

Sacral Citizenship

Philosophies of the City from Plato to Augustine

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Beware of saying ... that sometimes different cities follow one another on the same site and under the same name, born and dying without knowing one another, without communication amongst themselves. At times even the names of the inhabitants remain the same, and their voices' accents and also the features of their faces; but the gods who live beneath names and above places have gone off without a word and outsiders have settled in their place.

Italo Calvino. 'Cities and Memory 5' from *Invisible Cities*.

Abstract

This thesis offers a detailed examination of the ideas of the city and of citizenship in the writings of Plato, Aristotle, Cicero and Augustine in their historical contexts. Aristotle is considered as a critic of Plato and Augustine of Cicero, with Cicero considered as poised between Plato and the Stoic legacy. The aim of this examination is to test certain still dominant assumptions about ancient citizenship, defined as active participation in government. These assumptions are that ancient citizenship was primarily political, secular, adult and male; that it is best articulated by Aristotle; that it is compromised by Rome in practice and by Cicero in theory and finally abandoned by Augustine through a Christian denigration of the importance of political life in time. Cicero and Augustine are rather thought to inaugurate an alternative modern idea of citizenship as the non-participatory receiving of rights and protection from the sovereign state. I conclude instead that ancient citizenship was primarily by birth, was first to do with religious rather than political participation and included women and children. Aristotle's purely political picture of civic origins and of citizenship is therefore misleading. Moreover, Aristotle's views on citizenship turn out to be contradictory and incoherent, just because he has lost the primary religious referent. Individual virtue oriented ultimately towards the eternal therefore comes into conflict with collective justice. By contrast, Plato's theory of metaphysical participation is exactly suited to conceiving political participation and retaining a continuum of citizenship across the human ages and classes. Cicero is caught between this Platonic vision and a Stoic, proto-liberal one, and the same goes for Rome itself. Its aspects of empire and monarchy can be seen as according with Platonic mixed constitution and universalising ambition. Augustine, by virtue of his Christian outlook, perfects a Platonic version of Rome, just as his Trinitarian grounding of participation, including political participation, perfects the Platonic metaphysics of the super-forms of the One, the Dyad and their interaction.

Declaration

This thesis is the result of my own work and includes nothing which is the outcome of work done in collaboration except as declared in the Preface and specified in the text. I further state that no substantial part of my thesis has already been submitted, or, is being concurrently submitted for any such degree, diploma or other qualification at the University of Cambridge or any other University or similar institution except as declared in the Preface and specified in the text. It does not exceed the prescribed word limit for the relevant Degree Committee.

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Introduction: The City and Citizenship in Question

We can identify a ‘citizenship of the ancients’ and a ‘citizenship of the ‘moderns’. The former was defined in terms of the right to hold public office in the city and to participate in its decision-making. The latter was defined in terms of legally guaranteed private rights and benefits conferred by ‘the state’, sometimes combined with a minimal right of political participation, which is the right to vote.¹ The former typically involved an active, ancient, ‘positive’ liberty, both of the city and the citizen, the latter a modern, passive, ‘negative’ liberty of free choice in private life, underwritten by a state indifferent as to the content of these choices.²

In addition, it was assumed in the ancient city that governing involved a continuous education of its citizens into virtuous flourishing (however defined): ‘Government is the nurture of man’, as Socrates was reported as saying (*Menexenus* 238c). By contrast, the modern state only educates its citizens in their youth as a preparation for ‘real’ life and for their own individual benefit, or the pragmatic well-being of the state as a whole.³

In between the ancient city and the modern state in the Western world lay the era of the Roman Empire and then of the ‘Middle Ages’. What happened to citizenship during those two periods remains contested. But it can certainly be said that the modern notions of both the central sovereign state and of passive citizenship were formulated in considerable part by thinkers like Jean Bodin and Hugo Grotius, who thought they were recovering the assumptions of ancient Roman law.⁴

There remains to this day a reasonable scholarly consensus as to the uniqueness of the ancient Mediterranean city state. Max Weber argued that, while ‘Asiatic’ cities displayed in varying degrees the same characteristic attributes of fortification, a market centre, an independent court, political association and at least partial autonomy as found in the West, they lacked the crucial linkage of the freedom of the city with the freedom of its citizen inhabitants, who enjoyed both private liberty and the collective free power to shape their own political destiny.

¹ Michael Walzer, ‘Citizenship’, in *Political Innovation and Conceptual Change*, ed. Terence Ball *et al* (Cambridge: CUP, 1995), 211-19.

² Benjamin Constant, ‘The Liberty of the Ancients Compared with that of the Moderns’, in *Political Writings*, trans. Biancamaria Fontana (Cambridge: CUP, 1993), 309-28.

³ Susan D. Collins, *Aristotle and the Rediscovery of Citizenship* (Cambridge: CUP, 2009), 41-6.

⁴ Walzer, ‘Citizenship’.

Citizenship for free men was assured at once by a slave economy and by the prevention of debt-accumulation that would have resulted in dispossession and the emergence of a proletariat. The latter was much enabled by continuous military aggression and the distribution of conquered lands and other spoils of war. In consequence, the band of citizens was essentially a 'military guild', little concerned with economic trade, and the basis of democratisation was martial in character.⁵

Weber also argued that the break with kinship ties was stronger in the West than in the East: following Fustel de Coulanges, he considered that the Mediterranean city began when a civic ritual meal displaced a familial one.

This can suggest the question, however imponderable, of which came first, the city or the citizen. Emile Benveniste noted that, etymologically, *polites* derives from *polis*, whereas *civitas* derives from *cives*.⁶ This contrast could be seen as concurring with the already present relatively strong Roman stress on citizenship as a legal status providing certain private rights and privileges, more than as a political status marking an active involvement in government, as evidenced by the concern of Roman law, classically expressed by the jurist Gaius, with 'things', alongside the other two primary categories of 'persons' and 'actions'. Or it could equally indicate that for the Romans there was no city without a collectively agreed sharing between individuals, families and tribes, such that the strong concern with things can be alternatively read, not as necessarily pointing towards 'possessive individualism' (as J.G.A. Pocock suggests), but as the inclusion of a wider material, economic and even cosmic scope within the scope of citizen-relations and citizen mediation.⁷

In the case of Greece, the evidence would seem to suggest that the city preceded citizenship, with the first words for 'citizens' prior to the later usage of *politai*, implying both that citizenship was first defined by birth (*ethnika*) and that it was something held collectively (*astoi*).⁸ This priority of the city over its citizens could equally give rise to a democratic sense of shared government and to an autocratic sense of the priority of the city over any individual.

⁵ Max Weber, *The City*, trans. Don Martindale and Gertrud Neuwirth (New York: The Free Press, 1966), 54-5, 91-7; 'Citizenship in Ancient and Medieval Cities' in *The Citizenship Debates: A Reader*, ed. Gershon Shafer (Minneapolis MS Minnesota UP, 1998), 43-9.

⁶ See Alain Duplouy, 'Pathways to Archaic Citizenship' in *Defining Citizenship in Ancient Greece*, eds. Alan Duplouy and Roger Brock (Cambridge: CUP, 2018), 2.

⁷ J.G.A. Pocock, 'The Ideal of Citizenship since Classical Times', in Shafer (ed.), *The Citizenship Debates*, 31-41.

⁸ Josine Blok, *Citizenship in Classical Athens* (Cambridge: CUP, 2017), 146-86.

With regard both to the city and to citizenship, we can identify a series of twelve further commonly held opinions that may, nonetheless, be more subject to debate:

1. That citizenship was primarily a political matter of reciprocal office-sharing, as defined by Aristotle.
2. That the *polis* and government by citizen-participation was only fully possible in the peculiar ancient Mediterranean circumstances of geographically separated small communities, dependent upon a slave economy.
3. That such a mode of government was primarily democratic, albeit amongst a free elite.
4. That this same self-government by citizens was essentially an immanent and secular affair, for which religion was incidental.
5. That since the crucial mark of the city was held to be citizen participation, the latter did not always denote any shared ethical values. Republican politics was not necessarily a politics of virtue.
6. That the Roman empire involved a considerable abandonment of the ancient civic ideal, both because of its scale and its weaker commitment to democracy.
7. That in the medieval era, both Byzantine and Latin, dominated by religion, republican citizenship lapsed, apart from a few independent cities, mainly situated in Italy.
8. That Christianity inherently favours the political 'subject' over the participating 'citizen', since it no longer views political life in this world as being of ultimate value.
9. That, against all the foregoing background, Aristotle's views are regarded as normative. He is seen as an advocate of qualified democracy and even sometimes as a liberal.⁹
10. That conversely, Plato is not seen as an advocate of citizen self-rule, but of autocracy. He is also thought to have inherited Socrates' supposed rejection of politics in favour of philosophy.
11. That Cicero, articulating a Roman perspective, is to be regarded as in many ways a proto-liberal, pointing towards the 'citizenship of the moderns'.
12. That this is to be regarded as still truer of Augustine, who already, despite the later medieval developments, anticipated a modern realism and liberalism. He did so both

⁹ See, for example, Martha Nussbaum, *The Fragility of Goodness: Luck and Ethics in Greek Tragedy and Philosophy* (Cambridge: CUP, 1986), 235-94.

by augmenting the Platonic priority of the other-worldly, and by removing all pagan trappings from politics. They now became a residual, secular affair, devoted to pragmatic compromise, preventing the worst evils and guaranteeing negative liberties.

The aim of the following thesis is to try to test the truth of these twelve assumptions. It will conclude that they should in some cases be rejected, and in others considerably modified.

There are various general reasons for undertaking this re-consideration. They can be listed as:

- (a) A suspicion that our entire picture of ancient politics is still shaped by a projection backwards of early modern perspectives and exigencies. Above all, in the wake of the wars of religion, the ancient world was seen as a repository of secular values, with its pervasively pagan religiosity ignored.
- (b) Similarly, and already with Machiavelli, early modernity was attracted by a value-neutral politics. Again, this may have been to ignore a stronger link of virtue to citizenship in antiquity - although most of the earlier Renaissance Humanists, before the sixteenth century, in fact did not ignore this and took the opposite tack to that of Machiavelli.¹⁰
- (c) Reversing these trends, scholarship today tends to show that both Rome and Greece were suffused with religion and that, for example, divination played as much part as deliberation in the making of political decisions. Similarly, common citizenship was marked by certain shared artistic styles and customs.¹¹ Even democracy was born under religious auspices when ‘the god himself took the place of the king’.¹²
- (d) The same scholarship tends to show that the small and intimate character of ancient cities has been exaggerated: they had considerable hinterlands and colonial offshoots, and yet, as in the case of Rome herself, strong elements of republican self-government were still maintained.¹³

¹⁰ James Hankins, *Virtue Politics: Soulcraft and Statecraft in Renaissance Italy* (Cambridge MA: Harvard UP, 2019).

¹¹ Duploux, ‘Pathways’, 36-47.

