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Philosophy as Liturgical Action:

An essay on Plato's politics

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The treatment of ... the divine law is contained in ... the *Laws*.

—Ibn Sina

I assert that what is serious should be treated seriously, and what is not serious should not, and that by nature god is worthy of a complete blessed seriousness, but that what is human, as we said earlier, has been devised as a certain plaything of god, and that this is really the best thing about it. Every man and woman should spend life in this way, playing the noblest possible games: ... sacrificing, singing, and dancing—with the result that one can make the gods propitious to oneself and can defend oneself against enemies and be victorious.

—Athenian Stranger (803c, e)

Plato teaches that the *arche* and *telos* of politics is liturgical action. That liturgy is the *arche* of politics means that no 'purely secular' foundation of a polis is possible.¹ That liturgical action is the *telos* of politics means that the stability and success of a polis depends upon, besides the activity of each and all of the citizens, the activity, and so presence, of one who transcends citizenship and its activities.² Politics, of necessity, opens beyond itself and is therefore subject to theological critique and theotic fulfillment (or not). An equivalent way of saying this is to say that we cannot see the two dimensional political world except from a third dimension which transcends it and takes it up; more exactly—if one can be exact in metaphor—one might describe the political as four-dimensional, what transcends it is infinitely dimensional or perhaps other than dimensional. In the course of the devolution of culture this sentence passed upon politics has descended from the status of a realist's metaphysical insight to that of a tattered and highly questionable ideological battle-flag.³ That this is Plato's understanding of things might be

brought out most briefly by the Athenian stranger's remark to his Cretan and Spartan interlocutors that

for us, the god would be the measure of all things in the highest degree.... Let us understand that from th[is] observation there follows a principle of the following sort (the noblest and truest of all principles, I believe): for the good man it is very noble, very good, and most efficacious for a happy life, as well as pre-eminently fitting, if he sacrifices to and always communes with the gods—through prayers, votive offerings, and every sort of service to the gods

This, then, is the target at which we must aim (716C5-717A5).⁴

His self-consciously anti-Protagoran beginning here, as well as the fact that he speaks to a Cretan and a Spartan with whom he has just agreed to found a real city (702D) despite the fact that they all credit different gods as founders of the law, is enough to make this last dialogue pertinent today. *Laws* might be seen as Plato's attempt to come to terms with the problem we might label, after MacIntyre, 'Whose theology? Which politics?'⁵ No one in Jerusalem (or any other city) can doubt that these two questions are in fact related, but Plato shows that this relation is not merely historical accident, and therefore must have a solution which is not merely historical *fiat*. I might now provide an emblem for the trajectory of my paper by suggesting that the requirement of Socrates' daimon that he not participate in politics is to my mind best understood as the negative statement of Socrates' (and so philosophy's) more positive role, which is to be a constant reminder to the two-dimensionally political of the third dimension under which and for which the political labors, and to which it is answerable—as Socrates is to his daimon.

To make a claim about Plato's teaching requires immediately some methodological distinctions, since, like Shakespeare and unlike Aristotle, Plato wrote precious little that is agreed to be in his own voice. So let me begin by distinguishing three aspects of Platonic

dialogue—the *logos* or *logoi*, the dramatic action, and the mimetic effect. The first is the easiest to get clear on: it is the thread of argument (or threads of arguments) which can be found in every dialogue. The largest portion of the scholarship deals with this aspect of Platonic dialogue and, though I began with it, I will keep it at the greatest distance. By the second I mean more than merely the synthesis of events which Aristotle would call *mythos* or plot, but also the setting or framing of the dialogue, its rhyming and play and in general all the (formal and material) kinds of things that make us consider Plato's dialogues works of art as well as works of philosophy (the latter being understood in the present day minimalist sense as explication of the *logoi*). By the mimetic effect of the dialogue I mean what Aristotle (*Poetics* 1449a7-9) distinguishes as the aspect of the art which understands it *prostatheatra* (in reference to the audience) rather than *kathauto* (in itself).

