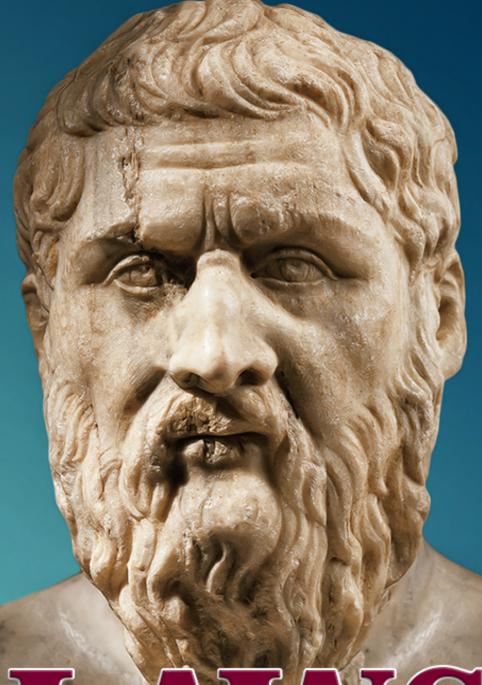
CLASSICS TO GO



PLATO

LAWS

Plato

INTRODUCTION AND ANALYSIS.

The genuineness of the Laws is sufficiently proved (1) by more than twenty citations of them in the writings of Aristotle, who was residing at Athens during the last twenty years of the life of Plato, and who, having left it after his death (B.C. 347), returned thither twelve years later (B.C. 335); (2) by the allusion of Isocrates

(Oratio ad Philippum missa, p.84: To men tais paneguresin enochlein kai pros apantas legein tous sunprechontas en autais pros oudena legein estin, all omoios oi toioutoi ton logon (sc. speeches in the assembly) akuroi tugchanousin ontes tois nomois kai tais politeiais tais upo ton sophiston gegrammenais.) —writing 346 B.C., a year after the death of Plato, and probably not more than three or four years after the composition of the Laws—who speaks of the Laws and Republics written by philosophers (upo ton sophiston); (3) by the reference (Athen.) of the comic poet Alexis, a younger contemporary of Plato (fl. B.C 356-306), to the enactment about prices, which occurs in Laws xi., viz that the same goods should not be offered at two prices on the same day

(Ou gegone kreitton nomothetes tou plousiou Aristonikou tithesi gar nuni nomon, ton ichthuopolon ostis an polon tini ichthun upotimesas apodot elattonos es eipe times, eis to desmoterion euthus apagesthai touton, ina dedoikotes tes axias agaposin, e tes esperas saprous apantas apopherosin oikade.

Meineke, Frag. Com. Graec.); (4) by the unanimous voice of later antiquity and the absence of any suspicion among ancient writers worth speaking of to the contrary; for it is not said of Philippus of Opus that he composed any part of the Laws, but only that he copied them out of the waxen tablets, and was thought by some to have written the

Epinomis (Diog. Laert.) That the longest and one of the best writings bearing the name of Plato should be a forgery, even if its genuineness were unsupported by external testimony, would be a singular phenomenon in ancient literature; and although the critical worth of the consensus of late writers is generally not to be compared with the express testimony of contemporaries, yet a somewhat greater value may be attributed to their consent in the present instance, because the admission of the Laws is combined with doubts about the Epinomis, a spurious writing, which is a kind of epilogue to the larger work probably of a much later date. This shows that the reception of the Laws was not altogether undiscriminating.

The suspicion which has attached to the Laws of Plato in the judgment of some modern writers appears to rest partly (1) on differences in the style and form of the work, and (2) on differences of thought and opinion which they observe in them. Their suspicion is increased by the fact that these differences are accompanied by resemblances as striking to passages in other Platonic writings. They are sensible of a want of point in the dialogue and a general inferiority in the ideas, plan, manners, and style. They miss the poetical flow, the dramatic verisimilitude, the life and variety of the characters, the dialectic subtlety, the Attic purity, the luminous order, the exquisite urbanity; instead of which they find tautology, obscurity, self-sufficiency, sermonizing, rhetorical declamation, pedantry, egotism, uncouth forms of sentences, and peculiarities in the use of words and idioms. They are unable to discover any unity in the patched, irregular structure. The speculative element both government and education is superseded by a narrow economical or religious vein. The grace and cheerfulness of Athenian life have disappeared; and a spirit of moroseness and religious intolerance has taken their place. The charm of youth is no longer there; the mannerism of age makes itself unpleasantly felt. The connection is often imperfect; and there is a want of arrangement, exhibited especially in the enumeration of the laws towards the end of the work. The Laws are full of flaws and repetitions. The Greek is in places very ungrammatical and intractable. A cynical levity is displayed in some passages, and a tone of disappointment and lamentation over human things in others. The critics seem also to observe in them bad imitations of thoughts which are better expressed in Plato's other writings. Lastly, they wonder how the mind which conceived the Republic could have left the Critias, Hermocrates, and Philosophus incomplete or unwritten, and have devoted the last years of life to the Laws.

The questions which have been thus indirectly suggested may be considered by us under five or six heads: I, the characters; II, the plan; III, the style; IV, the imitations of other writings of Plato; V; the more general relation of the Laws to the Republic and the other dialogues; and VI, to the existing Athenian and Spartan states.