¹² The remark is by Victor Ehrenberg, cited in François de Polignac, *Cults, Territory and the Origins of the Greek City-State*, trans. Janet Lloyd (Chicago IL: Chicago UP, 1995), 2.n.2.

¹³ Josiah Ober, *Demopolis: Democracy Before Liberalism in Theory and Practice* (Cambridge: CUP, 2017), 59.

- (e) Much emerging evidence suggests that Aristotle's account of citizenship was atypical and that political citizenship was secondary to citizenship by birth and to ritual and religious participation, that included women as well as men.
- (f) The 'proto-modern' understanding of the Roman *imperium* often does not fit with what we now know about its rather more archaic and more religious character compared with Greece.
- (g) Since the Middle Ages did not divide familial, social and economic relationships from political ones, we cannot so readily assume that 'feudal' reciprocity did not involve some equivalent to exercises of citizenship. Moreover, the freedom offered to serfs in medieval cities and the absence of slaves, extended the priority of freedom and so the remit of citizenship.¹⁴
- (h) Despite crucial recent qualifications, the ancient city was relatively more a 'consumer city' than was the medieval town, which involved more systematic artisanry and trade. Insofar as politics was a restricted 'spectacle', large areas of the economy and the administration, dependent upon slave labour, did not involve so much citizen participation. Conversely, the greater 'corporate' structure of Rome and then still more of medieval Christendom, with its greater fluidity between the familial, craft, trading, religious and political aspects of life, could actually be seen as having extended 'citizen' active involvement.
- (i) The philosophical distance of Aristotle from Plato has been exaggerated. Aristotle also favoured an aristocratic reform of Athenian democracy. Meanwhile, the whole of Plato's corpus, as regards his political theory, has been insufficiently explored. It is still too easily assumed that the *Republic* is normative.
- (j) The complexity of Roman authors, especially of Cicero, has been overlooked: their problematic relationship to Greece, the tension between Stoicism and Platonism, and the degree of their preparedness to criticise the Roman legacy itself.
- (k) Augustine has usually been read in terms of later Christian history and from a Christian theological viewpoint. He has been too little read as a still Roman thinker, sustaining, if also drastically modifying, specifically Roman perspectives.

¹⁴ Harold J. Berman, *Law and Revolution: The Formation of the Western Legal Tradition* (Cambridge MS: Harvard UP, 1983), 324-8, 366, 399-403, 532.

All these numbered and lettered points concern various qualifications of anachronistic perspectives on the ancient city and ancient citizenship. At the same time, it would be equally false to impose ideological uniformity on Greece and Rome, and there remain ways in which they embodied tensions which do to some degree foreshadow political tensions of our own day. The human political predicament is at once temporally specific and yet perennial.

Thus, there were indeed identifiably ‘proto-liberal’ aspects to Rome and to Cicero. Equally, ancient Athens witnessed a perpetual argument as to the nature of the city and of citizenship. In the case of both cities (though more particularly Rome), democracy could tend to drift in a ‘populist’ direction of mass rule, or the tyranny of a majority. But in fact, in the case of Athens, even Solon, who admitted all citizens to the governing body or *ecclesia*, and restricted the tyranny of debt, assumed an aristocratic dominance of the political process.¹⁵ Moreover, measures were taken to ensure that democracy did not override inherited laws, nor the security of private property, combined with a reciprocal guarantee of public payment for political service by poorer citizens.¹⁶ And even if the city, via its slave economy and military raids, was mostly self-sufficient and non-exporting, many artisans and merchants sought to extend an ‘aristocratic’ and citizen participation also in the productive and trading aspects of civic life, besides their political pertinence and involvement - such that Xenophon, in his later works, more unambiguously included artisans as citizens than did Aristotle¹⁷ Yet these were only pressures exerted within a city normatively defined by a certain degree of detached show and performance: by competition (*agon*), display (*epideixis*), posture (*schema*) and spectating (*theoria*).¹⁸

Above all, both democracy and virtue remained in contestation within antiquity. To a degree, everyone accepted a degree of mixed constitution, or the blending of the rule of the one, the few and the many. But the emphasis could drastically differ. Democracy was more promoted by Pericles and his ally, the sophist Protagoras. In the former’s *Funeral Ode*, it is said that the democratic voice of the many prevails and yet that Athens is ready to recognise the talents of

¹⁵ Vincent Farenga, *Citizen and Self in Ancient Greece* (Cambridge: CUP, 2006), 262-345, 541; Pauline Isnard, ‘Citizenship in Athens from Solon to Cleisthenes’, in Duploux and Brock, *Defining Citizenship*, 145-59.

¹⁶ Ober, *Demopolis*, 14-17, 21, 30-1.

¹⁷ Saber Mansouri, *La démocratie athénienne, une affaire d’oisifs? Travail et participation politique au IV^e siècle avant J-C* (Brussels: André Versailles, 2010), 225-31; Duploux, 3, 17-32; Alain Bresson, *The Making of the Ancient Greek Economy* (Princeton NJ: Princeton UP, 2016); Carmine Ampolo, ‘Il sistema della “polis”’: Elementi costitutive e origine della città greca’, in *I Greci. Storia, arte, cultura, II. Una storia Greca I. Formazione*, ed. Salvatore Settis (Turin: Einaudi, 1996), 297-342.

¹⁸ Farenga, *Citizenship and Self*, 5; Simon Goldhill and Robin Osborne (eds), *Performance Culture and Athenian Democracy* (Cambridge: CUP, 1999).

the few.¹⁹ Additionally, it is stressed that public life is more sacred for the Athenians, but that they are to an extent left free to live their private lives as they will. A certain foreshadowing of later early modern republicanism (as with James Harrington) is after all evident here. For Pericles comes across as ‘communitarian’ as regards public life, but ‘liberal’ as regards private.²⁰

However, Socrates, in the dialogue *Menexenus*, which may or may not be by Plato, mischievously claims that he provides here, in a rival funeral speech, the real views of Aspasia, Pericles’ rhetorician mistress, whom he also claims really wrote Pericles’ speech. And Socrates (or the real Aspasia) reverses Pericles’ emphasis: Athens is primarily an aristocracy and yet the few best rule with the complete consent of the many, while citizens are all free and equal (*Menexenus* 238c-e). The key to this reversal is the greater insistence upon government by the virtuous, and as Socrates’ *Apology* and the Platonic dialogue *Crito* make clear, virtue for Socrates now means a more absolute, divinely given and oracular sense of the good and of justice (*Apology*, 31b-32e, 37e-38a; *Crito*, 48b, 49d). Socrates has refused to participate in the political process, *not* because he now pits philosophy against citizenship (as Hannah Arendt and Leo Strauss thought),²¹ but because he has re-invented a different kind of philosophic citizenship based upon the ‘examined’ life (*Apology*, 38a). Since democracy, by contrast, renders political activism an absolute, it set up a schizophrenic divide between public involvement and personal integrity. Socrates is suggesting that this divide need not exist, precisely if the city is pursuing justice. Our political sharing depends upon our sharing in the divine, else the former will collapse into domination and sophistic manipulation - as Plato will argue in detail. By the same token, our private behaviour cannot be so much a matter of indifference to the city as Pericles seemed to suppose. And while Socrates emphasises more strongly the vertical links of the city, he also more strongly stresses its horizontal origins in time and our shared birth from the city who is our more primary parent (*Menexenus* 237d-238b; *Crito*, 51a-c).

Socrates, in effect, proposed a new way to harmonise individual character and public role, to bring together given *physis* with conventional *nomos*. Other thinkers, however, like Antiphon and Alcibiades, insisted upon the incompatibility of the former with the latter.²² Beyond the

¹⁹ Pericles, ‘Funeral Oration’, trans. Susan Collins and Denis Stauffer in *Empire and the Ends of Politics: Plato’s Menexenus and Pericles’ Funeral Oration* (New York: Focus, 1999).

²⁰ Farenga, *Citizenship and Self*, 429-38, 475-6, 536-48.

²¹ See Dana Villa, *Socratic Citizenship* (Princeton NJ: Princeton UP, 2001), 246-309.

²² Farenga, *Citizen and Self*, 471-548.

Periclean compromise they can be perceived as pushing in directions that were either libertarian or cynically ‘realist’.

Given these more perennial tensions, my thesis has a normative as well as historical aspect: I am asking whether it is true that religion and virtue are either irrelevant to citizenship or tend to contaminate it, or rather the reverse; whether, in fact, there can be no true political participation without a metaphysical participation in the transcendent Good.

In order to conduct this double inquiry, historical and normative, I shall mainly focus upon ancient texts of political theory but will try to read them in their historical contexts, both with respect to social structures and to historical events.

The rationale behind my choice of texts lies in the subsequent reading of earlier canonical authors by later ones. More specifically, I begin with Plato’s *Republic* and *Laws*, and then read Aristotle’s *Politics* as an intended critique of both of them. Then I turn to Cicero’s deliberate Roman imitations of these texts under the same titles, before concluding with Augustine’s *Civitas Dei* which is to some degree, in turn, a critique of Cicero. However, in the case of Rome I supplement this with some consideration of other relevant Roman authors: specifically, Polybius, Virgil and Livy. The former casts important light upon Cicero and the latter two upon Augustine.

Literary reviews would be too complex to isolate and are mostly embedded within the texts. But in the case of Greek citizenship in general there is a review of the literature at the beginning of Chapter One, and in the case of Roman citizenship in general, a review of the literature at the beginning of Chapter Four.

Chapter One, opening Part One of the dissertation on Athens, reconsiders Plato’s *Republic* and suggests the *Kallipolis* is at once an ideal ‘city of the One’, and yet too sheerly mathematical, in a Pythagorean sense. It is neither intended to be practicable, nor even unambiguously utopian.

Chapter Two argues that the city of *Magnesia* in Plato’s *Laws* is the ‘City of the Dyad’ that can be related to Plato’s later philosophy of the super-Forms of the One, the Dyad and their intermixture. It is both more realistic and paradoxically more ideal than the purely philosophical city of *Kallipolis*. Equivalently, participation in the Forms is now more widely dispersed and participation in the city has become more possible for all ages and both genders, and in a manner that involves continuity from animals through humans to the gods.

Chapter Three, while stressing several continuities of Aristotle with Plato, also seeks to show that he is a less satisfactory theorist of citizenship than the Plato of the *Laws*. This is because he suppresses the religious dimension of citizenship and by de-emphasising vertical participation in the divine, in favour of a rather more formal legal regulation, threatens also to weaken horizontal participation amongst citizens. This is seen in the way in which contemplation of the divine now tends to remove one from politics, while noble virtue and democracy become somewhat incompatible with each other, since the more ritual, erotic and corporeal modes of participation in the Good have been weakened. This sets up a tension between the highest virtue as such and the virtue of distributive justice, such that citizenship is potentially decoupled from virtue and for that reason threatened even as citizenship - since Aristotle continues, like Plato to think that the very possibility of self-rule in soul or city depends upon being rationally virtuous.