So, for example, to speak of *Republic's* dramatic action: the dialogue begins with Socrates in no particular place, speaking to no particular person (which is dramatically equivalent to speaking always and everywhere to everyone, or perhaps constantly to himself) of the way in which he celebrated the first festival of Bendis, yesterday. Late in the book we get a brief inset *mythos* about the soul as a many headed beast and a *logos* about what that picture implies we must do, but we can notice that the dialogue has exactly this dramatic structure and action, which we have been watching from the beginning: for the Socrates who is telling the story has the Thrasymachan, Glauconic and Adeimantine (*et al.*) heads within him, and in the course of the dialogue they move from being inimical to each other and the one he identifies as himself, to speaking on a more friendly basis—exactly what the *logos* explaining this inset story near the dialogue's end argues every soul must constantly do. The mimetic effect of reading the dialogue, particularly visible when it is read with a class of undergraduates, is to charm forth various relatives of these Greek heads and, by showing them to each other, begin the process which might lead to their friendship; in fact, when it works, the discussion forms a community much like the one said to have been formed that night which is permanently yesterday, though it must be

dated very long ago. This community is both within each student's riven soul and among the students with the teacher—who is Plato, or (as our argument invites us to think) some greater spirit.

That is an exemplary picture of the way Plato teaches, about which I suspect there will be little quibble. But *Republic* also teaches, in all three ways, *about* the primacy of the liturgical. To speak mostly, and briefly, of its dramatic structure: *Republic's* setting is the first festival of Bendis which takes place outside the city in the Pireaus. Socrates thinks that the Athenians have made no better show than the procession of the Thracians, and after "saying our prayers and seeing the spectacle" (327a) Socrates and Glaucon were hastening homeward when they are caught up by Polemarchus' servant. It is a somewhat strange *logos* to say that one's own city makes no better show than the Thracians at honoring the goddess. But perhaps the problem with both processions is exhibited exactly in describing the setting. The spectacular and unusual nature of the ritual,⁶ its distance from the city and home, its introduction from a foreign land all bespeak not a liturgical activity, but a ritualistic one. In contrast with liturgy—at which I take it the Athenian is aiming with his phrase "always communing with the god," by ritual I mean an activity which has a specific and strictly limited sphere—a certain day of the month and time of the year,⁷ one that is divorced by both distance and cult from the quotidian city and home, and one that is most largely spectacular (and so, esoterically symbolic) rather than participatory (and so immanently symbolic or sacramental).

Though "a fine procession" (and perhaps an interesting or novel ritual, as the promised horse-race), Socrates must consider this a failed liturgy, for he is hastening away to the city when he is held up by the slave of the passions. What seems pictured for us moderns in this scene is an apolitical space between novel or barbaric ritual and the city-to-which-he-tends; in this space we see the momentary face of the so-called law of nature: force.⁸ Thence Socrates is taken by his friends into a home where sacrifice is being made to the gods, and where the festival of Bendis is going to continue—one way or another. In fact,

the whole dramatic action of *Republic* might be seen as revolving around the question Socrates and Glaucon were probably, *per exemplum*, discussing on their way up the hill: what is the best and most appropriate liturgical action, whether in honor of Bendis or any other god. Socrates was probably leading Glaucon up to a first principle about appropriate liturgy from the example they had just witnessed.

In what follows Socrates proceeds to charm everyone into a liturgical action quite different from the young boys, deep drinking and horse races some of the friends are expecting (328a). That the discussion which follows is a liturgical action Plato teaches us partly by the picture he presents. A sacrifice has just been offered in the courtyard and the honored old man is seated, with a chaplet over his head and couches disposed in a circle around him, when Socrates enters. The picture we are given is a miniature version of one of the major liturgical spaces of Athens—the theatre of Dionysus.⁹ When Cephalus leaves, the largely spectacular older ritual (as well as the proffered new spectacle of the horse-race) are symbolically replaced or really abrogated by the evening's participatory discussion; the *logos* of the discussion in books 3 and 10 famously repeats this pictured displacement of drama by philosophy. So the age old quarrel between philosophy and poetry is not so much about who has the right to teach, but about which activity provides the most appropriate liturgy for a human being.¹⁰ The answer to that quarrel is instantiated in and by *Republic*, where we see Socrates' soul (or hear, literally, Socrates and his friends) spend the entire night of the festival in their purifying and enlightening discussion; in the course of the evening they become, and act as, a community—a small version of a real city. They engage, throughout the evening of the festival, in the liturgical action appropriate to human beings—philosophy—and in and through doing so become a community: *e pluribus, unum*. The *Republic* is Socrates' choral hymn in honor of the goddess.