I. Already in the Philebus the distinctive character of Socrates has disappeared; and in the Timaeus, Sophist, and Statesman his function of chief speaker is handed over to the Pythagorean philosopher Timaeus, and to the Eleatic Stranger, at whose feet he sits, and is silent. More and more Plato seems to have felt in his later writings that the character and method of Socrates were no longer suited to be the vehicle of his own philosophy. He is no longer interrogative but dogmatic; not 'a hesitating enquirer,' but one who speaks with the authority of a legislator. Even in the Republic we have seen that the argument which is carried on by Socrates in the old style with Thrasymachus in the first book, soon passes into the form of exposition. In the Laws he is nowhere mentioned. Yet so completely in the tradition of antiquity is Socrates identified with Plato, that in the criticism of the Laws which we find in the so-called

Politics of Aristotle he is supposed by the writer still to be playing his part of the chief speaker (compare Pol.).

The Laws are discussed by three representatives of Athens, Crete, and Sparta. The Athenian, as might be expected, is the protagonist or chief speaker, while the second place is assigned to the Cretan, who, as one of the leaders of a new colony, has a special interest in the conversation. At least four-fifths of the answers are put into his mouth. The Spartan is every inch a soldier, a man of few words himself, better at deeds than words. The Athenian talks to the two others, although they are his equals in age, in the style of a master discoursing to his scholars; he frequently praises himself; he entertains a very poor opinion of the understanding of his companions. Certainly the boastfulness and rudeness of the Laws is the reverse of the refined irony and courtesy which characterize the earlier dialogues. We are no longer in such good company as in the Phaedrus and Symposium. Manners are lost sight of in the earnestness of the speakers, and dogmatic assertions take the place of poetical fancies.

The scene is laid in Crete, and the conversation is held in the course of a walk from Cnosus to the cave and temple of Zeus, which takes place on one of the longest and hottest days of the year. The companions start at dawn, and arrive at the point in their conversation which terminates the fourth book, about noon. The God to whose temple they are going is the lawgiver of Crete, and this may be supposed to be the very cave at which he gave his oracles to Minos. But the externals of the scene, which are briefly and inartistically described, soon disappear, and we plunge abruptly into the subject of the dialogue. We are reminded by contrast of the higher art of the Phaedrus, in which the summer's day, and the cool stream, and the chirping of the grasshoppers, and the fragrance of the agnus castus, and

the legends of the place are present to the imagination throughout the discourse.

The typical Athenian apologizes for the tendency of his countrymen 'to spin a long discussion out of slender materials,' and in a similar spirit the Lacedaemonian Megillus apologizes for the Spartan brevity (compare Thucydid.), acknowledging at the same time that there may be occasions when long discourses are necessary. The family of Megillus is the proxenus of Athens at Sparta; and he pays a beautiful compliment to the Athenian, significant of the character of the work, which, though borrowing many elements from Sparta, is also pervaded by an Athenian spirit. A good Athenian, he says, is more than ordinarily he is inspired by nature good, because and manufactured by law. The love of listening which is attributed to the Timocrat in the Republic is also exhibited in him. The Athenian on his side has a pleasure in speaking to the Lacedaemonian of the struggle in which their ancestors were jointly engaged against the Persians. A connexion with Athens is likewise intimated by the Cretan Cleinias. He is the relative of Epimenides, whom, by an anachronism of a century,—perhaps arising as Zeller suggests (Plat. Stud.) out of a confusion of the visit of Epimenides and Diotima (Symp.),—he describes as coming to Athens, not after the attempt of Cylon, but ten years before the Persian war. The Cretan and Lacedaemonian hardly contribute at all to the argument of which the Athenian is the expounder; they only supply information when asked about the institutions of their respective countries. A kind of simplicity or stupidity is ascribed to them. At first, they are dissatisfied with the free criticisms which the Athenian passes upon the laws of Minos and Lycurgus, but they acquiesce in his greater experience and knowledge of the world. They admit that there can be no objection to the enquiry; for in the spirit of the legislator himself, they are discussing his laws when there are no young men present to listen. They are unwilling to allow that the Spartan and Cretan lawgivers can have been mistaken in honouring courage as the first part of virtue, and are puzzled at hearing for the first time that 'Goods are only evil to the evil.' Several times they are on the point of guarrelling, and by an effort learn to restrain their natural feeling (compare Shakespeare, Henry V, act iii. sc. 2). In Book vii., the Lacedaemonian expresses a momentary irritation at the accusation which the Athenian institutions. of the Spartan encouraging against licentiousness in their women, but he is reminded by the Cretan that the permission to criticize them freely has been given, and cannot be retracted. His only criterion of truth is the authority of the Spartan lawgiver; he is 'interested,' in the novel speculations of the Athenian, but inclines to prefer the ordinances of Lycurgus.

The three interlocutors all of them speak in the character of old men, which forms a pleasant bond of union between them. They have the feelings of old age about youth, about the state, about human things in general. Nothing in life seems to be of much importance to them; they are spectators rather than actors, and men in general appear to the Athenian speaker to be the playthings of the Gods and of circumstances. Still they have a fatherly care of the young, and are deeply impressed by sentiments of religion. They would give confidence to the aged by an increasing use of wine, which, as they get older, is to unloose their tongues and make them sing. The prospect of the existence of the soul after death is constantly present to them; though they can hardly be said to have the cheerful hope and resignation which animates Socrates in the Phaedo or Cephalus in the Republic. Plato appears to be expressing his own feelings in remarks of this sort. For at the time of writing the first book of the Laws he was at least seventyfour years of age, if we suppose him to allude to the victory of the Syracusans under Dionysius the Younger over the Locrians, which occurred in the year 356. Such a sadness was the natural effect of declining years and failing powers, which make men ask, 'After all, what profit is there in life?' They feel that their work is beginning to be over, and are ready to say, 'All the world is a stage;' or, in the actual words of Plato, 'Let us play as good plays as we can,' though 'we must be sometimes serious, which is not agreeable, but necessary.' These are feelings which have crossed the minds of reflective persons in all ages, and there is no reason to connect the Laws any more than other parts of Plato's writings with the very uncertain narrative of his life, or to imagine that this melancholy tone is attributable to disappointment at having failed to convert a Sicilian tyrant into a philosopher.