Chapter Four, opening Part Two on Rome concerns Cicero understood against the background of the considerable contrasts between Rome and Greece. Rome was, from the outset, an alliance of different ethnic groups under a shared *cultus*. This set up a complex three-way tension between a greater priority, compared with Greece, of semi-tribal origins, an appeal to something numinous as binding different familial groups together and a resort to the merely contractual between competing families and individuals.

At the same time, the much greater mixture of family and political, private and public life in Rome, changed the meaning of citizenship in ways that could, on the one hand, tend to the more private, but could also, on the other, involve a more variegated sense of the public and the political.

Cicero is marked first of all, the three-way Roman tension. The historical and ancestral stress could translate into a Stoic cosmic, immanence, the sense of a numinous *vinculum* into one of participation in Platonic transcendence, and the emerging contractualism into a proto-liberalism and individualism, often blended with the Stoic affirmation of a vague ethical *cosmopolis* and of natural law over against the self-sufficient individual.

But instead of reading Cicero as diluting Aristotle's civic communitarianism, I see him rather as oscillating between extremes: between a greater communitarianism of a Platonic kind (given my diagnosis of a semi-Stoic split between public *praxis* and private *theoria* already in Aristotle) on the one hand, and a Stoic influenced proto-liberalism on the other.

Cicero, along with Polybius also theoretically manifests the second two-way Roman tension between citizenship as more apolitically private and citizenship as more diversely exercised at several different levels and in several different spheres: familial, economic, ritual, legal and confraternal, besides political in the Greek sense. I show how this corporatist possibility draws on an alternative set of Stoic possibilities, besides upon Platonism, anticipating medieval developments.

The final two chapters on Augustine seek to show first, how he inherits and consummates Roman self-critique and second how he consummates a Platonic vision of civic participation as also metaphysical participation.

Chapter Five demonstrates how he improves upon Livy and Virgil's critique of Roman origins in terms of their sacralisation of mimetic rivalry and scapegoating. The Roman preference for legend over myth is shown to reveal at once a 'Platonic' embarrassment about the violence of mythical stories and yet a greater concealment of real, historical, founding violence. Against this, Augustine pits the true eternal angelic city of peace and musical harmony, in which it is possible for the earthly city to participate. The notion that Augustine moves away from the ancient city and citizenship is implausible in the first place to the degree that he now renders the realm of the Platonic intelligences *itself* fully a city.

In the final Chapter Six I show that it is implausible also, in the second place, insofar as Augustine's main apologetic argument is that Christians make better citizens *also* of the earthly city and that Christianity is more likely to produce a strong Roman empire. This remains the case, even if for Augustine the Roman Empire is not a final good and may not providentially endure, and even if he wishes to curb imperial aggression and combine imperial generosity with both republican involvement and a more federating subsidiarity. For it is clear that Augustine continued to celebrate the universality of Roman citizenship, even if he wished to transfigure it.

I also demonstrate that, just as Augustine completes the Platonic critique of myth with a critique of legend, so he completes the Platonic critique of religion by arguing that one must not just redefine the pagan gods, but reject their worship, insofar as they are really demons whose warped mediation denies the direct and unmediated omnipotent governance of the one true Triune God.

But once more this is to promote and increase citizenship, both earthly and heavenly, and not the opposite. For the public placating of daemons through superstition interferes with the rule

of justice and the mediation of divine mercy and care to everyone. The new stress upon forbearance and forgiveness puts a new and much higher premium upon the attempted inclusion of all people within the civic realm. Similarly, by denying an inevitable resistance of the passions to virtue, Augustine extends the Platonic sense of the mediation of civic virtue by *eros*, or by true desire. The briefly but clearly intimated Christological and Trinitarian framing of politics in the *Civitas Dei* shows that, in effect, Augustine now elevates the *Dyad* and its mediation with the One to total equality with the One. This permits the idea that the City which participates in the Trinity can be eternal, and that all our earthly social activities can be redeemed through the Incarnation. The affirmation of Creation *ex nihilo* which these doctrines assume demands that, just as nothing is potentially excluded from the divine love, so nothing is potentially excluded from a civic community based upon a now more perfected and unlimited virtue.

I conclude the chapter by suggesting that this concurs with the more corporatist medieval understanding of citizenship already invoked and whose emergence Augustine's thought helped to encourage.

Part One: Athens

Chapter One: Plato's *Kallipolis*: Imperfect Perfection

1. What was the City? Who was a Citizen?

Historians and social theorists agree that the Greek *polis* involved the irruption of something wholly new into human history: the emergence of small, self-governed city-states, characterised by the joint participation in, or sharing of rule by a segment of its inhabitants who were deemed 'citizens'.²³ This practical participation (*metechain*) also came to involve a continuous debate concerning the best mode of ruling and the nature, both real and ideal, of the civic constitution.

It is not easy to understand how and why this phenomenon emerged. It did so after the so-called 'Greek dark ages' and the transitional 'geometric' epoch (900-700 BC). The earliest phase of Greek civilisation, the Mycenaean, had been characterised by kingship. With the collapse of this civilisation, a period of tribal dispersal ensued. Gradually, however, urban settlements were re-established by roving war-bands, such that, from the outset, the Greek city-states had something of the character of armed camps and also of colonial encampments, which rendered the later establishment of specific colonies a natural development.²⁴

Until modern times, scholars mostly accepted the accounts given of the origins of the *polis* by ancient Greek historians and philosophers of the high Classical epoch.²⁵ These tended, most notably in the case of Aristotle, to describe a natural evolution from family to tribal to inter-tribal groupings, implying the gradual weakening of blood-links and strengthening of political ties. Aristotle correspondingly defined full citizenship as an active sharing in judicial and political office (*krisis* and *arche*) (*Politics*, 1275a15-17).²⁶

This picture was first significantly challenged by Fustel de Coulanges in the nineteenth century, when he demonstrated how the ancient city assumed, sustained and extended a tripartite bond between the family, property and religion.²⁷ More recent evidence confirms that various family linkages of *genos*, phratry and tribe were preserved and even re-invented

²³ See, for example, Carlos Castoriadis, *Ce qui fait la Grèce*, Vol I: *D'Homère à Heraclite* (Paris: Seuil, 2004).

²⁴ François de Polignac, *Cults, Territory and the Origins of the Greek City-State*, trans. Janet Lloyd (Chicago: Chicago UP, 1995), 150-4.

²⁵ See Vincent Azoulay, 'Rethinking the Political in Ancient Greece', trans. Angela Krieger, *Annales. Histoire, Sciences Sociales* 69, 3 (2014): 605-26.

²⁶ Aristotle, *Politics*, trans. H. Rackham (Cambridge MA: Harvard UP, 1998).

²⁷ Numa Denis Fustel de Coulanges, *The Ancient City*, trans. Willard Small (Baltimore MD: Johns Hopkins University Press, 1980).

after the advent of the city.²⁸ If the participating citizens of the *polis* were primarily ‘aristocrats’, then that was because they were originally a set of closely associated kinship groups.

At the same time, scholars writing ultimately in the tradition of Fustel, particularly François de Polignac, have emphasised how the aristocratic origin of the city as an exercise of military power alone is not a sufficient explanation for its emergence.²⁹ The identity of the family was linked to the sacral guardianship of property, but the sense of a unified identity of a city required a wider extension of ritual *cultus* to which a greater number of people might adhere. Archaeological evidence has shown that, typically, such cults were cults of heroes, and that they were often situated, not at the centre, but in the rural peripheries. In most Greek cities, therefore, this gave rise to a tension between a centre or *meson* of aristocratic force, and a more dispersed democracy, intimately linked with religion, even if there were many intermediate degrees of connection. One peculiarity of Athens, perhaps explaining why democracy eventually erupted at its very core, was the relatively great concentration of *cultus* in the centre of the city. In any case, the implication of this scholarly perspective is that citizenship (*politeuma*) was most fundamentally a matter of religious participation, closely linked both to family and to terrain.

This emphasis was initially characteristic of the French structuralist ‘Paris school’ of classicists, to which Polignac adhered. Yet even this school did not consistently veer away from Aristotle’s definition of citizenship in terms of political participation and membership of the governing *politeia*, which seems to conflict with his declaration that citizenship is by birth. What is more, the members of this school did not fully follow through on the gender aspects of this tension: if citizenship is by birth, then women are fully citizens; if it is a matter of political participation, then their citizenship appears problematic. They tended to conclude that women were not really citizens at all and to play down the extent of their religious participation, for example in animal sacrifice.³⁰

It is, instead, the Dutch scholar Josine Blok who has carried through a more adequate revision, showing that the evidence of Demosthenes, addressing the case of an appellant for citizenship, Euxitheos, conflicts with the historical and constitutional picture given by

²⁸ Polignac, *Cults, Territory*, 2.

²⁹ Polignac, *passim*; Gustave Glotz, *La Cité Grecque: Le développement des institutions* (Paris: Albin Michel, 1914).

³⁰ Blok, *Citizenship in Classical Athens*, 34-5.

Aristotle's *Politics*, and the *Constitution of Athens*, a text from his school that was once attributed to him.³¹ Demosthenes' evidence suggests both that citizenship was primarily by birth, and fully included women, and that it was primarily a matter of religious, not of political participation, even if the latter was highly prestigious and citizen self-government was, indeed, the identifying mark of the Greek *polis*.³²

Modern archaeological research and use of comparative ethnography has, therefore, somewhat disturbed the more purely political and legal account of civic origins provided by Aristotle and his school, which gave a picture of widening human cooperation in response to pragmatic needs, both economic and military.³³ It has eventually, with the work of Blok, prompted historians to pay more attention to the non-philosophical literary evidence on citizenship.

We can, however, note that Plato, from whom Aristotle in part derived this view, nonetheless also scorned the city envisaged only in terms of needs as the 'city of sows' and insisted that the religious and ritual laws of the city are its most crucial aspect, 'the greatest, fairest and first of the laws which are given', requiring oracular and not just human authority for their establishment (*Republic*, 369a-372d).³⁴ These include prescriptions for 'the founding of temples, sacrifices and whatever belongs to the care of gods, demons and heroes, and further, burial of the dead and all the services needed to keep those in that other place gracious' (427b-c). Equivalently, in both the *Republic* and the *Laws*, though in different ways, Plato allowed much more civic participation to women than did Aristotle. It can then plausibly be argued that it is Plato whose views of civic formation and governance, especially in *The Laws*, more conform to a more recent scholarly awareness of later continuity with the archaic period.

Scholars continue, nevertheless, to debate the relative importance of the factors of ritual, force, ownership, conflict, law and constitution in defining the ancient Greek city.³⁵ On the whole, though, they tend to agree that these categories cannot, in this context, be regarded as entirely separate in the way that we moderns would tend to imagine, nor that formalisation

³¹ Aristotle, *Athenian Constitution*, trans. H. Rackham (Cambridge MA: Harvard UP, 2004), esp. I-V.

