

Classical democracy: a model for the modern world?

KENNETH ROYCE MOORE *says that the story of Athenian democracy should give pause to today's utopians*

Plato's *Laws* proposes a unique and interesting form of government for the hypothetical city-state (*polis*) outlined there and called Magnesia. It is on the one hand nominally a system of participatory democracy with a lively political culture. On the other, it is an authoritarian state, ruled by an elite and secretive council that carefully scrutinises its subjects and interferes in their lives in ways that today conjure shadows of the bygone Soviet Union. The electoral system is set up so that those in power may remove any potentially unwanted candidate. And the unelected, supreme council (known as the Vigilance Committee or *synlogos nukterinos*) which has final say over the interpretation of the law and being the only ones invested with the ability to change the law, have close ties with the official state religion so as, to the modern reader, to recollect the Assembly of Experts of the Leadership in post-revolutionary Iran. The Vigilance Committee has at its disposal the highly trained Guardians of the Laws as their agents of enforcement with the state-sanctioned monopoly on violence.

Education, religion and the legal system reinforce patriotism and obedience to the Magnesian authorities. From their days as students in its state-run schools, all citizens of Magnesia, whatever their abilities, will be impressed with a sense of obedience and conformity to their constitution and the importance of each fulfilling his/her proper role in society. A young Magnesian may grow up to become one of the many citizens whose underlying purpose is to practice virtue (but not to partake of higher political offices) or, if their aptitude so admits, they may become a Guardian of the Laws or even a member of the powerful *nukterinos* council. The Magnesian education represents a fundamental means of social control and ideological inculcation from a very early age and thus functions as an agent for the perpetuation of such state-sanctioned ideals as obedience, liberty (which is here specially defined with respect to obedience) intelligence



DEREK TURNER

(also specifically defined) and civic concord. This is in part considered necessary considering the degrees of freedom of choice that the Athenian Stranger allows his citizens in terms of their political system.

We can try to approach Magnesia as if it were a real *polis* of the ancient world, informed by our knowledge of that era, and attempt to grasp its characteristics. Property law is one of many areas of life directly regulated by the Magnesian state and it gives us some indication as to the *polis'* potential population.

Balance is to be maintained in Magnesia through permanent marriages with an economic basis in land-division.¹ Each of the prescribed 5,040 land units is divided into two parts and no citizen may have more land than any other. Any population surplus exceeding that which can be reasonably contained within the 5,040 family units will be shipped off to a colony.² Here too is another difference in terms of Magnesia's semi-private landholdings based on the family unit as opposed to the communal property of the *Republic*.³ One may refer to them as semi-private since these lots can never be purchased or sold. I estimate the total population to be approximately 30,240 citizens (male and female, including children). If we take Greaves approximation of 50%, and there is every reason to imagine this figure to be applicable to Magnesia if not a higher one, then we may assume a total population of citizens and their slaves living in the urban centre at around 60,480.⁴ This does not, of course, take into account those citizens and slaves who reside mainly on the country estates outwith the urban centre, the resident aliens (mainly ambassadors, merchants and educators) or state-owned, municipal slaves who maintain infrastructure and are quartered in the city.⁵ In fact, I am tempted to add another 5,040 or more slaves to the total given that each hoplite is likely to have a slave to bear his or (perhaps in some cases) *her* arms; however, I will allow the possibility of other slaves, already accounted for, performing a double duty.⁶ An attempt to estimate the total population for Magnesia, including slaves and resident aliens, with roughly 3 square kilometres containing the urban centre and 258 for the hinterland, gives figures of around 150,700 persons occupying about 261 square kilometres. Even when taken conservatively, these figures represent a significant civic population to be governed by ancient or modern standards.