II. The plan of the Laws is more irregular and has less connexion than any other of the writings of Plato. As Aristotle says in the Politics, 'The greater part consists of laws'; in Books v, vi, xi, xii the dialogue almost entirely disappears. Large portions of them are rather the materials for a work than a finished composition which may rank with the other Platonic dialogues. To use his own image, 'Some stones are regularly inserted in the building; others are lying on the ground ready for use.' There is probably truth in the tradition that the Laws were not published until after the death of Plato. We can easily believe that he has left imperfections, which would have been removed if he had lived a few years longer. The arrangement might have been improved; the connexion of the argument might have been made plainer, and the sentences more accurately framed. Something also may be attributed to the feebleness of old age. Even a rough sketch of the Phaedrus or Symposium would have had a very different look. There is, however, an interest in possessing one writing of Plato which is in the process of creation.

We must endeavour to find a thread of order which will carry us through this comparative disorder. The first four books are described by Plato himself as the preface or preamble. Having arrived at the conclusion that each law should have a preamble, the lucky thought occurs to him at the end of the fourth book that the preceding discourse is the preamble of the whole. This preamble or introduction may be abridged as follows:—

The institutions of Sparta and Crete are admitted by the Lacedaemonian and Cretan to have one aim only: they were intended by the legislator to inspire courage in war. To this the Athenian objects that the true lawgiver should frame his laws with a view to all the virtues and not to one only. Better is he who has temperance as well as courage, than he who has courage only; better is he who is faithful in civil broils, than he who is a good soldier only. Better, too, is peace than war; the reconciliation than the defeat of an enemy. And he who would attain all virtue should be trained amid pleasures pains. Hence there should be convivial well as intercourse among the citizens, and a man's temperance should be tested in his cups, as we test his courage amid dangers. He should have a fear of the right sort, as well as a courage of the right sort.

At the beginning of the second book the subject of pleasure leads to education, which in the early years of life is wholly a discipline imparted by the means of pleasure and pain. The discipline of pleasure is implanted chiefly by the practice of the song and the dance. Of these the forms should be fixed, and not allowed to depend on the fickle breath of the multitude. There will be choruses of boys, girls, and grown-up persons, and all will be heard repeating the same strain, that 'virtue is happiness.' One of them will give the law to the rest; this will be the chorus of aged minstrels, who will sing the most beautiful and the most

useful of songs. They will require a little wine, to mellow the austerity of age, and make them amenable to the laws.

After having laid down as the first principle of politics, that peace, and not war, is the true aim of the legislator, and briefly discussed music and festive intercourse, at the commencement of the third book Plato makes a digression, in which he speaks of the origin of society. He describes, first of all, the family; secondly, the patriarchal stage, which is an aggregation of families; thirdly, the founding of regular cities, like Ilium; fourthly, the establishment of a military and political system, like that of Sparta, with which he identifies Argos and Messene, dating from the return of the Heraclidae. But the aims of states should be good, or else, like the prayer of Theseus, they may be ruinous to themselves. This was the case in two out of three of the Heracleid kingdoms. They did not understand that the powers in a state should be balanced. The balance of powers saved Sparta, while the excess of tyranny in Persia and the excess of liberty at Athens have been the ruin of both...This discourse on politics is suddenly discovered to have an immediate practical use; for Cleinias the Cretan is about to give laws to a new colony.

At the beginning of the fourth book, after enquiring into the circumstances and situation of the colony, the Athenian proceeds to make further reflections. Chance, and God, and the skill of the legislator, all co-operate in the formation of states. And the most favourable condition for the foundation of a new one is when the government is in the hands of a virtuous tyrant who has the good fortune to be the contemporary of a great legislator. But a virtuous tyrant is a contradiction in terms; we can at best only hope to have magistrates who are the servants of reason and the law. This leads to the enquiry, what is to be the polity of our new state. And the answer is, that we are to fear God, and honour our parents, and to cultivate virtue and justice;

these are to be our first principles. Laws must be definite, and we should create in the citizens a predisposition to obey them. The legislator will teach as well as command; and with this view he will prefix preambles to his principal laws.

The fifth book commences in a sort of dithyramb with another and higher preamble about the honour due to the soul, whence are deduced the duties of a man to his parents and his friends, to the suppliant and stranger. He should be true and just, free from envy and excess of all sorts, forgiving to crimes which are not incurable and are partly involuntary; and he should have a true taste. The noblest life has the greatest pleasures and the fewest pains...Having finished the preamble, and touched on some preliminary considerations, we proceed to the Laws, beginning with the constitution of the state. This is not the best or ideal state, having all things common, but only the second-best, in which the land and houses are to be distributed among 5040 citizens divided into four classes. There is to be no gold or silver among them, and they are to have moderate wealth, and to respect number and numerical order in all things.

In the first part of the sixth book, Plato completes his sketch of the constitution by the appointment of officers. He explains the manner in which guardians of the law, generals, priests, wardens of town and country, ministers of education, and other magistrates are to be appointed; and also in what way courts of appeal are to be constituted, and omissions in the law to be supplied. Next—and at this point the Laws strictly speaking begin—there follow enactments respecting marriage and the procreation of children, respecting property in slaves as well as of other kinds, respecting houses, married life, common tables for men and women. The question of age in marriage suggests the consideration of a similar question about the time for

holding offices, and for military service, which had been previously omitted.