³² Blok, *Citizenship in Classical Athens*, 1-46; Demosthenes, *Exordia*, 57.46

³³ Blok, *Citizenship*, 13-21, 24-30.

³⁴ Plato, *The Republic of Plato*, trans. Allan Bloom (New York: Basic Books, 1991) used for references to *The Republic* in the text. All other references to and translations from Plato's dialogues are taken from *The Collected Dialogues of Plato, Including the Letters*, ed. Edith Hamilton and Huntington Cairns (Princeton NJ: Princeton UP, 1987).

³⁵ See, again Azoulay, 'Rethinking the Political'.

and institutionalisation (though they undoubtedly increased over time) simply displaced the familial, ritual and habitual. In any case, the notion of ‘ritual’ as a separate and often presumed ‘ideological’ sphere, rather than something all pervasive and fundamental, is probably something we project back on all pre-modern times, as Philippe Buc has demonstrated.³⁶ The Greek word for law, *nomos*, seems etymologically to have implied ‘distribution’, as illustrated in the *Minos*, a dialogue once attributed to Plato (and probably from his school) and therefore it may not be so easy to separate legal rights from more informal and prior property ownership, or from rights to ritual involvement in processions, festivals, sacrifices, banquets, choruses, hunts and dramas.³⁷

That which was considered *koinon* or in common, binding the city together, was in turn divided between such ‘participatory’ division on the one hand and things that were entirely collective on the other: the *res nullius*.³⁸ To begin with, there were likely no such ‘anonymous’ and unclaimed things at all, but the very need to adjudicate disputes concerning the not-yet owned encouraged the rise of the sense of an independent authority, the *arche*, that could be variously construed as monarchic, oligarchic or democratic.³⁹ Yet once more it was not clear that the constitution of the city, the *politeia*, could be understood solely in terms of *arche* and the exercise of sovereign authority. It was by some, such as the Pseudo-Xenophon, but not by others, who took the Spartan view that the *politeia* was enshrined in unalterable *nomoi*, as with Xenophon himself.⁴⁰ And then again, ‘laws’ encompassed both formal entitlement and more informal, though sometimes required and enforced habits and customs, including those within the religious sphere.

What was the purpose of the city understood to be? Prior to Socrates, always its own strength, success (*eupragia*) and survival. But the greatest key to this strength was understood to be the virtue (*arete*) of its individual citizens: with ‘virtue’ itself consequently understood in a somewhat instrumental fashion. Already, as later with Machiavelli, the freedom and self-control of the individual was seen as naturally aligning with that of the collective body.

³⁶ Philippe Buc, *The Dangers of Ritual: between Early Medieval Texts and Social Scientific Theory* (Princeton: Princeton UP, 2009).

³⁷ Emmanuel Laroche, *Histoire de la racine nem- en grec ancien* (Paris: C. Klincksieck, 1949), 8; Pseudo-Plato, *Minos*, 317d-e: here *nomos* involves equally a distribution of lands, seeds, rules and musical notes.

³⁸ Azoulay, ‘Rethinking’, 392, 397.

³⁹ Yan Thomas, ‘La valeur des choses. Le droit romain hors de la religion’, *Annales HSS* 57.6, (2002): 1431-62.

⁴⁰ Jacqueline Bordes, *Politeia dans la pensée grecque jusqu’à Aristote* (Paris: “Les Belles Lettres”, 1982), 184-90, 198-203.

Only with Plato is there a decisive shift, which affects almost all subsequent political discussions: the purpose of the city is now, over and above its own strength and liberty, the education of its citizens in virtue, and this virtue, along with the well-being of the city as a whole, is understood to be a novel mode of participation in the eternally good.⁴¹ Now, beyond the Greek ‘tragic’ sense, it is declared that some good cities have been defeated and some bad ones have triumphed (*Laws*, 638a-b). Just because of this novelty, Plato’s archaism in the *Laws*, where he seems in a ‘Spartan’ fashion to insist that the strength of the city consists in adherence to unalterable laws, takes on a rather different colouring, because the archaism no longer so much aligns to ultimately military strength as to that more dispersed ‘religious-democratic’ factor already mentioned. In this context, it may be no accident that Socrates goes outside the city (even from the more centralised *Athens*) to encounter the divine in the *Phaedrus*, and that in the *Laws* he is very concerned with the civic peripheries and with inter-civic spaces.⁴²

If, however, all citizens ought by definition to pursue virtue, of whatever kind, who, exactly were the citizens? This issue has been much controverted. Modern research has put a new stress on the fluidity of this category: citizenship involved a bundle of different rights, entitlements and involvements: economic, religious and political.⁴³ To some degree it lay upon a spectrum, because foreign residents (*metics*) could be admitted to certain roles and allowances, while citizenship could be partially or temporarily lost as a punishment.⁴⁴ Nor were the aristocratic ‘property classes’ such a coherent and bounded whole as was once imagined.⁴⁵ Yet for all that, there is today a general agreement that, after all, the bounds between citizens, slaves and metics were really quite tight and absolute. Solon’s Athenian reforms (594 BC), which abolished slavery based upon debt (such that a free man could potentially sink into slavery) tended to tighten those bonds, as was also achieved by Pericles’ requirement (451 BC) that in Athens a citizen have two citizen parents.⁴⁶ Cleisthenes’ reforms (508 BC) had conversely ensured that some rural inhabitants of the *demes* were

⁴¹ Bordes, *Politeia*, 428-32.

⁴² See Catherine Pickstock, *After Writing: On the Liturgical Consummation of Philosophy* (Oxford: Blackwell, 1998), 3-46.

⁴³ Moses I. Finley, *Economy and Society in Ancient Greece* (London: Chatto and Windus, 1981), 116-32, 133-49.

⁴⁴ Azoulay, ‘Rethinking’, 404-5.

⁴⁵ Alain Duplouy, ‘The So-Called Solonian Property-Classes: Citizenship in Archaic Athens’, *Annales HSS* (English Edition), 69.3 (2014): 411-39.

⁴⁶ Edward M. Harris, ‘Did Solon Abolish Debt-Bondage?’, *The Classical Quarterly* 52.2 (2002): 415-30.

securely included within citizenship.⁴⁷ In every Greek city there tended to be periodic purgings of perceived foreign usurpers.⁴⁸

Yet these divisions were not quite what we might be instinctively inclined to imagine. Metics could sometimes be far richer than citizens: if the political *isonomia* or equality of the latter was linked to an economic equality or *isomoira*, what mattered here was just the honour of equality rather than the amount that was owed.⁴⁹ It was specifically political participation and equality that was prestigious, so that even the relatively impoverished plebian classes were often competing more for political dignity than for economic status.⁵⁰ And the fact that Athenian citizens received public pay (*misthos*) for public service as jurors, magistrates and councillors, and later (after the early-fourth century BC) for the political service of participating in the assembly, suggests that it was not assumed that all citizens were ‘gentlemen’ of private means.⁵¹ As to slaves, they might live very comfortable lives and exercise artisanal, learned and medical skills. Furthermore, the public slaves (*demosioi*), part of the collective *res nullius* possessed by the city, who have come much more to light within recent research, might at times exercise a bureaucratic power, albeit under command, effectively in excess of the citizens’ political power.⁵²

However, the issue of public slavery raises the most controversial question about ancient Greek citizen-rule. To what degree was it an ideological sham? Was there a half-unconscious suppression of the reality of an already present ‘state’ in something remotely approaching the modern sense? Is it possible that the Greeks invented a genuine notion and to a degree practice of citizenship rule, but that this was inhibited by other aspects of their own practice: inhibitions a later Christian era could to a certain extent release? This view goes clean against a still prevailing one that only the unique conditions of the Greek city-state permitted the exercise of genuine participatory democracy.

⁴⁷ *Athenian Constitution*, 21.1-6; Nancy Evans, *Civic Rites: Democracy and Religion in Ancient Greece* (Berkeley CA: California UP, 2010), 27; Lucia Cecchet, ‘Re-shaping and Re-founding Citizen Bodies: The Case of Athens, Cyrene and Camarina’, in *Citizens in the Graeco-Roman World*, ed. Lucia Cecchet and Anna Busetto (Leiden: Brill, 2017), 50-77.

⁴⁸ Azoulay, ‘Rethinking’, 399; Plutarch, *Lives, Pericles*, 37.3-4.

⁴⁹ Azoulay, ‘Rethinking’, 400.

⁵⁰ Bordes, *Politeia*, 452-4.

⁵¹ Lucia Cecchetti, ‘Introduction. Greek and Roman Citizenship: State of Research and Open Questions’, 3.

⁵² Azoulay; Pauline Ismard, ‘Le publique et le civique dans la cité grecque’ in *Le banquet de Pauline Schmitt Pantel* ed. V. Azoulay *et al* (Paris; Sorbonne, 2012), 317-29.

⁵² Bordes, *Politeia*, 452-4.

The point at issue is not the usual one that participation was only for the privileged few. It is rather that the realities of slavery and xenophobia might have rendered the very exercise of participation, even amongst a few, to a degree illusory. The reality of public slavery invites the suspicion that the ‘leisured’ politics of debate was only possible because the ‘organisation side’ of politics (though notably *not* military activity) had been alienated to an elsewhere, where it was always linked to the primary power of the *arche* and so had an oligarchic bias overriding dispersed personal involvement. In an equivalent way, the productive side of the economy was considerably alienated through slave-worked landholdings, imperial conquest and the exaction of tribute from colonies. Despite significant qualifications, one can still understand all Greek cities, following Werner Sombart, Max Weber and Moses Finley (including non-self-ruling ‘towns’, besides city states) as having been, at least relatively speaking, ‘consumer cities’, lacking the more extensive production and guildhalls of medieval towns that allowed them to have a fully reciprocal trade with the countryside.⁵³

A double question then arises. If the public slavery of the proto-state is removed, does that reveal participation to have been an illusion, or does it render it now more genuinely possible, as arguably it later became in Byzantium and the medieval Latin cities, kingships and empires? Equally, if private slavery is gradually removed, along with the radical sense of foreign people worshipping their own gods (abolished within Christendom), does that then remove the consumerist leisure requisite to citizenship, or does it rather permit participatory self-government also to enter the social and economic realms and to have done with (as in the case of non-cenobitic monasticism, or the working-worshipping life of the medieval guilds) the dichotomising of the active and contemplative lives so typical of antiquity? For a life of consumptive leisure not only encourages such a dichotomy, it also, at the limit, tends to imply that the most ideal leisured or aristocratic existence exists the political and participatory altogether. By contrast, if production and consumption are held in an oscillating balance, then

⁵³ M.I. Finley, ‘The Ancient City: From Fustel de Coulanges to Max Weber and Beyond’, *Comparative Studies in Society and History* 19.3 (July 1977): 305-77. The debates concern the extent to which the rural hinterlands of a city were part of its core and the extent to which the city as a whole was productively self-sufficient: either not passive as a whole (even if the rulers were economically passive) because of its subsistence economy, or not truly self-sufficient and engaged in some trade of its own produced goods. However, there seems little doubt that a relative non-self-sufficiency was compensated for by the appropriation of goods from colonial territories. Besides Bresson, *The Making of the Ancient Greek Economy* and Mansouri, *La démocratie athénienne, une affaire d’oisifs?*, see L.R. Whittaker, ‘The Consumer City Revisited: the *vicus* and the city’, 110-17 at www.berlinarchaeology.files.wordpress.com accessed 2/4/21 and Van Morris Silver, ‘Thoughts on the Roman “Consumer City”’, *Münsterische Beiträge zur antiker Handelsgeschichte* 36 (2006): 125-9.

so too can be theory and practice, with less danger that the practical and associative may be ultimately subordinated to the private and self-sufficient.