In addition to including women in some public roles, albeit to a clearly limited extent, Plato's narrator has also admitted an uncharacteristically high degree of democracy into the second-best *polis*. Its size may necessitate such an extensively bureaucratic system and it makes economic sense to take advantage of their superior education and moulded judgement to put the populace to work at governing itself. Magnesia's partially democratic election system is also moderated by the hypothetical society's other peculiarities. As Bobonich says, this political activity on the part of the Magnesians,

“that is, participation in the social institutions of the just city aimed at furthering the common good, is good in itself and forms an important part of each citizen's happiness”.⁷

All citizens, engaged as they are in the pursuit of *arete* (virtue/excellence), should possess a better *techne* (skill, specialised knowledge) for political decisions than the populace of the average Greek democracy. This utopianisation of democracy is part of the reason why Magnesian women are granted such an

unprecedented political status.

Politicians are not paid. Their needs are either met by the state or through their own resources as permitted under law. Counsellors in the *boule* (council) of 360 are chosen according to property class (90 from each of the 4).⁸ Their role, presumably, is to be comparable to the *boule* of Classical, democratic Athens in that they would set the agenda for the general assembly (*ekklesia*). The latter will consist of all citizen males of the first and second classes who are compelled to attend under penalty of fine; although, the right to do so is afforded to “anyone who wishes” and extends likewise to the other two, lower property classes as democratically optional.⁹ The wording of the statement “anyone who wishes”, echoing the democratic values of Athens after Solon’s reforms, would also appear to include certain Magnesian women as well – if not all of them. The function of the assembly in Magnesia, however, appears to be more bureaucratic than its real-world counterpart since Plato’s hypothetical *polis* is largely regulated by legal statutes, enforced by the Guardians of the Laws, magistrates, numerous community wardens (including Marriage Guardians, women who go into newlyweds homes to encourage reproduction and proper rearing of children) with varying remits and presided over by the supreme Vigilance Committee in a kind of surveillance culture that puts that of the previous UK government to shame. Plato’s narrator only mentions that the assembly will decide on matters of immigration, although, presumably they will have other administrative functions as well.¹⁰ This is all that Plato’s narrator has to say about them apart from the assertion that assembly members must not engage in personal, verbal abuse with one another during meetings as was regularly the case in Athens.¹¹ The bureaucratic system of Magnesia will eliminate a great deal of democratic wrangling and it appears to be a kind of ‘rubber stamp’ democracy in practice. The assembly will not be allowed to make laws.

There are 37 other special officials of the state apart from the elected *boule* and the unelected *nukterinos* council. These are chosen through an elaborate system of voting by deletion. The list of nominees for “ministers of the laws” and military commanders, such as *hipparchs*, *phylarchs* and *taxiarchs*, are to be placed in public for thirty days and “anyone who thinks it fit” may remove any name they wish.¹² This feature demonstrates some of the limitations imposed on democracy inasmuch as certain people might always tend to be excluded or included by the time of election. The *nukterinos* council, Guardians and sitting officials will scrutinise these undertakings with care and may remove or add names themselves at any juncture in the election. The outgoing ministers still in office take the 300 remaining names and place them on a ballot for the citizens to cast a second round of votes, again by deletion.

The magistrates choose a hundred names from the second short-listing and then “anyone who wishes” cast actual votes for them. The 37 who receive the

most votes will be examined by the sitting magistrates and, if they pass, are then installed into office (753c-d). It is unclear whether or not the “anyone who wishes” who are permitted to strike names from the list of candidates and then to vote on them refers to those who possess heavy weapons or are from the citizen-populace at large. The Athenian Stranger appears to say that the selection of candidates for nomination is to be limited to those who possess the requisite arms. The actual short-listing and voting would seem to be the privilege of the citizen populace as a whole including as many men and as many women who wish to do so. It is unclear whether women will sit on the supreme *nukterinos* council.¹³ Since its members are appointed from the eldest of the Guardians of the Laws, it is possible to assume that they might be included – although this is never explicitly specified.¹⁴ Women’s role in higher Magnesian politics is clearly marginal, but their implied potential, along with their more public role generally, emphasises the contrast between the ideal world of a second-best utopia and the realities of ancient Greece.