Resuming the order of the discussion, which was indicated in the previous book, from marriage and birth we proceed to education in the seventh book. Education is to begin at or rather before birth; to be continued for a time by mothers and nurses under the supervision of the state; finally, to comprehend music and gymnastics. Under music is included reading, writing, playing on the lyre, arithmetic, geometry, and a knowledge of astronomy sufficient to preserve the minds of the citizens from impiety in after-life. Gymnastics are to be practised chiefly with a view to their use in war. The discussion of education, which was lightly touched upon in Book ii, is here completed.

The eighth book contains regulations for civil life, beginning with festivals, games, and contests, military exercises and the like. On such occasions Plato seems to see young men and maidens meeting together, and hence he is led into discussing the relations of the sexes, the evil consequences which arise out of the indulgence of the passions, and the remedies for them. Then he proceeds to speak of agriculture, of arts and trades, of buying and selling, and of foreign commerce.

The remaining books of the Laws, ix-xii, are chiefly concerned with criminal offences. In the first class are placed offences against the Gods, especially sacrilege or robbery of temples: next follow offences against the state,—conspiracy, treason, theft. The mention of thefts suggests a distinction between voluntary and involuntary, curable and incurable offences. Proceeding to the greater crime of homicide, Plato distinguishes between mere homicide, manslaughter, which is partly voluntary and partly involuntary, and murder, which arises from avarice, ambition, fear. He also enumerates murders by kindred, murders by slaves, wounds with or without intent to kill,

wounds inflicted in anger, crimes of or against slaves, insults to parents. To these, various modes of purification or degrees of punishment are assigned, and the terrors of another world are also invoked against them.

At the beginning of Book x, all acts of violence, including sacrilege, are summed up in a single law. The law is preceded by an admonition, in which the offenders are informed that no one ever did an unholy act or said an unlawful word while he retained his belief in the existence of the Gods; but either he denied their existence, or he believed that they took no care of man, or that they might be turned from their course by sacrifices and prayers. The remainder of the book is devoted to the refutation of these three classes of unbelievers, and concludes with the means to be taken for their reformation, and the announcement of their punishments if they continue obstinate and impenitent.

The eleventh book is taken up with laws and with admonitions relating to individuals, which follow another without any exact order. There are laws concerning deposits and the finding of treasure; concerning slaves and freedmen; concerning retail trade, bequests, divorces, enchantments, poisonings, magical arts, and the like. In the twelfth book the same subjects are continued. Laws are passed concerning violations of military discipline, concerning the high office of the examiners and their burial; concerning oaths and the violation of them, and the punishments of those who neglect their duties as citizens. Foreign travel is then discussed, and the permission to be accorded to citizens of journeying in foreign parts; the strangers who may come to visit the city are also spoken of, and the manner in which they are to be received. Laws are added respecting sureties, searches for property, right of by prescription, abduction of witnesses, possession theatrical competition, waging of private warfare, and

bribery in offices. Rules are laid down respecting taxation, respecting economy in sacred rites, respecting judges, their duties and sentences, and respecting sepulchral places and ceremonies. Here the Laws end. Lastly, a Nocturnal Council is instituted for the preservation of the state, consisting of older and younger members, who are to exhibit in their lives that virtue which is the basis of the state, to know the one in many, and to be educated in divine and every other kind of knowledge which will enable them to fulfil their office.

- III. The style of the Laws differs in several important respects from that of the other dialogues of Plato: (1) in the want of character, power, and lively illustration; (2) in the frequency of mannerisms (compare Introduction to the Philebus); (3) in the form and rhythm of the sentences; (4) in the use of words. On the other hand, there are many passages (5) which are characterized by a sort of ethical grandeur; and (6) in which, perhaps, a greater insight into human nature, and a greater reach of practical wisdom is shown, than in any other of Plato's writings.
- 1. The discourse of the three old men is described by themselves as an old man's game of play. Yet there is little of the liveliness of a game in their mode of treating the subject. They do not throw the ball to and fro, but two out of the three are listeners to the third, who is constantly his superior wisdom and opportunities asserting knowledge, and apologizing (not without reason) for his own want of clearness of speech. He will 'carry them over the stream;' he will answer for them when the argument is beyond their comprehension; he is afraid of their ignorance of mathematics, and thinks that gymnastic is likely to be more intelligible to them;—he has repeated his words several times, and yet they cannot understand him. The subject did not properly take the form of dialogue, and also the literary vigour of Plato had passed away. The old men speak as they might be expected to speak, and in this there

is a touch of dramatic truth. Plato has given the Laws that form or want of form which indicates the failure of natural power. There is no regular plan—none of that consciousness of what has preceded and what is to follow, which makes a perfect style,—but there are several attempts at a plan; the argument is 'pulled up,' and frequent explanations are offered why a particular topic was introduced.

The fictions of the Laws have no longer the verisimilitude which is characteristic of the Phaedrus and the Timaeus, or even of the Statesman. We can hardly suppose that an educated Athenian would have placed the visit Epimenides to Athens ten years before the Persian war, or have imagined that a war with Messene prevented the Lacedaemonians from coming to the rescue of Hellas. The narrative of the origin of the Dorian institutions, which are said to have been due to a fear of the growing power of the Assyrians, is a plausible invention, which may be compared with the tale of the island of Atlantis and the poem of Solon, but is not accredited by similar arts of deception. The other statement that the Dorians were Achaean exiles assembled by Dorieus, and the assertion that Troy was included in the Assyrian Empire, have some foundation (compare for the latter point, Diod. Sicul.). Nor is there anywhere in the Laws that lively enargeia, that vivid mise en scene, which is as characteristic of Plato as of some modern novelists.