Similarly, given such an oscillation, political considerations of justice can invade the social sphere also, whereas classical antiquity tended to be publicly indifferent to questions of poverty and social suffering.⁵⁴ Not only may we detect there, as with Augustine, a failure to exercise care and mercy, but also an inherent limitation of the realm in which considerations of justice and of participatory involvement are considered relevant. By constricting the political in order, apparently, to render it possible, the Greeks may rather have fated it to ever-increased confinement and eventual diminishment.

Eventually, in Chapter Three, we will see that this helps to explain why Aristotle has problems about fully reconciling political justice with private virtue, and tends to see virtue, both as magnanimity and as intellectual contemplation (*theoria*), as leaving the scope of the practical and political altogether. With the Stoics, as we shall see in Part Two, these tendencies will become still more exacerbated. So, it may be not, after all, that the Greeks rendered participatory politics possible through a tight set of restrictions and exclusions - citizen over against slave and foreigner, friend over against foe, the political over-against the social and the economic - but that, through the same gestures, they too much restricted it and even rendered it finally impossible. The ultimate claim of this thesis is that Christianity actually released these inhibitions.

In this and the following chapter, I shall show the limited degree to which Plato anticipated this release and extension though a stronger insistence, compared with both those who came before him and Aristotle after him, that participation at the centre is also somewhat organisational, that the household-economic and so the productive and artisanal is merged with the civic, that all life-stages, both sexes and all occupations of free people are involved in citizenship, and that the theoretical and practical-poetic cannot be divided.

2. Introduction to Plato

In the rest of this chapter and in Chapter Two, I will seek to discover the exact nature of the City and the citizen in Plato's *Republic*, *Statesman* and *Laws* and other relevant dialogues.

⁵⁴ Bordes, *Politeia*, 452-4.

The concept of citizenship will be seen to lie at the heart of Plato's conception of soul and city, and city and *kosmos*, as being in a state of harmony.

My argument in this chapter will fall into three sections. In part 3 of the chapter, I will define the project and nature of the *Republic*, arguing for a 'canonistic' reading of Plato's dialogues as a coherent but dynamic unity, and suggest that the subject of this dialogue, Justice (*dikaiosynē*), is inherent to conceiving of citizenship. I will proceed in part 4 to explore citizenship as located in the cosmic order of justice, involving the soul's 'motion' through *noesis* in a vertical ascent to the idea of the Good, and how this ascent to *sophia* (wisdom) informs the central matter of the practically engaged philosophic life: *phronesis*. Part 5 will read the city of the *Republic* as challenged by 'three waves', which problematize and finally topple the 'first best constitution' of the Republic by exposing it to a special and temporal paradox. I will eventually argue in the following chapter that the challenge of the 'third wave' is only fully resolved in the city of Magnesia: the city of the *Laws*. Part 5 will build up to this exploration of Magnesia's 'second best constitution' (*Laws*, 739a-e) as the proper space for the mediate art of citizenship. This unique 'diagnostic' art will be defined next chapter in with reference to the *Statesman* and the *Sophist*, as the crucial practice of combining the One with the Dyad, or of unity with difference: a participatory practice at once metaphysical and practical.

3. Canon and Continuity

An interpretative controversy that bears decisively upon our argument is the matter of Plato's 'development'; that is to say, whether he 'changed his mind' in a lesser or greater fashion about a number of issues. The tentative dating of Plato's works as belonging to an early, mid and late period (with the *Republic* belonging to the middle, the *Laws* to the late), has had mapped onto it a great variety of theories about apparent changes in Plato's thinking.⁵⁵

Two closely linked apparent 'changes' in practice and theory are central to my concern: first, an apparent retreat from the theory of the Forms; and secondly, an apparent abandonment of

⁵⁵ See George Klosko, *The Development of Plato's Political Theory* (New York: Oxford University Press, 2007), 15-21, for an account of a classic (and deflationary) developmental model of Plato's dialogues over time. The 'canonical' approach favoured by Leo Strauss is developed by Jacob Klein in *Plato's Trilogy: Theaetetus, The Sophist and The Statesman* (Chicago IL: University of Chicago Press, 1977), Allan Bloom (see above) and Stanley Rosen in his *Plato's Republic: A Study* (Yale, CT: Yale University Press, 2005). On dating see Leonard Brandwood, *The Chronology of Plato's Dialogues* (Cambridge: Cambridge UP, 1990).

the city of the *Republic*. These are taken by a once popular reading of Plato as illustrating his retreat from a linked utopianism and idealism. The disappearance of Socrates from the later dialogues is taken as further evidence of such a shift.⁵⁶ But I follow Leo Strauss in arguing, on the contrary, for a ‘canonical’ reading of Plato, and an interpretation of his dialogues not as lonely enigmas, but rather as also ‘talking’ with each other, often by way of the tangle of connections and allusions made by Plato to literature, philosophy, myth and history.⁵⁷

Second Best?

The question of canon and continuity affects the crucial issue of how we are to assess the relationship of the City of the *Republic*, *Kallipolis*, to that of the *Laws*, *Magnesia*.

In Plato’s *Laws* he speaks, in the mouth of the Athenian Stranger, of the ‘first best city’ as being defined by common ownership in terms which clearly seem to recall *Kallipolis*. He contrasts this with the city he is now about to describe and discuss, which characterises as ‘the only one which takes the second place’ (*Laws*: 739c-e).

Scholars have sometimes tried to apply an evolutionary interpretation of this contrast, whereby the proposals of the *Laws* are understood as Plato surrendering to pragmatism and abandoning the regime he proposes in the *Republic*.⁵⁸ The other prevailing view is that *Kallipolis* was never envisaged as a functional city and was always suggestive of the city found in the *Laws*. However, both views tend towards seeing the *Magnesia* of the *Laws* as a compromise, at most: as the best possible city, rather than the absolutely best.

The second view is by far the more plausible and can be linked to what Hans Joachim Krämer calls the ‘indirect’ model for reading Plato, that emerged in modern scholarship with the Tübingen school.⁵⁹ This model attends to the esoteric doctrine that the Platonic dialogues frequently imply and argues for the historical reality of an unwritten series of teachings, especially in his *Seventh Letter*.⁶⁰ From the many strikingly consistent reports of later ancient authors, beginning with Aristotle (including several later attested passages in Aristotle’s own

⁵⁶ Louis-André Dorion, ‘The Rise and Fall of the Socratic Problem’ in, *The Cambridge Companion to Socrates* ed. Donald R. Morrison (Cambridge: Cambridge UP, 2012), 1-23.

⁵⁷ Strauss, *City*, 55-62.

⁵⁸ Christopher Bobonich, *Plato’s Utopia Recast: His Later Ethics and Politics* (Oxford: OUP, 2002).

⁵⁹ Hans Joachim Krämer, *Plato and the Foundations of Metaphysics*, trans. John R. Caton (New York: SUNY, 1990).

⁶⁰ Plato, *Epistle VII*, 340b1-345c3.

lost writings), it can be concluded that these teachings revolved around the ‘super-Forms’ of the One (or The Good) and the ‘indeterminate Dyad’, in which all of the lesser eternal Forms participated.⁶¹ The Dyad is spoken of in terms which show that it was clearly akin to the super-Form of ‘difference’ (*thateron*) in Plato’s *Sophist*, contrasted with the super-Form of the One as being equivalent to plurality in general, which is what the ‘secondness’ of the Dyad both commences and enfolds. Even though ‘difference’ or the Dyad remains inferior to the One, it is also co-eternal and co-elevated with it, in a way that deliberately refuses Parmenidean monism.

Despite the consistent witness of these later writings, again beginning with Aristotle, to the close proximity of Plato to the Pythagorean tradition, it is also clear that the philosophy of the One and the Dyad is specifically Platonic rather than Pythagorean - even if later neo-Pythagoreans like Iamblichus made use of it.⁶²

Zdravko Planinc explores this case more than other commentators who support an ‘esoteric’ reading of the *Republic*, which regards its apparently hyperbolic praise of the One/Good as not entirely sincere. Just as the Athenian Stranger in the *Laws* offers his imagined founder three potential constitutions but discusses only the second - ‘This plan let us now adopt: let us state the polities which rank first, second, and third in excellence; and the choice let us hand over to Clinias’ (*Laws* 739b 1-10) – so Planinc shows that the *Republic* discusses only the first constitution but gestures towards others.⁶³

Drawing on the work of both Planinc and of the Tübingen School, I shall go further and argue for a third position in regard to the relationship between the cities of the *Republic* and the *Laws*. Not only are the two dialogues fully consonant with one another, but the ‘second best’ city is not in any way a compromise project. It is not only the best possible city, but paradoxically the *absolutely* best city, if we are not to refuse the relative truth of temporal cosmic realities alongside the absolute truths of the Forms.

Key to this new reading of the *Laws* is a fresh account of the role of the One and the Dyad in Plato’s political theorising. Although these concepts are well understood in relation to his

⁶¹ See Krämer, *Foundations*, 191-217; Christian August Brandis, *A Study of the Lost Books of Aristotle On the Ideas and On the Good or On Philosophy* [1823], ed. Orrin F. Summerell (Frankfurt am Main, Peter Lang, 2005).

⁶² Brandis, *Lost Books*, 69; David Albertson, *Mathematical Theologies: Nicholas of Cusa and the Legacy of Thierry of Chartres* (New York: Oxford University Press, 2014), 40-59.

⁶³ Zdravko Planinc, *Plato’s Political Philosophy: Prudence in the Republic and the Laws* (London: Duckworth Press, 1991), 277.

theory of the Forms, they have been underapplied to his political thought. On my argument it turns out that the ‘second-best’ city is rather the *city of secondness*, of the Dyad and difference, as well as of unity and identity.