The *Laws*, as Saunders says,

“gives a powerful impression of the range of activities under the control of *nomos* (custom, law, habitual practice etc.) in one sense or another”.¹⁵

As in the *Republic*, there are to be Guardians of the Laws whose job it is to police the Magnesian state in every conceivable way, with their teams of wardens, and enforce the law in both the public and private spheres. Men and women will have to regard them as figures of state authority as they have the power to fine and detain lawbreakers in accord with the city’s statutes. There will also be female Marriage Guardians, Market Wardens, City Wardens, Rural Wardens and various other bureaucrats to regulate and oversee the numerous slaves, the city’s foreign educators, other non-citizens and orphans explicitly and many other areas as well.¹⁶

Perhaps Plato had a model for his Guardians (both in the *Republic* and the *Laws*) in the form of an Athenian institution that reputedly existed before Perikles. In the aristocratic council of the Areopagos, as it was prior to Ephialtes’ reforms (early 5th century BCE), there may have been comparable guardians. Aristotle says that Solon

“assigned the council of the Areopagos to the duty of guarding the laws, acting as before as the supervisor of the constitution.”

He goes on to indicate that Ephialtes reduced its authority over guarding the constitution and assigned some of them to the council of the five hundred and others to the *demos* (the civic populace) and the popular courts.¹⁷ It is possible that this alleged institution of the pre-Periklean Areopagos was the inspiration, or at least *an* inspiration, for the Athenian Stranger’s Guardians of the Laws.¹⁸ Cicero, heavily influenced by Plato, commends “the Greeks” for establishing

officers called *nomophylakes*, who guarded the text of the laws, observing the actions of citizens and calling them to obedience.¹⁹ It is not possible to say whether such guardians actually existed in ancient Athens and, if so, that they were an inspiration for Plato.²⁰ His *nomophylakes* appear to have more in common with the Spartan *ephors*.²¹ As Morrow says, they add a *Lakonian* “monarchical element in the city”.²² Their superiors in Magnesia also recollect other Spartan elements rather than Athenian.²³

Above all the various guardians, and drawn from the eldest of the Guardians of the Laws, is the *synlogos nukterinos*, “Nocturnal Council” or “Vigilance Committee”.²⁴ Its gerontocratic character is one of many points of similarity to the Spartan *gerousia*, the members of which were also required to be over the age of 60.²⁵ The Athenian Stranger says that his Nocturnal Council will function in a ‘watchdog’ capacity, ideally just making recommendations, and will serve to keep the ship of state on course.²⁶ Its powers, as with the *gerousia*, are considerably broader than this innocent-sounding remit suggests. Its membership includes the eldest Guardians of the Laws and the ministers of education past and present. These exert influence over such areas as religious events, education, music, choruses and all civic activities that involve the inculcation of morality and accepted ideology. The *nukterinos* council also has also been afforded the unique authority, only on rare and special occasions we are told, to alter Magnesia’s laws.

Brisson proposes the term “Vigilance Committee” instead of the more traditional rendering of “Nocturnal Council”. As he indicates, this body

“sees to it that the laws of the City are based on the order manifest in the universe, [and] becomes the most essential element in the project of the *Laws*”.²⁷

The term *nukterinos* “connotes the idea of wakefulness” and, indeed, the Vigilance Committee is meant to meet each day from before dawn until the sun has risen.²⁸ Morrow suggests that the inspiration for the Vigilance Committee must be the Academy itself since, as he says,

“its studies bear an unmistakable resemblance to those cultivated in Plato’s Academy, and the purpose they are intended to serve is identical... viz. to apply philosophy to the saving of the city-state”.²⁹

Like the Academy, the members of the Vigilance Committee will have been inducted into the innermost mysteries of philosophy. Also, not unlike certain of the Academy’s membership, they too will hold real administrative powers over the state.

It was generally agreed that Solon founded the classical, democratic Athenian republic as we tend to think of it mainly by admitting the lower classes into the democratic process through jury duty on appeals courts. After

which, the democrats gained greater powers by degrees over time. It is therefore not surprising that Plutarch himself later wrote Solon's biography whereas Kleisthenes, a major constitutional reformer at the level of policy, and arguably a more significant proponent of democracy, only gets a notable mention. The rapid changes in the government of Athens in the later part of the 5th century brought the issue of the "ancestral constitution", or "ancestral law", to the forefront.³⁰ There was an intellectual opposition to the restored democracy in Athens at this time. Amongst them, as Finley says, "the appeal to the ancestral constitution retained vitality".³¹ Isokrates the rhetorician and his wealthy followers, ostensibly eschewing oligarchy, favoured a "mixed constitution" that hearkened back to some non-specific, idealised past.³² Plato even has his fictional Socrates praise him at the end of the *Phaedrus*, though this may in fact be sarcasm. Ancestral constitutions had appeal.