That the philosophical discussion about founding a city takes place in a home is an indication that the proper praise of the divine must be infused through the life of the society, not set off in a separate place and time.¹¹ Under this dispensation, the symbolism

of the liturgical action will take up the things and activities of life and fill them with a greater significance than the Polemarchans (the passions personified) can imagine.¹² The first city Socrates builds, the only one which can be called his, closes with a picture of its happy citizens roasting acorns on their open fires, feasting and drinking with their children, singing hymns to the gods and having pleasant intercourse with each other (372a-c). This "healthy city" as Socrates calls it, is the liturgical polis. It is the only city appearing in the dialogue which exists without war or preparation for war; its liturgical economy is naturally disarming.¹³ By the end of the book we have seen that community come to be, for having spent the night in this discussion (which is Socrates's god-ordered way of praising the god) Socrates and the boys (or Socrates and his more rambunctious heads) are more attuned to the good and are already 'faring well' when that closing word of the dialogue is uttered. The dramatic structure of the dialogue exhibits a liturgy that is universal, participatory, and unbounded regarding time and place; Augustine will call it the peaceful city of God. The mimetic effect of the dialogue (generally) follows the lead of this dramatic structure: reading the dialogue with undergraduates at least occasionally and partially reinstitutes that community, even 2400 years later.

It is possible to think that Plato, like Nietzsche,¹⁴ sees that the old liturgical order of Athens—one which included as its high point the dramatic festivals—is failing and falling into mere ritual and spectacular procession. But Plato, like Socrates, sees that the *problem* of the collapsing society is precisely the attempt to separate off the liturgical into the bounded times and places of ritual. Socrates instigates philosophical discussion in the marketplace during business hours (at the command of the god), and Plato sees that this was precisely the god's point in bestowing Socrates upon the city: to rejuvenate the liturgical order and rescue the city from its decline into empire—a materialist version of man's universal liturgy. The Socratic answer for collapsing Athens is that the whole life of the society must be infused by praise for, and in sweet intercourse with, the god.¹⁵ That is what happiness is for a human being—and victory; and the state that does not aim at

happiness is a failure. What Plato does by writing the dialogue is provide a permanent possibility for beginning the same kind of liturgical action he understood Socrates to be undertaking: that is the mimetic purpose of the dialogue. Philosophy is the induction of a soul into the life of liturgy. The mimetic effect Plato hopes for from his dialogue is the same as the effect of Socrates on souls in the marketplace of Athens. Socrates was singularly misunderstood and unsuccessful with some; so, unsurprisingly, are the dialogues.

With this familiar dialogue as prelude, we turn now to the *Laws*, which in its title (*Nomoi*) hints, and through its arguments (*logoi*) concludes, that there is something at least equally important as laws and arguments to which we should pay attention, namely the melodies (*nomoi*) which infuse our state and shape the postures and movements of the citizens throughout their lives (653c-654c). The purpose of the *nomoi* is to educate in joy (654a); and it is the gods who by their association with us (particularly through the muses) provide the spiritual sustenance to make joy possible (653d) even here among these rocks. If this *logos* is important to Plato we should be very surprised not to find its correlates in the dramatic structure and mimetic effect of *Laws*; indeed, the *logos* itself demands that they be there.

Let me quote the Stranger, speaking at the high noon of their dialogue, in beginning anew:

Something has emerged, by the aid of some god, out of the very things about which we're now carrying on a dialogue.... In all this time [from dawn to noon] we've been having a dialogue about nothing except laws (*nomoi*). Nonetheless, it seems to me that we have only just begun to enunciate laws, and that everything said before consisted of our preludes to laws.

Why have I said all these things? What I wish to say is this: all speeches, and whatever pertains to the voice, are preceded by preludes—almost like warming up exercises—which artfully attempt to promote what is to come. It is the case, I suppose, that of the songs to be sung to the kithara, the so-called melodies (*nomoi*), like all music, are preceded by preludes composed with amazing seriousness. Yet with regard to things that are really laws (*nomoi*), the laws we assert to be political, no one has uttered a prelude or become a composer and brought one to light—just as if it were a thing that did not exist in nature. But the way we have been spending our time has shown us, it seems to me, that such a thing really does exist.... It became clear to me that this whole speech, which the speaker gives in order to persuade, is delivered with just this end in view: so that he who receives the law uttered by the legislator might receive the command—that is the law—in a frame of mind more favourably disposed and therefore more apt to learn.... The lawgiver must always provide that all the laws, and each of them, will not lack preludes (722d-723b).