As Planinc’s argument suggests, *Kallipolis* in the *Republic* is not conceivable as a physical city at all in the final summary, and it is no coincidence that the dialogue concludes with a vision of the cosmos and the reincarnation of the soul. This point is confirmed by the *Laws*:

In such a State - be it gods or sons of gods that dwell in it - they dwell pleasantly, living such a life as this. Wherefore one should not look elsewhere for a model constitution, but hold fast to this one, and with all one's power seek the constitution that is as like to it as possible. That constitution which we are now engaged upon, if it came into being, would be very near to immortality, and would come second in point of merit. The third we shall investigate hereafter, if God so will; for the present, however, what is this second-best polity, and how would it come to be of such a character? (739c-e)

The constitution presented in the *Republic* is therefore that of the One. The principle of unity, which is almost identical with the principle of goodness, is sovereign and supreme in Plato’s philosophy. But the world of actual being outside the One involves differences that are in tension with unity: to ‘exist’ at all in Plato, is precisely (as we see in the *Parmenides*) to be a union of contraries, and so the ideal constitution, for a truly existing finite polity, seeks to unify contrary elements.⁶⁴

Plato’s philosophy is not just concerned with metaphysics, but also pedagogy. And this dual focus is, once again, one can argue, linked to the combination of the One and the Dyad. He describes two modes of thought, contemplation and ‘practical reason’, which are analogous to the two primary modes of the two constitutions. The constitution of the *Republic* is the constitution not really of the city, but of the soul, and so belongs to the Academy and to pure philosophy rather than to the *polis*. It is an invisible order that removes us to the transcendent world of the Gods, away from mortal bodies. But in seeking to impose a false unity upon an inherently dyadic political world, the philosopher actually risks becoming a sophist and a tyrant who imposes unity by force, rather than seeking to distil a paradoxical unity from the interplay of complex differences and variations.

⁶⁴ See Graham Priest, *One* (Oxford: OUP, 2016), 101-40.

4. The City of the *Republic*

The subject of the *Republic* seems obvious: the search for justice. But a number of scholars question whether it is so obvious after all. This dissent goes back to ancient Neoplatonic receptions of this text. The main alternative is that justice is simply an excuse or occasion to develop a political project, with justice (as much about the order of the soul as the order of the city) falling into the background early on.⁶⁵ Proclus, however, argued that the question of the city is the same as the question of justice: there can be no apolitical consideration of psychic matters.⁶⁶ And indeed, Socrates tells us that rule is at once psychic and political and involves the doing of justice in either case (345d-e) .

One original title of the ‘Republic’, according to Diogenes Laertius, was the *Politeia*, meaning regime or constitution, closely related to the term for any law-governed formation - *polis*, and to citizen - *polites*. The other ancient Greek title was *Peri Dikaiou*, On the Just Person.⁶⁷ The concept of justice as giving to each what is due is properly applied in the dialogue to the soul of the individual as well to as the wider society.

The apparent lack of priority here, one way or another, fits with the fact that, for Plato, as for the ancient Athenians is general, there was no ‘power’ in our sense, but rather differently arrayed orders whose ‘strength’ is their stability, and who constitute as self-ruling citizens at once their selves and their interactions as the city. There was neither a ‘power’ of the State over and above this reciprocal relationality, nor an original and anarchic power of isolated individuals who then form a polity through contract. For Plato, instead, the only ‘foundation’ is eternal, although it is but problematically mediated. The measure of both soul and city, in conjunction, is the Good and our participation in it, in which, precisely, for Plato, ‘citizenship’ consists. Political things are established, and established as relatively perfect, insofar as they are more like the unchanging Good and the Forms of truth which the Good illumines. They are therefore constituted in citizenship which concerns at once and

⁶⁵ There is a notable divide between readers of the *Republic* who treat it as merely a work of moral philosophy (see Julia Annas, *Platonic Ethics, Old and New* (London: Cornell University Press, 1999)) and those who, as early as the Neoplatonic reception of Plato, treat the *Republic* as largely a political work: see M. Gifford, ‘Dramatic dialectic in *Republic* book I’, *Oxford Studies in Ancient Philosophy* 20 (2001): 35-106.

⁶⁶ Proclus, *The Theology of Plato* [1816], trans. Thomas Taylor (London: Prometheus Trust, 2017).

⁶⁷ Diogenes Laertius, *Lives of Eminent Philosophers*, trans. R. D. Hicks (Cambridge MS: Harvard UP, 1972), 3.60.

indissociably the interior life of the soul and the exterior life of the *polis*. Since the *Republic* is at once about the soul and the city it is *mainly* about citizenship.

The project of the *Republic* is, in consequence, not reducible, in the manner of modern political science, either to an ahistorical quest for secure abstract foundations, presuming the priority of the individual, or to an empirical research into the exercise of power as the given, external and extrinsic imposition of a political force from which the individual is inherently alienated. Rather, it is a morally and spiritually charged quest for the truth of a human life understood as intrinsically civic: an anthropological inquiry that is also about the citizen as already understood by Greek culture and tradition.

Soul, City and Transcendence

Greek cities had at their core *nomos* or law which was understood as having its ultimate source in divine law which might be carried down by tradition, be revealed in prophecy, or observed in divine signs occurring in the natural world or the heavenly sphere.⁶⁸ The Greeks understood *nomos* as reflecting a cosmic order or *kosmos* that was only later more strictly delineated from civil order, expressed by civil law.⁶⁹ This account was sustained by philosophers like Heraclitus who conceived of a changeless perfection which was imaged in our changing world via a kind of divine order which he called the *logos* or word/speech.⁷⁰

Socrates alludes to this when he largely sets aside customary law, saying that the city they are creating will not require anything but the consultation of Apollo's oracle at Delphi 'at the navel of the world' (427b-c), and Plato gives his own account of this echoing of the unchanging *logos* in his famous allegory of the cave (514a-520a). According to this allegory, having seen the true reality of the Sun of the Good in all its splendour, we would want to return to our friends and release them too from our common bondage. But upon returning, we would find that our eyes, newly accustomed to the true light, were now blinded, and when we tried to tell our friends the truth they would laugh. We would be unable to discourse so well on the terrestrial appearances of things, and would at best be considered stupid, and at worst put to death for blasphemy. But as our eyes re-adjusted to pale terrestrial light, we would

⁶⁸ Christian Meier, *The Greek Discovery of the Political* (Cambridge, MA: Harvard University Press, 1990), 173-6; Nancy Evans, *Civic Rites*.

⁶⁹ Meier, *Greek Discovery*, 174-5.

⁷⁰ Heraclitus, *Fragments* trans. T. M. Robinson (Toronto: University of Toronto Press, 1987), 64, 80, 118.

discover that we could see ‘ten thousand times better than the men there [in the cave]’ (528a) and the philosopher who returned - if he could be heeded - would be able to deal with the things of this world with greater wisdom than any other kind of man.

Accordingly, the philosopher should be king because he has perceived the Good: a ‘super-Form’ which, as the sun is to the earth, is to the realm of the soul the source of all being, even though it is beyond being, and beyond all knowledge (509b).

As we have just seen, the soul does not entirely cease contemplating the Good when it returns to the world. When the philosopher ‘turns’ to the world, he is now looking in two directions, perceiving our world by the light of the true One (508a-e). The ‘pattern’ of the world is discoverable in the higher *nomos* of the *kosmos*, and by imitating it, we can both understand our own world - created in its image as Plato shows us in the *Timaeus* - and learn how properly to order it.

Plato locates this bi-focussed vision in the context of his turning of the discussion of justice back from the soul towards the city, so that instead of reading ‘little letters from afar’ (those of the soul), it would be easier if they were ‘bigger and in a bigger place’ (368d). However, having described the ideal city as the city of the guardians, by describing their education, Plato reverts once more, by a dizzying zigzag, to the question of the right training and ordering of the soul. It is in this context of citizenship, which mediates the psychic with the political, that Plato unfolds his central account of the turning towards the Good.

Both soul and city are assumed by Plato to belong to the natural order, although both can become disordered. Therefore, the ordering of the soul is presented as ‘political’, since it is an ordering of parts, while equivalently the ordering of the city is regarded as ‘psychic’, since it possesses a collective organic unity properly coordinated by a collective *nous*. For this reason, the respective knowledge of the soul and of the city can illuminate each other. But part of the tension of the *Republic* derives from the fact that our knowledge of ourselves, though immediately present, is also radically obscure and distanced by virtue of our inability to regard ourselves directly, since we are the very power of regard, just as one cannot see one’s own eyes, save in a mirror. Therefore, the ‘larger size’ of the letters of the city derives from their functioning as a mirror of the soul. Yet that is not necessarily to say that the soul is the prime object of interest or prime site of justice. There is rather an equiprimordiality of both soul and city, since the ultimate topic of concern is indeed justice which resides in both.

Justice therefore concerns consistently the citizen who is at once psychic and involved in that fellowship of souls which, for Plato, as for the Greeks in general, constitutes the city. This can be contrasted with the extrinsic control exercised over the subjects of the law by the modern state, with the implication that there is for Plato a continuity and inseparability between self-government and the shared human government of the city, as there is not for liberal modernity. The ordering of the self is possible through the ordering of the community, but the latter is mediated to the individual intrinsically, by an act of ethical and cognitive appropriation that later in history will be deemed ‘conscience’.

When the *Kallipolis* is first broached, the indirect ‘reflective’ knowledge that the citizen gains of himself in the city for the moment takes precedence over the more ineffable and non-reflexive ‘immediacy’ of self-presence. Yet in the midst of the city, by a further disconcerting reversal, this psychic immediacy is returned to in the context of education. Even that, however, is only obtainable, as the analogy of the cave illustrates, through the different mediation of recollection and the regard of the eternal Forms. Our relationship to the eternal continues to be characterised by sharing and mediation. Not only, then, does metaphysical participation ground political participation for Plato, the metaphysical is itself to a degree construed ‘politically’, in so far as it is a matter of *methexis*. It follows that Plato’s placing of *theoria* at the core of the ideal city is the very opposite of a forsaking of the centrality of citizenship, whose essence is participation.

Justice at Issue

In the *Republic*, the medium and method by which this vision of the city as justice on a large scale are communicated is qualitatively the same as the mode by which the city is imagined as living and functioning. Plato’s ‘Socratic method’, whereby the true nature of ideas is revealed by a careful process of question and answer, is also the method by which the city is to be ruled.

The discourse develops out of a question about how wealthy Cephalus uses his inheritance. In other words, it is the inheritance of an embodied world that compels us to distribute resources. In seeking to distribute resources, we naturally seek a measure which everyone calls justice. It is quickly revealed that most of Socrates’ interlocutors, and notably Polemarchus, assume notions of justice informed by their reading of the poets - the transmitters of the traditions and ideas of the city through ritual *mythos* - who represent

justice in what we might call almost Nietzschean terms: in which we ‘owe it to friends to do some good’, whilst enemies are owed ‘some harm’(332a-b).

Socrates questions this by asking whether in other arts, such as medicine, the good doctor makes his patients healthier or sicker? If a ‘medical’ man exists to increase health, then a just man must exist to increase justice (341e-342b). In harming others, we find that we do not make them more just, but rather provoke uncontrolled appetites and vices. Similarly, Cephalus is being asked to recollect justice. He offers a traditional definition: Plato is not content with this Cephalus’s definition of justice as paying one’s debts and not being obligated to another: surely, we would not return a borrowed weapon to a friend if he had become mad? Therefore, the question of justice becomes: *what* do we truly and validly owe one another? Yet the monetary level seems wholly inadequate; there must be some deeper level of obligation. But exactly what? It follows that the soul, caught up in a world that it has inherited, rather than fashioned for itself, must nonetheless seek to discern what is real and what is not, and in dialectics find a novel way to communicate this in the course of a discussion that obscurely casts us adrift between *polis* and *oikos*, citizen and foreigner, youth and age, coming and going.