The old men are afraid of the ridicule which 'will fall on their heads more than enough,' and they do not often indulge in a joke. In one of the few which occur, the book of the Laws, if left incomplete, is compared to a monster wandering about without a head. But we no longer breathe the atmosphere of humour which pervades the Symposium and the Euthydemus, in which we pass within a few sentences from the broadest Aristophanic joke to the subtlest refinement of wit and fancy; instead of this, in the Laws an impression of baldness and feebleness is often left

upon our minds. Some of the most amusing descriptions, as, for example, of children roaring for the first three years of life; or of the Athenians walking into the country with fighting-cocks under their arms; or of the slave doctor who knocks about his patients finely; and the gentleman doctor who courteously persuades them; or of the way of keeping order in the theatre, 'by a hint from a stick,' are narrated with a commonplace gravity; but where we find this sort of dry humour we shall not be far wrong in thinking that the writer intended to make us laugh. The seriousness of age takes the place of the jollity of youth. Life should have holidays and festivals; yet we rebuke ourselves when we laugh, and take our pleasures sadly. The irony of the earlier dialogues, of which some traces occur in the tenth book, is replaced by a severity which hardly condescends to regard human things. 'Let us say, if you please, that man is of some account, but I was speaking of him in comparison with God.'

The imagery and illustrations are poor in themselves, and are not assisted by the surrounding phraseology. We have seen how in the Republic, and in the earlier dialogues, figures of speech such as 'the wave,' 'the drone,' 'the chase,' 'the bride,' appear and reappear at intervals. Notes are struck which are repeated from time to time, as in a strain of music. There is none of this subtle art in the Laws. The illustrations, such as the two kinds of doctors, 'the three kinds of funerals,' the fear potion, the puppet, the painter leaving a successor to restore his picture, the 'person stopping to consider where three ways meet,' the 'old laws about water of which he will not divert the course.' can hardly be said to do much credit to Plato's invention. The citations from the poets have lost that fanciful character which gave them their charm in the earlier dialogues. We are tired of images taken from the arts of navigation, or archery, or weaving, or painting, or medicine, or music. Yet the comparisons of life to a tragedy, or of the working of mind to the revolution of the self-moved, or of the aged parent to the image of a God dwelling in the house, or the reflection that 'man is made to be the plaything of God, and that this rightly considered is the best of him,' have great beauty.

2. The clumsiness of the style is exhibited in frequent mannerisms and repetitions. The perfection of the Platonic dialogue consists in the accuracy with which the question and answer are fitted into one another, and the regularity with which the steps of the argument succeed one another. This finish of style is no longer discernible in the Laws. There is a want of variety in the answers; nothing can be drawn out of the respondents but 'Yes' or 'No,' 'True,' 'To be sure,' etc.; the insipid forms, 'What do you mean?' 'To what are you referring?' are constantly returning. Again and again the speaker is charged, or charges himself, with obscurity; and he repeats again and again that he will explain his views more clearly. The process of thought which should be latent in the mind of the writer appears on the surface. In several the Athenian praises himself in the passages unblushing manner, very unlike the irony of the earlier dialogues, as when he declares that 'the laws are a divine work given by some inspiration of the Gods,' and that 'youth should commit them to memory instead of the compositions of the poets.' The prosopopoeia which is adopted by Plato in the Protagoras and other dialogues is repeated until we grow weary of it. The legislator is always addressing the speakers or the youth of the state, and the speakers are constantly making addresses to the legislator. A tendency to a paradoxical manner of statement is also observable. 'We must have drinking,' 'we must have a virtuous tyrant'—this is too much for the duller wits of the Lacedaemonian and Cretan, who at first start back in surprise. More than in any other writing of Plato the tone is hortatory; the laws are sermons as well as laws; they are considered to have a

religious sanction, and to rest upon a religious sentiment in the mind of the citizens. The words of the Athenian are attributed to the Lacedaemonian and Cretan, who are supposed to have made them their own, after the manner of the earlier dialogues. Resumptions of subjects which have been half disposed of in a previous passage constantly occur: the arrangement has neither the clearness of art nor the freedom of nature. Irrelevant remarks are made here and there, or illustrations used which are not properly fitted in. The dialogue is generally weak and laboured, and is in the later books fairly given up, apparently, because unsuited to the subject of the work. The long speeches or sermons of the Athenian, often extending over several pages, have never the grace and harmony which are exhibited in the earlier dialogues. For Plato is incapable of sustained composition; his genius is dramatic rather than oratorical; he can converse, but he cannot make a speech. Even the Timaeus, which is one of his most finished works, is full of abrupt transitions. There is the same kind of difference between the dialogue and the continuous discourse of Plato as between the narrative and speeches of Thucydides.

3. The perfection of style is variety in unity, freedom, ease, clearness, the power of saying anything, and of striking any note in the scale of human feelings without impropriety; and such is the divine gift of language possessed by Plato in the Symposium and Phaedrus. From this there are many fallings-off in the Laws: first, in the structure of the sentences, which are rhythmical and monotonous,—the formal and sophistical manner of the age is superseding the natural genius of Plato: secondly, many of them are of enormous length, and the latter end often forgets the beginning of them,—they seem never to have received the second thoughts of the author; either the emphasis is wrongly placed, or there is a want of point in a