There are several interlocking claims in this speech: First, that all speeches and vocalizing are preceded by a kind of preludial attunement, as if music, which is a mimesis of character must precede the concept-carrying of language.¹⁶ Second, that given this necessity, political laws really ought to have such preluding attunements, but no one has uttered or composed one. Third, that everything the three men have been saying all morning has been this kind of attuning for the law giving they are about to engage in for the new Cretan city; and fourth—what is first in the speech—that what has emerged in their dialogue has done so by the aid of some god. It follows that it has been a god who has charmed forth from them the preludial vocalizing of the first four books of *Nomoi*: the god

is the composer of the prelude to human laws. The human laws—linguistic constructs—must follow from, and follow, this divine music. It is not that our speakers have not been speaking in an all too human language for four books, but that in and through their speaking a more divine music has also been at work.¹⁷ Clearly, then, the Athenian does not consider that the dialogue in which they have been engaged is merely a pattern of reciprocal activity (a mixture of compulsion and persuasion, 722b) of each ego upon the passive natures of each of the others, for he confesses that "something has emerged:" a grammatical construction which implies that the individuals engaged in the dialogue are themselves middle-voiced¹⁸—not exactly active, not exactly passive—in relation to the god, who has somehow aided them to come where they are—to the point of being able to begin to make laws together. This confession reveals that what the three men have been and are engaged in is a liturgical act—an act which is open to the presence and activity of the god—and the god, the Athenian discovers to them, has in fact been active in their action. They have not been just three old farts shooting the breeze on the way up a difficult hill.

A careful examination allows us to see how the dramatic structure of the *Laws* plays out what this *logos* says: it enacts and exhibits this divine prelude. The first word—*theos*, in fact, strikes a deep sympathetic vibration in all the interlocutors; from it and as a result of it being the first word and then echoed and approved by each of the other speakers, all of the speakers are in, let us call it, the key of conscious reverence. Of course, each is in that key already, for each is on his own pilgrimage up the hill to the cave of Zeus, but the sounding of the question about the god breaks the monadicity of their reverence while at the same time strengthening that reverence in the mutual sounding and admission of the god's foundation of the laws. The initial question opens the supposed privacy of their reverence into the public realm, the realm of the common good and exchange. This opening is the essence of the liturgical, the source of all harmony among men, and that is why Plato places 'god' as the first word of *Logoi*. That the name of the god invoked by each man

differs is less important than the grounding humility before the divine that each confesses. It is to this primary opening experience that the Athenian turns when the cultural difference of the name of the god and some particular laws (or absences of law) look to begin dissension, if not war, between the interlocutors.¹⁹

The threat of dissension is all but immediate, for the drama of this harmonious opening is at odds with the *logos* which Kleinias gives one page later about the original purpose of the laws:

for everyone there always exists by nature an undeclared war among all cities. If you look at it this way, you are pretty sure to find that the lawgiver of the Cretans (*Kretan nomothetein*) established all our customs (*nomima*), public and private, with a view to war (626a-b).

To this original and permanent (because natural) *bellum omnia contra omnes* the Spartan confirms his agreement (and that of his whole nation), with a godly oath—"How else would any Lacedaimonian answer, you divine man" (626c). Kleinias harmonizes with this oath a few lines later when the Athenian reduces the war between cities to a war of each city with itself and thence to each person's warring relation to himself:²⁰

O Athenian stranger—I would rather not address you as merely 'Attic' for you seem to me worthy of being called by the name of the goddess—you have correctly followed the argument up to its source (626d).