For Plato, there are no beginnings in time: the *arche* (origin) is not discovered at the opening of the dialogue, but in its midst. The problem of the political can never have a clear beginning because our reality and our own knowledge already precede our inquiry. Thus, in looking for the soul, we are already caught up in the soul; in searching for the city, we discover it already around us. We only embark upon the search for Justice (*Dike*) in Plato because we already obscurely know what it is; the answer necessarily precedes the question (328e). In collectively recollecting this answer, we discover it to be that justice involves doing equal and appropriate good to all, in terms of trying to render present a transcendent unity and harmony (331d-335d).

However, this vision is violently attacked by Thrasymachus, who significantly rebels against the dialogic method as such. He seems to threaten the whole project with disaster, demanding that Socrates reveal his wisdom as a speech instead of a dialogue, so that he can lay impious hands upon it (*Republic* 336d), like the young men Plato later describes in the manner of titans, who ‘drag down everything from heaven and the invisible to earth’ (*Sophist* 246a5-b3).

How can Socrates now overcome him? In Plato's dialogues, our modern concept of 'power', is also absent in the psychological sense of a voluntaristic force subject to an arbitrary will; instead, Plato speaks of 'strength' or 'size' in highly bodily terms: the tall ship's captain with the mutinous crew, or the 'titans' mentioned above. They are dangerous, but more with respect to their spontaneous wildness, which is really a kind of uncontrolled courage, an excess of a *virtue* than of what we moderns think of as 'power'.⁷¹ Socrates has easily mastered the 'erotic' Polemarchus, who is childishly willing to be guided and shaped. But Thrasymachus, the 'spirited' man, described in terms that seem clearly to echo Homer's description of Achilles, is like a rabid wolf, cold yet mad, and determined to end the dialogic play.

Socrates is, however, a master of *phronesis* and is ruled by *nous*. Unlike the plasticity of *epithumia* (desire or appetite) or the inflexibility of *thumos* (force or spiritedness), *nous* (reason) allows Socrates skilfully to shift the music of his speech to match his student/foe.

He first 'plays dead,' at once frustrating Thrasymachus' desire for conflict, and causing him to laugh, like the tragic Achilles undone by a comic Odysseus, (336e-337a) who sought to use cunning against Achilles' force. Whereas Achilles' companions tried to force piety upon him in order to make him return the priest's daughter whom he had captured, Socrates, whose philosophical cunning exceeds that of Odysseus, rather unnervingly hands over 'the disputed prize' of the *Iliad*, which is here the argument about justice, in the most overblown manner. (*Iliad* I, 1-30). For he mercilessly flatters, bribes and seduces Thrasymachus, as well as applying all his skilful logic, such that the latter, who thinks he has boxed in Socrates, is himself left with no other option but to advance down the road Socrates wants and submit to questioning (337b-338b).

Having worked his erotic magic, Socrates now employs reason, drawing out the full brutality of Thrasymachus's warrior 'Justice' and revealing it as an almost proto-Machiavellian political philosophy, Justice is instead seen to be about the proper relations within the soul, whereas doing harm to others whilst apparently doing good to yourself is revealed as really a self-mutilation. (354a-c).

⁷¹ Bloom, 461, n. 39: the word *dynamis* can be alternately translated as power, faculty or capacity, while 'every power must be related to its end – it is never an end in itself'.

Having employed both pleasure and pain fully to restrain him, Socrates turns to a wiliest opponent for the greater bulk of the dialogue. Glaucon is both spirited *and* erotic and is halfway to possessing *nous*.⁷² He is impatient to hear the argument to its conclusion, refuses to allow any relevant aspect to pass and will quickly notice an *aporia*. Because Glaucon is both (half) wise and sincere, he is the hardest to master, and the one who does most to further the search for truth.

The Re-imagining of the City

Plato distinguished four ‘levels’ of reality in the *Republic* (511a-e).⁷³ In our world, on one side of ‘the divided line’, there are images which are mere shadows or reflections of physical beings, and likenesses that are physical beings that reflect higher realities by their shape or form. Beyond material things, on the other side of the line, there are ‘objects’ of the mind, essentially mathematical realities that the geometers speak of through ‘hypotheses’, and finally there are the unchanging perfect Forms, in which lower realities participate. This scheme is presented in the *Republic* not simply as an account of reality, which it is for Plato, but as a kind of ‘key’ or ‘legend’ to read the map of the dialogue.

As the initial discussion of justice illustrates, there is, in this dialogue, a continuous tension between the materially and historically given, on the one hand, and the need for ideal, mathematical and philosophical revision, on the other. The past is not a fully reliable guide, but neither is pure introspection, since the self is both shaped by civic history and obscure to itself. It is to resolve this triple tension that Plato had recourse to a *re-imagining* of the already given city, to a new envisaging of justice in bold letters that are at once both real and ideal. To reimagine the city is to retrace the origins of any city, and this connects to the human need for participatory co-belonging, in fact for citizenship: ‘The origin of the city, then, said I, in my opinion, is to be found in the fact that we do not severally suffice for our own needs, but each of us lacks many things’ (369b); ‘Come then let us create a city from the beginning, in our theory. Its real creator, as it appears, will be our needs’ (369c).

⁷² See Bloom’s essay, in *Republic*, 307-346, 337-8.

⁷³ Bloom, *Republic*, 464, n.11.

This city of speech (*Kallipolis*), based on the division of labour, takes shape in stages. But is this city as sturdy as it appears? In fact, we can argue that it is not. This merely geometrical reality proposed by Socrates is like an image of a living creature, but it is not the true city.

Its ideally 'geometric' relationships, motions and harmonies can be discovered, which correspond to the mathematical level of reality: our abstract groping towards a grasp of the Forms. At the same time, they are described in evidently 'psychic' terms, since the structure of any city involves, for Plato, the disposing of various types of human character. The tripartition of the city is strictly isomorphic with the tripartition of the soul, without a priority of either, since both reflect the structure of the *kosmos*.

In Plato's *Phaedrus*, Socrates described the soul as divided into three parts - reason, force and appetite - the 'two horsemen' and their 'charioteer', for this allegory (*Phaedrus* 246a–254e). By parallel, the one ruler, the few fighters and the many worker-consumers are the parts of the city, suggesting that justice, death (whose threat *thumos* wields and holds at bay) and love are the mediating, overarching and existentially and cosmically 'transcendental' concepts.⁷⁴ The city is founded not directly by justice, but by need and therefore by appetite: 'the first and chief of our needs is the provision of food for existence and life' (369d-e). Yet we also see the other two qualities in operation, though in genetic reverse of ontological priority. Appetite comes first, providing the drive that pushes us into relationship with our fellow human, the sphere of *eros*. To enact and continue this association is an act of rationally applied force (*thumos*), sustained by the constant pressure of the threat of *thanatos*.

Thereby the ideal 'psychic city' is being built up by Plato. First comes the city of *eros*, or of 'pigs', described in childlike bucolic terms, innocently consuming what it is given, never knowing that excess is possible (372a-d).⁷⁵ But once the city begins to transcend 'necessity', and develop more complex forms of production, it also develops new appetites and desires (472e-d). These desires force the acquisition of further resources, which in turn brings the city into conflict with its neighbours (473e). This obligates the development of an armed force, capable of waging war (474a-e). But these soldiers, 'guardians' as Plato terms them, involve a tear in the fabric of the city. They are driven, if they are to be good soldiers, not by *eros* alone, but by a stronger force (*thumos*), which one might call in a sense the 'death drive' In describing this nature as 'spirited', Plato denotes a kind of disciplined striving and

⁷⁴ Eric Voegelin, *The New Science of Politics* (Chicago IL: Chicago UP, 1987).

⁷⁵ See Homer's *Odyssey*, 10, 210-44. See also for Plato and the *Odyssey*, Patrick J. Deneen, *The Odyssey of Political Theory: The Politics of Departure and Return* (Lanham MD: Rowman and Littlefield, 2000), 81-129.

mastery. Thus, the new social class represents also a new psychic aspect of the city, which it inevitably turns upon the polity that brought it into being. The class of guardians, standing apart from desire, seek to discipline and control it, ordering the desires of the city back to moderation. This in turn produces a yet higher form of consciousness: *nous* or reason, the capacity to know things as they are in order to supply a norm of moderation and not just to desire or control them through subjugation.

In the struggle to conceive how to manage these physical spaces, and visible desires, mapped on to the geometrical city, Socrates and his companions seek to discern a genuine psychic balance. They discover, finally, what seems to be an account of justice: to allow to each element of the city, and of the soul, what is proper to it. The resulting harmony is not a distribution amongst alienated and atomised parts, as the first theory of justice implied, but rather what we might call ‘the common good’. The city must come to see itself as a single being, its unity produced by the highest and best parts ruling the lower. To produce this unity, the guardians, enshrining the principle of unity, must hold everything - goods, wives and children - in common (416e-417b). They serve as ‘auxiliaries’ to reason, mapping the image of the Good onto the city, sustaining it in proportion (414b).

To produce this perfect harmony, a kind of eugenic programme is instituted. By a secret lot, the best individuals of the city are encouraged to procreate, and each child regardless of background or sex is to be educated and tested like metals in a furnace. Those with the best characters are selected to be guardians, and the best amongst the guardians are made rulers.

Educating these guardians involves a careful, medico-aesthetic application of two practices: gymnastics and music (411e-412b). Their bodies and appetites are to be disciplined through pleasure and pain to have healthy and moderate desires and to obey psychic injunctions.

Meanwhile, the savage, ‘spirited’ aspects of the guardians are to be tamed by musical instruction, which will train their souls to desire the good and love wisdom. As with the doctor prescribing the right medicines, the trainer giving the right foods and exercises, the musician playing with rhythm and harmony, justice is about treating each thing as it truly is, bringing it into a just relationship with the world around it, and the realm of the unchanging Forms.