clause; or an absolute case occurs which is not properly separated from the rest of the sentence; or words are aggregated in a manner which fails to show their relation to one another; or the connecting particles are omitted at the beginning of sentences; the uses of the relative and antecedent are more indistinct, the changes of person and number more frequent, examples of pleonasm, tautology, and periphrasis, antitheses of positive and negative, false emphasis, and other affectations, are more numerous than in the other writings of Plato; there is also a more common and sometimes unmeaning use of qualifying formulae, os epos eipein, kata dunamin, and of double expressions, pante pantos, oudame oudamos, opos kai ope-these are too numerous to be attributed to errors in the text; again, there is an over-curious adjustment of verb and participle, noun and epithet, and other artificial forms of cadence and expression take the place of natural variety: thirdly, the absence of metaphorical language is remarkable—the style is not devoid of ornament, but the ornament is of a debased rhetorical kind, patched on to instead of growing out of the subject; there is a great command of words, and a laboured use of them; forced attempts at metaphor occur in several passages,—e.g. parocheteuein logois; ta men os tithemena ta d os paratithemena; oinos kolazomenos upo nephontos eterou theou; the plays on the word nomos = nou dianome, ode etara: fourthly, there is a foolish extravagance of language in other passages,—'the swinish ignorance of arithmetic;' 'the justice and suitableness of the discourse on laws;' over-emphasis; 'best of Greeks,' said of all the Greeks, and the like: fifthly, poor and insipid illustrations are also common: sixthly, we may observe an excessive use of climax and hyperbole, aischron legein chre pros autous doulon te kai doulen kai paida kai ei pos oion te olen ten oikian: dokei touto to epitedeuma kata phusin tas peri ta aphrodisia edonas ou monon anthropon alla kai therion diephtharkenai.

4. The peculiarities in the use of words which occur in the Laws have been collected by Zeller (Platonische Studien) and Stallbaum (Legg.): first, in the use of nouns, such as allodemia, apeniautesis, glukuthumia, diatheter, thrasuxenia, koros, megalonoia, paidourgia: secondly, in the use of adjectives, such as aistor, biodotes, echthodopos, eitheos, chronios, and of adverbs, such as aniditi, anatei, nepoivei: thirdly, in the use of verbs, such as athurein, aissein (aixeien eipein), euthemoneisthai, parapodizesthai, sebein, temelein, tetan. These words however, as Stallbaum remarks, are formed according to analogy, and nearly all of them have the support of some poetical or other authority.

Zeller and Stallbaum have also collected forms of words in the Laws, differing from the forms of the same words which occur in other places: e.g. blabos for blabe, abios for abiotos, acharistos for acharis, douleios for doulikos, paidelos for paidikos, exagrio for exagriaino, ileoumai for ilaskomai, and the Ionic word sophronistus, meaning 'correction.' Zeller has noted a fondness for substantives ending in -ma and -sis, such as georgema, diapauma, epithumema, zemioma, komodema, omilema; blapsis, loidoresis. paraggelsis, and others: also use а substantives in the plural, which are commonly found only in the singular, maniai, atheotetes, phthonoi, phoboi, phuseis; also, a peculiar use of prepositions in composition, apoblapto, dianomotheteo, eneirao. dieulabeisthai, and other words; also, a frequent occurrence of the Ionic datives plural in -aisi and -oisi, perhaps used for the sake of giving an ancient or archaic effect.

To these peculiarities of words he has added a list of peculiar expressions and constructions. Among the most characteristic are the following: athuta pallakon spermata; amorphoi edrai; osa axiomata pros archontas; oi kata polin kairoi; muthos, used in several places of 'the discourse about laws;' and connected with this the frequent use of

paramuthion and paramutheisthai in the general sense of 'address,' 'addressing'; aimulos eros; ataphoi praxeis; muthos akephalos; ethos euthuporon. He remarks also on the frequent employment of the abstract for the concrete; e.g. uperesia for uperetai, phugai for phugades, mechanai in the sense of 'contrivers,' douleia for douloi, basileiai for basileis, mainomena kedeumata for ganaika mainomenen; e chreia ton paidon in the sense of 'indigent children,' and paidon ikanotes; to ethos tes apeirias for e eiothuia apeiria; kuparitton upse te kai kalle thaumasia for kuparittoi mala upselai kai kalai. He further notes some curious uses of the genitive case, e.g. philias omologiai, maniai laimargiai edones, cheimonon anupodesiai, anosioi plegon tolmai; and of the dative, omiliai echthrois, nomothesiai, anosioi plegon tolmai; and of the dative omiliai echthrois, nomothesiai epitropois; and also some rather uncommon periphrases, thremmata Neilou, xuggennetor teknon for alochos, Mouses lexis for poiesis, zographon anthropon spermata and the like; the fondness for particles of limitation, especially tis and ge, sun tisi charisi, tois ge dunamenois and the like; the pleonastic use of tanun, of os, of os eros eipein, of ekastote; and the periphrastic use of the preposition peri. Lastly, he observes the tendency to hyperbata or transpositions of words, and to rhythmical uniformity as well as grammatical irregularity in the structure of the sentences.

For nearly all the expressions which are adduced by Zeller as arguments against the genuineness of the Laws, Stallbaum finds some sort of authority. There is no real ground for doubting that the work was written by Plato, merely because several words occur in it which are not found in his other writings. An imitator may preserve the usual phraseology of a writer better than he would himself. But, on the other hand, the fact that authorities may be quoted in support of most of these uses of words, does not

show that the diction is not peculiar. Several of them seem to be poetical or dialectical, and exhibit an attempt to enlarge the limits of Greek prose by the introduction of Homeric and tragic expressions. Most of them do not appear to have retained any hold on the later language of Greece. Like several experiments in language of the writers of the Elizabethan age, they were afterwards lost; and though occasionally found in Plutarch and imitators of Plato, they have not been accepted by Aristotle or passed into the common dialect of Greece.