Suffice it to say that, Plato took a different approach to the issue. He was about 18 when Kleitophon moved the amendment that opened the debate on the subject of an "ancestral constitution".³³ As a member of one of Athens' more prominent political families, Plato had close personal connections with some of the chief players and a keen eye for the relevant events. When the time came, he set aside the historical discussion, without altogether dismissing it, while introducing a new method based on reason. His philosophy of government never rested solely on ancestral arguments.³⁴ Certainly Plato reveals conservative tendencies and his views may have also been informed by recourse to an idealised vision of the past. In the *Statesman* we have an answer to the matter. Perhaps building on the works of Gorgias and the sophists,³⁵ Plato's narrator espouses a novel concept: having established that there is a science (*epistēmē*) of politics, he posits that the proof of a correct constitution is that it should be based on science and that it also has to be scientifically administered. The question of whether or not it is historically well grounded becomes largely irrelevant, though, a useful fiction to persuade the masses at times. In his dialogues Plato's narrators typically support a particular formulation of aristocratic rule over any other type. The difference between his aristocracy and that of the real world lies in the role of philosophy in law. "Correct leadership" is, rather strikingly, a science practised only by those who have been specially educated in the subject.³⁶

In the *Statesman*, the Eleatic Stranger demonstrates that formal legislation in a democratic assembly is actually unnecessary and potentially a very dangerous thing.³⁷ His analogy describes hypothetical legislators passing and modifying laws on medicine and navigation – subjects about which they know little or nothing – and how such a process will never successfully navigate ships or cure sick people.³⁸ The best constitution therefore is one that is based on science informed by the superior insights of philosophy. "That is always Plato's answer:" as Finley says,

“of all existing constitutions, even the best are mere imitations of the true constitution; the debate over ancestral constitution is a waste of time or worse; constitutions cannot be judged by reference to this or that past hero or constitution”.³⁹

They must be the product of science.

The laws of Magnesia are philosophically inspired in their creation. Above and beyond all else, it is Philosophy (in the sense of Natural Philosophy which holds a broad scientific remit) that is to be the ultimate standard on which the rule of *nomos* is based. The changeability of Magnesia’s laws is extremely limited with no legislation as we think of it permitted. As indicated, only the philosophically illuminated Vigilance Committee may alter the law and theirs is the supreme interpretation of it. As Nightingale says,

“the lawcode is conceived as a distinct genre of writing which is not only elevated above all other modes of discourse but is accorded an almost scriptural status”.⁴⁰

Nomos here means something like rationally, scientifically and philosophically derived laws with permanent binding force. If a historical law is found to be philosophically sound, then it will be utilised.⁴¹ Plato’s narrator is no stranger to borrowing from useful sources. He has repeatedly availed himself of the wealth of information in existing legal codes. The Magnesian *nomoi* have regard for ancient custom and ‘unwritten laws’, but these are subordinate to the scrutiny of science and the rule of Reason (*logos*).

The Athenian Stranger may have anticipated George Orwell by two and a half millennia in terms of their mutual agreement that there will always arise in society those who tend to be ‘more equal’ than others.⁴² He sometimes refers to this as the “rule of symmetrical inequality”⁴³ and it applies to many aspects of life.⁴⁴ The ‘best of the best’ in Magnesia occupy the highest offices in the land. It is they who will be afforded the most comprehensive form of education available. This class of rulers includes the Guardians of the Laws and the members of the Vigilance Committee. The education of the former is the same as that of the latter up to a point. They, however, will be expected to continue their studies in greater depth. This synod of Magnesia’s elders has a more intense and deeper education than the majority of their peers (965a7-9). Their preparation closely parallels that of the Guardians of the Laws and the Philosopher Kings/Queens of the *Republic*. As with these, the Magnesians are seemingly not limited by sex in the choice of officials for duties of state administration.⁴⁵