And though the Athenian responds to the Cretan's agreement about the argument's implications with an almost equally religious fervor, his is clearly oriented in the opposite direction: "What do you mean, you amazing man" (*ho thaumazie*, 626e). The irony of this chorus will not be repeated until Mozart, for while they have all harmonized around the divine and thaumaturgic, the echo rises from souls claiming not only to be necessarily disharmonious with each other, but claiming to be naturally disharmonious with themselves. *And*, in short order, we have heard the original reverent unity of the three men

break into its now culturally distinguished, divinely instantiated (they suppose), and disharmonious voices. That is, from agreeing on "what is at any rate the most just thing"—that a god is the founder (624a), we have heard a breakdown into a disharmony that is presumed to be natural, deep *and* in accord with divine decree. Some thaumaturgy will be necessary to cure us of this presumption.

What amazes the Athenian seems not so much Kleinias' agreement to the thesis of the natural war between cities, but that he continues to hold—indeed considers it a divine insight to see—that this war implies a natural war of each against every other citizen and even of oneself against oneself.²¹ In an effort to understand this very strange speech (*mala atopon...legomenon*, 627c) about victory over oneself and self-defeat, the Stranger supposes "a number of brothers, all sons of the same parents" of which it would not be surprising to discover that "most were unjust and but few just" (627c). The stranger then asks which of two judges they might be given would be better—one who destroys the wicked and lets the good govern themselves, or one who makes the good govern and allows the bad to live, willingly submissive to their governors. He then adds, "there is a third judge, if indeed such a one can be found, who in dealing with a single divided family will destroy none, but reconcile all, and by enacting laws succeed in securing their permanent love" (628a). Kleinias agrees that this last lawgiver would be by far the best and that every citizen would prefer it, and so every lawgiver would aim at it (628c). Kleinias' agreement here is a proleptic agreement to the music of Book 10, where the Stranger's arguments against impiety are presented as being the prelude to all the laws (887c); for the purpose of Book 10's argument is to show that such a judge, namely the god, both exists and cares for mankind.

I disagree that Plato fails to present the historically and culturally "obvious" judge of the warring brothers—parental authority, or tradition and precedent.²² Tradition, precedent and even the parents would have to resolve the problem in one of the three ways the Stranger suggests: *quartum non datur*. That this divided family of brothers is symbolic of

the factions in a city²³ is true, but surely they are more than merely that; and all three imagined judges must surely be more than merely any old father. Stoic cosmopolitanism traces itself back to Plato for a reason: this is the family of man. It is to the solution of this all but terminal human problem that Plato turns his closing wisdom to solve. Why Pangle considers and translates this last judge as "third...with respect to virtue" (p. 384, cf. 627e) entirely eludes me.²⁴ There is no reason to think that the Athenian's ordering of the judges is anything other than one which arranges a scale of political difficulty (from easiest and most likely to most difficult), which scale is (as in politics generally) the inverse of the scale virtue would present: every fine thing is difficult. Furthermore, Kleinias agrees that this last judge is by far the best (628a). Since it is "the god" whom the Stranger will credit in Book Four with having provided the prelude attunement allowing these men to make laws together, that discovery must be read back into the imagined solution to the present disagreement in Book One: It must be that it is the god "who brings harmony to the city" (628a8), the god who is this judge most sought for, of whose existence the Athenian here remarks "if there be such" (627e8).²⁵ The discovery of their attunement in Book Four is to be for these men not so much a proof for the existence of the god (they already believe), but a proof of his abiding presence in their activity—a proof that He-who-is is concerned with the affairs of men (cf. 885c). The dialogue thereby makes clear that the god is so concerned by its dramatic action well before the argument (*logos*) for that concern is given.

Kleinias recognizes that the Athenian's parabolic familial argument indicates that the highest good and aim of the laws is peace and friendly feeling among all (628c), not the preparation for, and victory in, war that he and his Spartan second had earlier agreed was the aim of every city (628e, cf 626c). The family story they have just agreed to, in other words, threatens the very foundation, the *raison d'etre* of the Cretan and Lacedemonian states so far as these leading citizens understand them, and the Athenian is quick to offer a set of stories which universalize this error about war's primacy or lay its source at the feet of an Athenian (the poet Tyrtaeus, 629-630).