5. Unequal as the Laws are in style, they contain a few passages which are very grand and noble. For example, the address to the poets: 'Best of strangers, we also are poets of the best and noblest tragedy; for our whole state is an imitation of the best and noblest life, which we affirm to be indeed the very truth of tragedy.' Or again, the sight of young men and maidens in friendly intercourse with one another, suggesting the dangers to which youth is liable from the violence of passion; or the eloquent denunciation of unnatural lusts in the same passage; or the charming thought that the best legislator 'orders war for the sake of peace and not peace for the sake of war;' or the pleasant allusion, 'O Athenian—inhabitant of Attica, I will not say, for you seem to me worthy to be named after the Goddess Athene because you go back to first principles;' or the pithy saying, 'Many a victory has been and will be suicidal to the victors, but education is never suicidal;' or the fine expression that 'the walls of a city should be allowed to sleep in the earth, and that we should not attempt to disinter them;' or the remark that 'God is the measure of all things in a sense far higher than any man can be;' or that 'a man should be from the first a partaker of the truth, that he may live a true man as long as possible; or the principle repeatedly laid down, that 'the sins of the fathers are not to be visited on the children;' or the description of the funeral

rites of those priestly sages who depart in innocence; or the noble sentiment, that we should do more justice to slaves than to equals; or the curious observation, founded, perhaps, on his own experience, that there are a few 'divine men in every state however corrupt, whose conversation is of inestimable value; or the acute remark, that public opinion is to be respected, because the judgments of mankind about virtue are better than their practice; or the deep religious and also modern feeling which pervades the tenth book (whatever may be thought of the arguments); the sense of the duty of living as a part of a whole, and in dependence on the will of God, who takes care of the least things as well as the greatest; and the picture of parents praying for their children—not as we may say, slightly altering the words of Plato, as if there were no truth or reality in the Gentile religions, but as if there were the greatest—are very striking to us. We must remember that the Laws, unlike the Republic, do not exhibit an ideal state, but are supposed to be on the level of human motives and feelings; they are also on the level of the popular religion, though elevated and purified: hence there is an attempt made to show that the pleasant is also just. But, on the other hand, the priority of the soul to the body, and of God to the soul, is always insisted upon as the true incentive to virtue; especially with great force and eloquence at the commencement of Book v. And the work of legislation is carried back to the first principles of morals.

6. No other writing of Plato shows so profound an insight into the world and into human nature as the Laws. That 'cities will never cease from ill until they are better governed,' is the text of the Laws as well as of the Statesman and Republic. The principle that the balance of power preserves states; the reflection that no one ever passed his whole life in disbelief of the Gods; the remark that the characters of men are best seen in convivial

intercourse; the observation that the people must be allowed to share not only in the government, but in the administration of justice; the desire to make laws, not with a view to courage only, but to all virtue; the clear perception that education begins with birth, or even, as he would say, before birth; the attempt to purify religion; the modern reflections, that punishment is not vindictive, and that limits must be set to the power of bequest; the impossibility of undeceiving the victims of quacks and jugglers; the provision for water, and for other requirements of health, and for concealing the bodies of the dead with as little hurt as possible to the living; above all, perhaps, the distinct consciousness that under the actual circumstances of mankind the ideal cannot be carried out, and yet may be a guiding principle—will appear to us, if we remember that we are still in the dawn of politics, to show a great depth of political wisdom.

IV. The Laws of Plato contain numerous passages which closely resemble other passages in his writings. And at first sight a suspicion arises that the repetition shows the unequal hand of the imitator. For why should a writer say over again, in a more imperfect form, what he had already said in his most finished style and manner? And yet it may be urged on the other side that an author whose original powers are beginning to decay will be very liable to repeat himself, as in conversation, so in books. He may have forgotten what he had written before: mav he unconscious of the decline of his own powers. Hence arises a question of great interest, bearing on the genuineness of ancient writers. Is there any criterion by which we can distinguish the genuine resemblance from the spurious, or, in other words, the repetition of a thought or passage by an author himself from the appropriation of it by another? The question has, perhaps, never been fully discussed; and,

though a real one, does not admit of a precise answer. A few general considerations on the subject may be offered:—

(a) Is the difference such as might be expected to arise at different times of life or under different circumstances?— There would be nothing surprising in a writer, as he grew older, losing something of his own originality, and falling more and more under the spirit of his age. 'What a genius I had when I wrote that book!' was the pathetic exclamation of a famous English author, when in old age he chanced to take up one of his early works. There would be nothing surprising again in his losing somewhat of his powers of expression, and becoming less capable of framing language into a harmonious whole. There would also be a strong presumption that if the variation of style was uniform, it was attributable to some natural cause, and not to the arts of the imitator. The inferiority might be the result of feebleness and of want of activity of mind. But the natural weakness of a great author would commonly be different from the artificial weakness of an imitator; it would be continuous and uniform. The latter would be apt to fill his work with irregular patches, sometimes taken verbally from the writings of the author whom he personated, but rarely acquiring his spirit. His imitation would be obvious, irregular, superficial. The patches of purple would be easily detected among his threadbare and tattered garments. He would rarely take the pains to put the same thought into other words. There were many forgeries in English literature which attained a considerable degree of success 50 or 100 years ago; but it is doubtful whether attempts such as these could now escape detection, if there were any writings of the same author or of the same age to be compared with them. And ancient forgers were much less skilful than modern; they were far from being masters in the art of deception, and had rarely any motive for being so.