The Vigilance Committee will be made up of ten of the most senior Guardians of the Laws along with the *archōns* (ministers) of Education past and present.⁴⁶ They form the executive branch of the government and recollect the traditional role of the aristocratic Aereopagos of pre-democratic Athens. They

are not dissimilar to the Assembly of Experts of the Leadership of modern-day Iran. Magnesia is a gerontocracy, comparable in many ways to Classical Sparta, and its elderly leadership exert considerable regulatory power over all state institutions such as education, choruses, music, officially sanctioned drinking parties and other institutions that inculcate morality.⁴⁷ The ranks from which they are chosen constitute a class unto itself having been especially trained from birth in esoteric scholarship for their future role in government.

The Athenian Stranger indicates that a list must be kept of the intellectual and moral capacities of eligible citizens from whom to draw the Guardians of the Laws and thence the elite council (968c9-d3). Part of their special educational regime requires them to travel abroad in order to observe the laws and customs of other peoples. They will return and make their reports to the sitting Vigilance Committee. On reflection, some of these foreign practices may be applied to Magnesia as is deemed appropriate (951a ff.). This freedom to travel and learn will be granted only to senior Guardians of the Laws and magistrates who have presumably passed certain levels of qualification making them worthy of it.⁴⁸

Many aspects of the Vigilance Committee's education are omitted from the *Laws*. We are told some of it and may deduce much of the rest. Their command of the arts of statecraft must necessarily be excellent since they must be better versed in the letter and spirit of Magnesia's laws than most. The members of the *nukterinos* council are to "posses a more accurate grasp of *arete*, both in word and deed, than the majority of people" (964d4-5). They must be paragons of civic virtue. In order to achieve this extraordinary status, they undergo intense training and scrutiny for at least five decades. One of their primary subjects of study will be dialectics. They have to understand that the four virtues of Reason, Courage, Moderation and Justice are truly one virtue and "how this is so".⁴⁹ They must pay attention to the many, but always strive for the 'One'. Although the word 'dialectic' is not actually employed in the Athenian Stranger's discussions here or elsewhere in the text, the method of practice that he has outlined is unmistakable.⁵⁰

The rulers of Magnesia must also be able to apply their philosophical insights on "the Beautiful and the Good" to the practice of governance.⁵¹ This represents one of the more esoteric aspects of their education and clearly distinguishes them from the rest of the citizenry who, we are told, "follow only the pronouncements of the laws".⁵² The Vigilance Committee's candidates undertake a thorough study of divine matters, we are told, so that they might come to an understanding of the mysteries of philosophy. Some of these the Athenian Stranger has discussed in Book X, but it appears likely that they will utilise other Platonic resources as well.⁵³ No Magnesian may serve even as a Guardian of the Laws unless he/she has first learned the basics of cosmology and metaphysics.

The Athenian Stranger mentions several subcategories of this education

in “divine matters” that will bring about a superior skill of governing for the members of the Vigilance Committee and, to a lesser degree, the Guardians of the Laws. A primary feature is *psychical* metaphysics, or the nature of souls. They must learn that the soul is the most ancient and divine of things whose main activity is that of “perpetually providing being”.⁵⁴ They should understand that the soul is immortal, reincarnates and “rules over all bodies”.⁵⁵ Since the motions of celestial objects are caused by Soul and governed by Reason, they also undertake a rigorous study of astronomy, geometry and other such sciences that demonstrate this divine principle.⁵⁶ Finally, they must attain an intense comprehension of musical theory and then be able to “apply it harmoniously to the institutions and rules of ethics”.⁵⁷ The esoteric learning of metaphysical matters appears to be a primary dividing point between the upper and lower echelons of the Magnesian government since any who cannot grasp these deeper things will be limited, at best, to lower-level bureaucratic positions or excluded altogether from politics.