In telling his family parable in Book One the Athenian had left open the question of whether or not such a compellingly unifying judge as he imagines could be found, though the other two judges seem clear human possibilities. But if the *very idea* of such a judge motivates what Kleinias calls a *universal agreement* that he is the best judge, would not such a *real judge* be able to accomplish it actually? Even the Athenian's *parable* has motivated an *actual agreement* in the real-historical world of Athens, Sparta and Crete, despite disagreeing with what at least two thirds of those societies say about the aim of culture (*nomima*) and law (*nomoi*). The three have come to an agreement about the telos of law and the nature of the god, for the god cannot be thought to do other than the best in giving laws to the cities, and it is clear to all who the best judge is in this parable. To disbelieve in the *possibility* of this judge, then, is to disbelieve in the *existence* of god (a topic and problem to which they will return in Book 10). To aim one's laws at something other than that at which this judge would aim is, therefore, to practice atheism.²⁶ Whatever war such a society would engage in, it could not be a holy war, but must in fact be a war against the very possibility of god's existence. Furthermore, a beginning with any other judge, or anywhere other than with the god who establishes friendship and conciliation, implies the *necessity* of both division of self and war within society that the Athenian found so surprising, though implied in the Cretan's view of the laws. Politics is impossible under that condition.

In Book Ten both the argument and the dramatic action of *Laws* will reiterate this point; there, the Athenian will, considering himself the younger man, ford the flooding river of the atheist argument (892d-895b), but when arguing against the "morbid state of mind" (900b) of the one who believes that the gods exist though they care not for human affairs, he will encourage Kleinias and Megillus to "take the part of the young man in answering ... and should anything untoward occur in the course of argument, I will make answer for you and convey you across the stream" (900c). Here, suddenly, he must be the older man, who sees through the way of the world and hopes, by way of the coming argument, to

save the younger man—who is considering how the evil prosper—from growing through his morbid state of mind to the greater height of morbid impiety, becoming one of those evildoers. But to consider the purpose of the laws to be a preparation for constant war reveals either atheism—there is no best judge to found the laws—or exactly that morbidity the Athenian urges his interlocutors to answer their way out of, for it maintains the belief that the god does not aim at the best solution to the family problem by presuming he does not aim at anything in our regard. In *answering* the Athenian's questions (900d-903), rather than simply listening to a long speech (893b-894d), Kleinias—hand over hand, as if grasping a cable (893b)—takes part in the cure of this Cretan and Spartan morbidity of soul—a morbidity which is a frequent disease among old practical politicians and which they exhibited here, early in Book One.

Politics must begin in this relation to the best judge; it must begin (as do the three interlocutors) with the seeking of this god, and the kind of public humility before the god that is represented by the act of their pilgrimage. And the end of politics is the active unity of the family brought about by the god so earnestly sought. In the first part of *Laws* we have seen Plato teach this by both the *logoi* of the dialogue and its dramatic action; Book 10 repeats it in brief. One of the dialogue's mimetic effects is that we are here from many cities, attempting to come to some uncompromising agreements about the dialogue itself. We have come to this city, which is as holy as any, and I trust we have come hoping to reach some agreement about what what we are doing means. Perhaps this conference is itself a liturgical act.²⁷ According to the *Apology*, Socrates said as much about his own work in his city. In fact, it may be that in *Laws* Plato is presenting—through *logos*, dramatic structure, and mimetic effect—what the proper liturgical act is for human beings.²⁸ It—that is, philosophy—is at least a proper liturgical act, and the *Laws* is a permanent possibility and invitation for human beings to enter into that liturgy.

¹This argument about politics has a parallel in ethics; cf John Rist, *On Inoculating Moral Philosophy against God*, (Milwaukee: Marquette University, 2000). The opposing political thesis, that a secular foundation is possible, would hang together with the thesis that "the gods exist by art and not by nature, by *nomoi* that differ from place to place" (889e); this is the first thesis of scientific atheism according to the Stranger.

²A similar thesis undergirds that famous Platonist, Augustine's, major political work, *The City of God*. Though Augustine suggests in the opening of that book that there are two cities, it turns out that the city ruled by the *libido dominandi* is really no city at all, but merely the illusion of a pause in the process of infinite disjunction of the individual wills; one might call it not a *politeia* (which word the Athenian uses only for the state he builds), but a form of *stasioteias*, based as it is on conflict.

³The reduction of the world to the political has, in the case of either metaphor, the effect of flattening it: in the first metaphor, the world looks to be a cartoon of itself; in the second, materialism is presumed to be the true religion. Actually, I must say it this way: in the latter case, materialism presumes itself to be the true religion.