- (b) But, secondly, the imitator will commonly be least capable of understanding or imitating that part of a great writer which is most characteristic of him. In every man's writings there is something like himself and unlike others, which gives individuality. To appreciate this latent quality would require a kindred mind, and minute study and observation. There are a class of similarities which may be called undesigned coincidences, which are so remote as to be incapable of being borrowed from one another, and yet, when they are compared, find a natural explanation in their being the work of the same mind. The imitator might copy the turns of style—he might repeat images or illustrations, but he could not enter into the inner circle of Platonic philosophy. He would understand that part of it which became popular in the next generation, as for example, the doctrine of ideas or of numbers: he might approve of communism. But the higher flights of Plato about the science of dialectic, or the unity of virtue, or a person who is above the law, would be unintelligible to him.
- (c) The argument from imitation assumes a different character when the supposed imitations are associated with other passages having the impress of original genius. The strength of the argument from undesigned coincidences of style is much increased when they are found side by side with thoughts and expressions which can only have come from a great original writer. The great excellence, not only of the whole, but even of the parts of writings, is a strong proof of their genuineness—for although the great writer may fall below, the forger or imitator cannot rise much above himself. Whether we can attribute the worst parts of a work to a forger and the best to a great writer,—as for example, in the case of some of Shakespeare's plays,—depends upon the probability that they have been interpolated, or have been the joint work of two writers; and this can only be established either by express evidence or by a comparison

of other writings of the same class. If the interpolation or double authorship of Greek writings in the time of Plato could be shown to be common, then a question, perhaps insoluble, would arise, not whether the whole, but whether parts of the Platonic dialogues are genuine, and, if parts only, which parts. Hebrew prophecies and Homeric poems and Laws of Manu may have grown together in early times, but there is no reason to think that any of the dialogues of Plato is the result of a similar process of accumulation. It is therefore rash to say with Oncken (Die Staatslehre des Aristoteles) that the form in which Aristotle knew the Laws of Plato must have been different from that in which they have come down to us.

It must be admitted that these principles are difficult of application. Yet a criticism may be worth making which rests only on probabilities or impressions. Great disputes will arise about the merits of different passages, about what is truly characteristic and original or trivial and borrowed. Many have thought the Laws to be one of the greatest of Platonic writings, while in the judgment of Mr. Grote they hardly rise above the level of the forged epistles. The manner in which a writer would or would not have written at a particular time of life must be acknowledged to be a matter of conjecture. But enough has been said to show that similarities of a certain kind, whether criticism is able to detect them or not, may be such as must be attributed to an original writer, and not to a mere imitator.

(d) Applying these principles to the case of the Laws, we have now to point out that they contain the class of refined or unconscious similarities which are indicative of genuineness. The parallelisms are like the repetitions of favourite thoughts into which every one is apt to fall unawares in conversation or in writing. They are found in a work which contains many beautiful and remarkable passages. We may therefore begin by claiming this

presumption in their favour. Such undesigned coincidences, as we may venture to call them, are the following. The conception of justice as the union of temperance, wisdom, courage (Laws; Republic): the latent idea of dialectic implied in the notion of dividing laws after the kinds of virtue (Laws); the approval of the method of looking at one idea gathered from many things, 'than which a truer was never discovered by any man' (compare Republic): or again the description of the Laws as parents (Laws; Republic): the assumption that religion has been already settled by the oracle of Delphi (Laws; Republic), to which an appeal is also made in special cases (Laws): the notion of the battle with self, a paradox for which Plato in a manner apologizes both in the Laws and the Republic: the remark (Laws) that just men, even when they are deformed in body, may still be perfectly beautiful in respect of the excellent justice of their minds (compare Republic): the argument that ideals are none the worse because they cannot be carried out (Laws; Republic): the near approach to the idea of good in 'the principle which is common to all the four virtues,' a truth which the guardians must be compelled to recognize (Laws; compare Republic): or again the recognition by reason of the right pleasure and pain, which had previously been matter of habit (Laws; Republic): or the blasphemy of saying that the excellency of music is to give pleasure (Laws; Republic): again the story of the Sidonian Cadmus (Laws), which is a variation of the Phoenician tale of the earth-born men (Republic): the comparison of philosophy to a yelping she-dog, both in the Republic and in the Laws: the remark that no man can practise two trades (Laws; Republic): or the advantage of the middle condition (Laws; Republic): the tendency to speak of principles as moulds or forms; compare the ekmageia of song (Laws), and the tupoi of religion (Republic): or the remark (Laws) that 'the relaxation of justice makes many cities out of one,' which may be compared with the Republic: or the description

lawlessness 'creeping in little by little in the fashions of music and overturning all things,'—to us a paradox, but to Plato's mind a fixed idea, which is found in the Laws as well as in the Republic: or the figure of the parts of the human body under which the parts of the state are described (Laws; Republic): the apology for delay and diffuseness, which occurs not unfrequently in the Republic, is carried to an excess in the Laws (compare Theaet.): the remarkable thought (Laws) that the soul of the sun is better than the sun, agrees with the relation in which the idea of good stands to the sun in the Republic, and with the substitution of mind for the idea of good in the Philebus: the passage about the tragic poets (Laws) agrees generally with the treatment of them in the Republic, but is more finely conceived, and worked out in a nobler spirit. Some lesser similarities of thought and manner should not be omitted, such as the mention of the thirty years' old students in the Republic, and the fifty years' old choristers in the Laws; or the making of the citizens out of wax (Laws) compared with the other image (Republic); or the number of the tyrant (729), which is NEARLY equal with the number of days and nights in the year (730), compared with the 'slight correction' of the sacred number 5040, which is divisible by all the numbers from 1 to 12 except 11, and divisible by 11, if two families be deducted; or once more, we may compare the ignorance of solid geometry of which he complains in the Republic and the puzzle about fractions with the difficulty in the Laws about commensurable incommensurable quantities—and the malicious emphasis on the word gunaikeios (Laws) with the use of the same word (Republic). These and similar passages tend to show that the author of the Republic is also the author of the Laws. They are echoes of the same voice, expressions of the same mind, coincidences too subtle to have been invented by the ingenuity of any imitator. The force of the argument is increased, if we remember that no passage in the Laws is