The *Laws* does not seek to establish a perfect *polis* on earth but sets about the task of detailing a next-to-perfect code of laws by which an imperfect, human society may be governed. We should not, as Field says, “draw any conclusions about a possible change in Plato’s views...we are expressly told that the provisions of the *Republic* still represent the ideal, but are not regarded as practicable in these circumstances”.⁵⁸ Thus Magnesia is “second-best”. The importance of written law is brought to the forefront and, while there is ample discussion of rulers with superior moral knowledge, the *nukterinos* council does not function in precisely the same capacity as the philosopher kings/queens of the *Republic*. Law is virtually supreme, albeit less than perfect, and serves as the instrument for the moral and social regulation of society. Sufficient commentary on its theory and execution is provided as guidance for the future. The Athenian Stranger says that we should “order our private households and our public societies alike by obeying the immortal element within us, giving the name of law to the ordering of understanding”.⁵⁹ The laws of Magnesia, grounded in eternal truths, govern the entire life of the community and they embody and express the philosophical vision of the Good. Or, at least, that was its author’s vision.

I am not suggesting that we emulate Plato’s second-best constitution. However, I feel that we could learn a great deal from it. This is true both in terms of its historical application in the development of our own polities and in terms of considerations for our future. There are many aspects of Magnesian society that are applicable today, such as careful town planning, quality education, fiscal responsibility, gender equality and an informed electorate. Maybe there is something too worth imitating in the degree of social responsibility for the general wellness and, interestingly, the happiness of its citizens by their state, not to mention the lively civic culture, even if it is partly a façade. However,



Magnesia's potential for dystopia merits our greater attentions. The 20th century was subjected to some of the worst aspects of utopianism gone spectacularly and disastrously awry. Plato's *Laws* may serve us both as a warning from the past as well as a blueprint for a brighter future, if perhaps in the sense of an object lesson on what to avoid. We ought to take its lessons to heart and keep a circumspect estimation of those who aim to dramatically reform society supposedly for its own good. ■

Dr KENNETH ROYCE MOORE is a postdoctoral fellow with Project Archelogos in the Department of Philosophy at Edinburgh University, and the author of *Sex and the Second Best City: Sex and Society in the Laws of Plato* (Routledge, 2005)

NOTES

- 1 See *Laws* 684d for the difficulty of land distribution; there are 5040 (a number divisible by 12, 10, etc.) administrative units for land-holdings by the citizens of the city (737e); each lot supports one family, the number of families is meant to remain at more or less a constant of 5040 (740b-c): one of the male children will inherit the holding and the females are given in marriage where appropriate; excess offspring will be obliged to emigrate (740d-e, 741). See Xen. *Lak. Pol.* I.9, VII.3-6 and Polyb., *Hist.* VI.45, 3-5, for a (reputedly) similar situation of land allotment in Sparta. See Moore (2005) chapter V
- 2 See Moore (2005) chapter V for more on this curious land-division as well as Aristotle's objections to it