⁴This idea is most clearly repeated in 803B-E, part of which is a headnote to this paper.

⁵Cf. Alasdair MacIntyre, *Whose Justice? Which Rationality?* (Notre Dame, 1988). The opening of *Laws* invokes three different gods as founders of three—in Plato's lifetime, all but permanently warring—states. The problem the dialogue instantiates by its choice of characters and their mutual aim is the one Socrates left behind in *Euthyphro* (9c): what if the gods disagree? It is not really a particularly modern question, unless Plato is modern.

⁶By contrast, in the new city founded in *Laws*, "it shall be the rule for the children, from the age of six until they reach military age, whenever they approach any god and form processions to be always equipped with arms and horses, and with dance and march, now quick, now slow, to make their supplications of the gods" (796C). Clearly the liturgy of this city is participatory (even six year olds are involved) and it is woven together with the educational movements, exercises and equipment prescribed as part of the education

rather than being made up of extraneous and showy tricks like horse-relays with torches. The dances of the new society are further described at 815D5-E5.

⁷The Athenian requires "there shall not be less than 365 feasts" (828B) in the new city.

⁸I do not think Plato believes a state of nature is possible for human beings if by that state of nature we are to imagine an asocial, aliturgical being; clearly he does not think that such a state can be our human beginning—though perhaps it could be our conclusion. This setting—in the Pireaus—also seems to argue against any liturgy or ritual as arising out of the state of nature (as Rene Girard might describe it), for the events at the Pireaus take place in an already developed sociality. But we cannot explore either of these problematics here.

⁹It has, however, shrunk into privacy, against which the Athenian Stranger will make a comprehensive law: "no one shall possess a shrine in his own house" (909d, cf.910c).

¹⁰This problem also appears in the ranking of divine madresses in *Phaedrus* (244B-245B, 247A, 248C-249E), a ranking which is at least superficially self-contradictory. Furthermore, I think that a more adequate understanding of art will not require it to be barred from the city; the boys are not yet capable of that more adequate understanding, as proven not only by their incapacity, but by their signal lack of effort, to defend poetry and drama. It is far more likely, as the dramatic structure of *Republic* shows, that art is a necessary aspect of the human liturgy. Cf. Catherine Pickstock, who argues that real life and art only separate as 'the wreckage of the liturgical' in "Liturgy, Art and Politics," *Modern Theology* 16:2 (April, 2000): 159-180.

¹¹Glenn R. Morrow notes of the city set up in *Laws* that "the spirit of worship in Plato's state covers the whole gamut—from sacrifices and prayers to the Olympians, to the affectionate tendance of the honored elders of the household ... [s]preading out in ever widening circles ... the religion of the citizen in Plato's state puts his life everywhere in contact with divine agencies.... Religion is not something apart from other areas of life; it penetrates them all" (*Plato's Cretan City*, Princeton, 1960): 468. One might use as an analogy the medieval one of the soul containing the body, rather than our more modern Cartesian reduction.

¹²As indicated by Polemarchus' constant raising of the question of happiness, by which he means satisfaction of the appetites.

¹³That the accumulation of excess capital is the central problem of a society, and that religion (of various sorts) is the socially instituted solution is the central thesis of Georges Bataille's work. I have previously outlined the options in *Is Hamlet a Religious Drama? An Essay on a Question in Kierkegaard* (Milwaukee, 1999): 202-217.

¹⁴See the first section of *Twilight of the Idols*, "The Problem of Socrates," as well as §7-9 of *The Birth of Tragedy*.

¹⁵Curiously, this was Nietzsche's point too: according to him what made life livable for the pre-Socratic Greeks was the knowledge that the Olympians shared their life. Now one can barely see the Acropolis from any point in the city; this is not just a metaphor.

¹⁶Language is, of course, always both musico-mimetic and concept-carrying representation—as are all the arts of the muses, the Stranger seems to imply. Cf. my "Intentionality and Mimesis: Canonic Variations on an Ancient Grudge, Scored for New Mutinies," *Sub/Stance* 75 (1994): 46-74. But we might point out that this musing preludial vocalizing does, in the development of the individual, precede speech.