- 3 See Moore (2005) chapter VI
4 (2002), 103; but see too Hansen (2006), 109, 177 n. 24
5 Athens maintained state-owned slaves for public works along with the archers who policed the city under the authority of the Eleven and other officials. See MacDowell (1978), 83. But Magnesia would either need to have a population of professional ‘builder slaves’ or else hire metics to undertake such work. They would cost (Hellenic) money as well as require accommodation within the city
6 See Hansen (2006), 109 for an overview of the problem of counting slaves in antiquity. On hoplites’ arms being carried by slaves, see Hdt. VII.229.1 and Thuc. VII.75.5.
7 (2002), p. 448
8 756c9-10; this process is quite elaborate and involves a random lottery at the final stage, after all the rounds of voting, to decide the candidates who then must be scrutinised, see below; see Plut. *Solon* XVIII.4-5 and ff., for this common democratic formula of “anyone who wishes” in Solon’s reforms
9 764a-b
10 849a-b
11 934-5
12 755b ff
13 They are officially identified as functioning in a ‘watchdog’ capacity, making recommendations and keeping the ship of state ‘on course’ (960-65), but their actual power is nearly absolute—just below that of the laws. See Moore (2005) chapter III on their special education and II on their authority. In many ways, they are reminiscent of the Spartan *Gerousia*, see Cartledge (2001) pp. 34-5, 60, 84 on their powers
14 951d8-e4; see 813c6-8
15 (1970), pp. 5-14
16 On the selection and education of these Guardians of the Laws, see (for the female guardians) 783d ff. 794a ff., 930a ff., 932b-e, (and generally), 968c ff
17 *Ath. Pol.* VIII.4; see Plut. *Solon* 19.2. For the Areopagos prior to Solon, see Aristotle, *Ath. Pol.* III.6; and for the reference to Ephialtes see XXV.2. See Diod. XI.77.6, who adds a ‘moral’ to the story, saying that Ephialtes was punished for ‘attempting such lawlessness...he was done to death by night’
18 As has been proposed by Chase (1933), p. 135. Of course, we don’t actually know whether or not this institution of guardians in the Areopagos actually existed. See Morrow (1960), pp. 211-214
19 *De Legibus* III.46
20 See Cawkwell (1997), pp. 115-30 for a fuller discussion of this issue
21 See Hodkinson (2000), pp. 56-57 on the ephors and their role in enforcing Spartan *so-phrosyne*
22 (1960), pp. 526. See Richer (1999), pp. 99-100
23 See Moore (2005) chapter III
24 See *Laws* 908a, 909a, 951d ff., 961a ff. and 968a. For a similar ‘Nocturnal Council’ of Atlantis, see *Critias* 120a ff
25 That is, if Aristotle and Plutarch are to be believed, see Aristotle, *Pol.* 1270b; Plut. *Lyk.* 26.
26 *Laws* 960-65
27 (1998).
28 *Ibid.* On the name *nukterinos* see *Laws* 968a; for their meeting time see 951d
29 (1960), p. 509

- 30 See Rhodes (1981), pp. 115, 376-7
- 31 (1986), p. 50. Although, Plato's approach to it is markedly different
- 32 The Isokratean passages on the 'ancestral constitution' are assembled and examined in Jost (1936), pp. 140-45. See Rhodes (1981), pp. 323, 371-2, 421, 429-30 on Plato's characterisation of Athenian politicians and views on oligarchy
- 33 Aristotle, *Ath. Pol.* XXXIV.3. See Rhodes (1981), pp. 375-7
- 34 There are exceptions, as indicated above. E.g., Solon is mentioned eighteen times in the extant Platonic *corpus* with casual and friendly references. He was a good lawgiver, the alleged source of the Atlantis myth, a gnomic poet to be quoted and reputed to have been an honourable ancestor of Plato's mother, Periktione. His legalistic theories represent a kind of 'ancestral law' that might be seen as influencing Plato. See Lambert (1993), pp. 316-17. See Hartog (1988), pp. 217, 219 on the Atlantis myths and their potential historical connections with Solon
- 35 The *Dissoi Logoi*, one of the only texts of the sophists to survive, also posits a hypothetical society that is antithetical to Athens (although not completely opposite), see Thomas (2000), pp. 130-1, 231
- 36 The Magnesians will not only study law. Plato's narrator, as Nightingale (1999), p. 103, says, 'even explicates the precise goal of this activity: one "studies" the law in order to become a better person and a better judge of the other kinds of *logoi*'
- 37 293b-299a
- 38 The proposed laws on medicine and navigation are to be displayed on *kyrbeis* (as laws were posted in Solon's day) and on *stelai* (as in Plato's)
- 39 (1986), pp. 51-52
- 40 (1999), p. 102; see *Laws* 858a-859a
- 41 As the Athenian Stranger has done in the case of Solon's laws, see Moore (2005) chapters V and VI
- 42 I borrow the phrase 'more equal' from Orwell's *Animal Farm* and 1984. On the Athenian Stranger's formulation of relativistic equality see *Laws* 744b ff., 757; see too *Rep.* 557a, 561b-563
- 43 *archas ho's...to' aniso' symmetro'*
- 44 E.g. funerary honours and state positions, see 744c4
- 45 He says that 'the law has already granted him permission, and still gives permission, to choose whomever he wishes of the men and women of the state for that public commission' (813c6-9)
- 46 951d8-e4. On the selection and training of this committee, see 951d-e, 952a, 961-69
- 47 Powell (1994), p. 280
- 48 See Xenophon (*Lak. Pol.* XIII.10-11), for similar travel restriction in his Lykourgian Sparta
- 49 963a7-11, c11-d2, 965b5-9, 965c9-e4, 966a5-10; cp. 631c ff. As opposed to five cardinal virtues in the *Protagoras* (see *Protag.* 349b, 359a)
- 50 See *Rep.* 484, 537b ff., where dialectics are described, as Bury says (1999, p. 555, n. 3), "as a kind of induction whereby the mind ascends from 'the many' particulars to 'the one' universal concept or 'idea': a comprehensive view of the whole that marks the dialectician"
- 51 966a5-10
- 52 966c5-7
- 53 This includes the text of the *Laws* itself and potentially the *Republic*, the *Timaeus* and others—966c1-9