¹⁷The precise nature of this divine inspiration has been explored in some detail by William A. Welton, "Divine Inspiration and the Origins of the Laws in Plato's *Laws*," *Polis* 14, 1-2 (1995): 53-83. I wish to suggest that another way to understand divine inspiration is as a recognition that though the interlocutors are making their own sentences, no human being made the language, rather language makes us human and to it we are as passive in its working on us as we are active in its employment. "In the beginning was the word" is the way such a story of divine inspiration would begin. Of this double point about language Ion makes two horns to gore himself with, repeatedly. See my "*Ion*: Plato's Defense of Poetry," in *Platonic Errors: Plato, A kind of poet* (Westport: Greenwood, 1998); reprinted from *International Studies in Philosophy* 29, 4 (1997): 23-50.

¹⁸The middle voice seems to be Plato's grammatical preference when indicating the relation between god and man. At the top of Diotima's ladder, after learning through a life of various activities to find the beautiful in bodies, souls and ideas, "then, if ever, it might be given to a man to become immortal"

(*Symposium* 212b). We do not storm heaven, nor are we mere passive recipients, but something between those, for which English has not got the grammar.

¹⁹Morrow points out that the Athenian makes the religious and legal differences between the three interlocutors more difficult than they were, historically, by avoiding any suggestion that the Spartan laws were in some ways dependent on those of Crete; cf. *Plato's Cretan City*, 34. Plato is more philosophical about the question than history is. He makes the question more difficult because, unquestionably, it will become so.

²⁰This reduction will be accepted as natural in modern times by Freud. Cf. his *Civilization and Its Discontents*.

²¹I am certain that Plato does not believe the Hobbessian thesis of natural war is even possible about either the individual or cities, for, despite Thrasymachus, Socrates begins his defense of justice by saying "no one is self-sufficient, but we all need much, or does a city have any other principle?" To this Adeimantus admits "no other" (369b). It is clear that Thrasymachus thinks there are some people who are self-sufficient, namely himself, the solitary strong. This is simply a lie: he is forgetting the first seventeen years of his life and not considering the last seventeen too closely either. And in the middle, what will he take with him but the words and practices of those who brought him so far? In *Laws* 10 it is the atheist who says the gods exist by art and convention, not nature, who further claims that life according to nature consists in being master over the rest (889e, 890a). This "true lie" (382) seems to be accepted as a fundamental truth from Hobbes to Rawls.

²²Cf. Thomas Pangle's "Interpretive Essay" bound with his translation of *Laws*, p. 383.

²³As Pangle suggests (p. 383).

²⁴Pangle thinks "the lawgiver's pursuit of concord attenuates his pursuit of virtue" (p. 385). But it is impossible for a just man to give up justice for some other good, like concord. If the brothers are going to become friendly it is not because the good are going to compromise with the evil about what good is; no concord is forthcoming that way. The attenuation of justice is precisely not the way to "make all friendly."

the only way anyone can be truly friendly is by being virtuous; surely *Republic* exhibited that! This being the case, it is likely that we are all on the troublesome side of the family.

²⁵I would further suggest that the supposed lacuna at 630E is a purposeful anacolouthon: "What is true, I think, and just, since we were carrying on a dialogue on behalf of a divine..., we should have said that he had in mind not just some part of virtue—and that the lowest—but that he looked to the whole of virtue." The Athenian here is playing with Kleinias' opening response, "a god, stranger, a god, to say what is most just" and he is adding that it is also *most true* that a god founds the laws. Alternatively, perhaps the missing word is 'stranger', for the god who brings unity is truly a stranger to those who think he brings, or orders, division. Kleinias will call the stranger a divine (*mantis*) a little later, when the Athenian sees into the intent of the law (635E).

²⁶And deny every good form of eros, at least according to *Phaedrus*, where Socrates says that "everyone spends his life honoring the god in whose chorus he danced...[for he] is in touch with the god by memory and inspired by him to adopt his customs and practices, so far as a human being can share in a god's life" (252d-253 a).

²⁷Pangle suggests that "at every every meeting [of the Dionysian chorus of older men] some version of the drama presented in this dialogue ... will be re-enacted" (p.402).

²⁸Cf. *Phaedo* 61a, "philosophy is the highest music;" *Phaedrus* 252d-253c, each type of lover trains his beloved to follow his god's pattern (philosophers being followers of Zeus) to the point of sharing the god's way of life so far as possible, securing a consummation with the beloved in that divine life.