- 54 966d12-e3
55 967d4-8; see 903d
56 966e3-967e1; see 818a ff. and *Rep.* 607b-c
57 967e2-5; see 710a and *Rep.* 399
58 (1969), p. 74; see *Laws* 739a-740a, cp. 742c
59 714a1-2

BIBLIOGRAPHY

- Bobonich, C. *Plato's Utopia Recast: His Later Ethics and Politics*. Oxford, 2002
- Brisson, L. "The Vigilance Committee", presented at the I International Congress on Ancient Thought: *The Laws of Plato and their Historical Significance*. Hosted by the University of Salamanca, Spain: 25 November 1998
- Cartledge, P. *Spartan Reflections*. London, 2001
- Cawkwell, G. L. "The peace between Athens and Persia" in *Phoenix, The Journal of the Classical Association of Canada*. (Toronto). Vol. 51 (1997a), pp. 115-130
- Chase, A. H. "The Influence of Athenian Institutions upon the *Laws* of Plato", *Harvard Studies in Classical Philology*, XLIV (1933) pp. 131-192
- Finley, Sir M. I. *The Use and Abuse of History*. London, 1986
- Greaves, A. M. *Miletos: A History*. London, 2002
- Hansen, M. H. *Polis: and Introduction to the Ancient Greek City-State*. Oxford, 2006
- Hartog, F. *The Mirror of Herodotus: The Representation of the Other in the Writing of History*, trans. by Janet Lloyd. Berkeley, California, 1988
- Hodkinson S. *Property and Wealth in Classical Sparta*. London, 2000
- Hodkinson, S. and A. Powell, eds. *Sparta: New Perspectives*. London, 1999
- Jost, K. "Das Beispiel und Vorbild der Vorfaren bei den anrischen Redern und Geschichtsschreiben bis Demosthenes", *Rhetorische Studien* 19, Paderborn (1936), pp. 140-45
- Lambert, S. D. *The Phratries of Attica*. Anne Arbor, 1993
- MacDowell, D. M. *Law in Classical Athens: Aspects of Greek and Roman Life*. ed. H. Scullard. Ithaca, 1978
- Moore, K. R. *Sex and the Second-Best City: A Study of Sex and Society in Plato's Laws*. New York, 2005
- Morrow, G. A. *Plato's Cretan City: A Historical Interpretation of the Laws*. Princeton, NJ, 1960
- Nightingale, A. W. 'Plato's Lawcode in Context: Rule by Written Law in Athens and Magnesia', in *Classical Quarterly*, xlix.1 (1999), pp. 100-122
- Powell, A. and S. Hodkinson eds. *The Shadow of Sparta*. London, 1994
- Powell, A. "Plato and Sparta: modes of rule and non-rational persuasion in the *Laws*", in Powell and Hodkinson, (1994), pp. 273-322
- Rhodes, P. J. *A Commentary on the Aristotelian Athenaion Politeia*. Oxford 1981
- Richer, Nicolas. "Aidō's at Sparta", in Hodkinson and Powell (1999), pp. 91-116
- Saunders, T. J. trans. *Plato: The Laws*. Harmondsworth, Middlesex, 1970
- Thomas, R. *Herodotus in Context*. Cambridge, 2000