5. Kallipolis All At Sea

Yet *Kallipolis*, for all its apparent perfection, has introduced immense instabilities and contradictions. Essentially, it has tried to map an unchanging reality onto physical space, as if the latter were static, and it is no coincidence that the city is underwritten by the ‘noble lie’ that the guardians are born out of the earth, giving them an *arche* that repudiates the cycle of reproduction (414b-415d).⁷⁶ The city of the *Republic* is a dreaming city that has ‘forgotten’ its own mortality, living in a mythic space outside time, a realm of perfect and unchanging harmony and proportion. If the order of city and soul are strictly analogous, then we can be suspicious of this, just because Plato criticises the notion of the soul as a harmony in the *Phaedo*, as being too immanentist and too ignoring of its transcendent home and orientation to truth and goodness. Moreover, the theory of the soul is here compared to a sea-going vessel, in the same way that the theory of the city is regarded in the *Republic*. Simmias there seeks ‘the best and most dependable theory’ of the soul, in order to ‘use it as a raft to ride the seas of life’. To which he adds: ‘assuming we cannot make our journey with greater confidence and security by the surer means of a divine revelation’ (*Phaedo* 84c-88b, 40-98). Therefore, if the merely harmonic and so geometric soul flounders, one can suspect that the merely geometric city does also. Is the tripartite city of justice as the division of labour fully in keeping with the city that is guided, beyond any immanent divisions by the vision of the Good? We will now see why it may not really be so.

As Plato has already made clear, the city that Socrates proposes is intended to institute a kind of reformation of culture, specifically poetry (377a-402c). A key part of the musical education is exposure to a poetry (and this for the Greek world would mean theology also in most respects) that presents gods and children of gods as just and virtuous and unvirtuous men as worthy of ridicule. Likewise, the prescribed modes of music would be shaped to these ends. Significantly, narrative and imitative poetry (third and first person, roughly speaking) are distinguished, and the combination of the two arts is forbidden, with imitative idioms only permitted to speeches concerning virtuous men (395a-398c).

Thus, Plato’s ambitions in his dialogue go far further than a merely ‘political’ project in our narrowly modern sense of establishing legitimate institutions and institutional procedures. It ventures instead a complete reshaping of the human character through a morally driven

⁷⁶ See also Plato, *Menexenus*, 237c-238b.

remaking of poetry.⁷⁷ Plato the new Homer sings the praises of Socrates as the philosophic hero, and seeks to filter and amend Homer's *mythos*: to render it fully transparent to truth, removing what he sees as flaws and distortions.⁷⁸ Some passages of Homer, such as Achilles' 'roaming distraught along the shore of the unharvested sea', despite their power and beauty, are like siren songs: they teach us self-destructive lessons that range from showing a hero forgetting or denying the immortality of the soul, to his irrationally and cruelly punishing the dead body of his foe (*Republic* 388a; *Iliad*, 24: 10-12). But on the other hand, the idea of Odysseus who 'reproached his heart with word [*logos*]' shows an image of the properly ordered soul and encourages strength in the face of adversity (*Republic* 390d; *Odyssey* 20: 17-18). One can note here the contrast between Achilles' individualistic threat to the city and to military unity, and Odysseus' longing to flee conflict and return to the (proto-Platonic?) unity of kingdom and household.

The purified 'sophistry' of dialectic must both discard and remedy the older, ultimately myth-based reason. Thus, Socrates in dialogue with Glaucon, who is eventually over-convinced by his vision of the *Kallipolis*, invokes 'three waves' that seriously threaten to tear down his own 'city of speech' that may (it is secretly implied, on Zdravko Planinc's view) after all remain somewhat sophistic. These waves are, respectively: the 'equality of male and female guardians of the *kallipolis*; the community of women and children in the guardian class; and the requirement that philosophers rule, or rulers become philosophers' (449a-543e).⁷⁹

Planinc frames these challenges as being to do with a tension between giving each man his due and the unity of the city, i.e., as between 'justice' and 'the good', which is primarily a matter of the common good. The first wave is the division wrought by sex: 'we are escaping one wave in telling about the women's law' (449a-457b). The second wave of the sharing of women, children and property, looms higher over the ship of state: 'this one [wave] is far bigger than the other' (457c-461c). For whilst the equality of male and female evoked in the first wave was desirable, it was arguably not possible. But in the case of this second wave there is a question both as 'to its possibility and its beneficialness'. The third wave is the problem of how the city can come into being at all. This constitutes the 'biggest and most difficult' wave (471c-473d) and Socrates' answer to the effect that the philosopher can also

⁷⁷ Stephen Scully, *Homer and the Sacred City* (Ithaca NY: Cornell UP, 1994); Eric Havelock, *The Greek Concept of Justice: From its Shadow in Homer to its Substance in Plato* (Cambridge MS: Harvard UP, 2014).

⁷⁸ Richard Hunter, *Plato and the Traditions of Ancient Literature: The Silent Stream* (Cambridge: CUP, 2014).

⁷⁹ Planinc, *Political Philosophy*, 277.

be a ruler, and the ruler a philosopher, risks ‘an uproarious wave’ that is ‘going to drown me in laughter and ill repute’ (473c-d).

The three waves are often read as further revealing the nature of Plato’s ideal city, as humorous devices to force Socrates to confess to the full radicalism and yet coherence of his argument. Planinc dissents, because he adopts a deeper allegorical interpretation of Plato, that instead of reading the *Republic* superficially and in isolation, reads it alongside other Platonic dialogues and the epics of Homer.

He identifies two central points about the three waves by recourse to this method: first, their Homeric origin centred around an analogy of Odysseus’ sailing from the island of the goddess Calypso, and secondly, an implicit reference to a ‘second sailing’ of Socrates. The significance of the Homeric aspect is that by reading Homer’s account of the three waves that assault Odysseus, we discover that they do not just differ in rising scale of intensity, as we saw above, but also in quality and effect.⁸⁰ Planinc argues that we can only make sense of this analogy if we recognise that the ‘city in speech’, the *Kallipolis*, is being implicitly identified with the vessel that Calypso has Odysseus construct.⁸¹ This raft is, as Planinc writes, ‘unusual’ in that it has ‘a deck, a mast, a sail, and a steering oar’.⁸² The raft, like the city of speech, is capable of being controlled and directed, manipulated for the purposes of the participants in the dialogue. This manipulation is a kind of sophistry, albeit a productive one described in the *Sophist* as ‘diagnostic’, and as having a kind of preliminary legitimacy (265a-d).

The raft must also, like the ideal city, be constructed, but its deconstruction by the art of dialectic is a necessary step to distinguishing the truths that the *Kallipolis* reveals about what is good and desirable, from their improper distribution and capture in a geometric framework constructed using the eristic (merely rhetorical) method. The vessel represents a ‘geometric city’ in which the ideal city is planted on the infertile ground of spatial extension.

The ‘second sailing’ that Planinc talks about it is a reference to the *Phaedo* (99d) in which Socrates uses this phrase to describe his reaction to his ‘disappointment’ with the ‘many absurdities’ of ‘Anaxagoras’s account of how *nous* is the cause and order of all things’ (98c). Whilst Plato’s attraction to this notion is obvious, he has Socrates object that ‘Anaxagoras

⁸⁰ Homer, *Odyssey*, 5, 233-494.

⁸¹ Planinc, *Political Philosophy*, 269-85.

⁸² Planinc, *Political Philosophy*, 278.

gave “no thought to the *agathon*” that embraces and holds all things together’ (*Phaedo* 99c). The phrase second sailing (*deuteros plous*) is a clear parallel to Odysseus’s departure from the island of Calypso: Odysseus had already sailed for home once, and through the wrath of Poseidon been trapped with Calypso for seven years, and his release from the island is a ‘second sailing’.

That this is the significance of both the reference to the waves in the *Republic* and the second sailing in the *Phaedo* is made clear by the number and increasing severity of the waves, as just mentioned. Following the analogy, we surely discover that the *Kallipolis* is never intended to reach the far shore, and that indeed it belongs to the island of appearances that we are seeking to leave. (Odysseus’ vessel of escape is hewn from the timbers of the island, unlike the cloak that Odysseus receives from a divine source). And as we shall see presently, the *Kallipolis* is precisely deficient in its inability to marry *nous* with *agathon*.

The first wave, in Planinc’s words, ‘almost destroyed the ship completely’ and ‘it was now truly a raft’.⁸³ The equality of men and women is a kind of purification, in which the division between male and female is removed, and justice is restored, as the same qualities and arrangements of the soul are to be equally valued in women as in men (450c). But this process does not leave the city unaltered: the analogy involves an apparent inversion of Aristophanes’ comedy *The Assemblywomen* (*Ecclesiazusae*) in which the women of Athens stage a coup and institute communism. This was meant as a satire of the Greek polity, with women portrayed in order to mock the pretensions of all rulers, for the very reason that Aristophanes considers women in this role to be a laughable absurdity. As Allan Bloom remarks, Plato is seeking to defy Aristophanes’ parody of Socrates in *The Clouds* by having Socrates not only outdo him as a comic playwright, but make what seems absurd to Aristophanes the very essence of justice.⁸⁴ This city in speech is presenting us with what Bloom calls a ‘divine comedy’ in which our perverse concept of the Good city as absurd (the ongoing charge of those who call Plato a ‘frustrated idealist’) is challenged by a demonstration that it is rather the mortal city as such that is absurd. We learn to situate ourselves in the perfect city and to direct ‘a more divine laughter’ at the city trapped in time and convention, failing to contemplate and imitate the unchanging divine idea of the Good.

⁸³ Planinc, *Political Philosophy*, 278.

⁸⁴ Bloom, *Republic*, 305-435.

And similarly at the pretensions of mortal lawmakers and customs, who, having flawed and false ideas about the gods, corruptly translate divine *nomoi* into human law.

But the apparent justice that withstands the onslaught of the first wave, that of the equality of men and women, has not removed the deep-rooted injustice inherent in the immanentised geometric ‘city of speech’, in the very structure of the vessel. The biological difference of sex is not just a matter of a more limited strength on the part of women, but rather inheres in the differentiation of sexual/reproductive roles which Socrates absurdly reduces to the idea that ‘they differ in this alone, that the female bears and the male mounts’ (454e). The premature collapse of *this* Two into the One will be shown to be the antithesis of justice, and to have introduced a fatal contradiction into the city. Just as each element of the soul is needed to be given its proper role and status, so too is the duopoly of sex.

A further absurdity later introduced to address the education/protection of children (under the protocol of the ‘second wave’), the notion that they would follow their parents into battle to observe them, mounted on horseback, to effect an escape in the event of defeat, reveals how it is not just male/female differentiation that is becoming strained under the demand of unity, but that of youth/age, revealing the extent to which the aspect of time has been left behind (466e-467e). In erasing sexual and age difference in the matter of warfare, Socrates has, Planinc argues, hitherto placed too much weight on ‘spiritedness’ and has done an injustice to the virtues of moderation, justice and prudence.⁸⁵

True courage is only possible when *thumos* is guided by moderation, or *sophrosyne*, whereby the soul has a ‘healthy’ appetite, desiring everything in right proportion. The *eros* of the soul, when in proper balance with the other parts, is not a chaotic desire that must be chained by coercion, but in its ideal form always fills the soul with desire to do the right thing in the right way. Thus, when fighting fellow Greeks, rage at the enemy who threatens the state when engaged in external war must always be tempered with recollection that they are ultimately *phylos* or kinsmen, and that the war is in one sense a *stasis* or internal war between kinsmen who must one day reconcile. Therefore, Plato recommends that irrevocable damage to the foe in the conduct of war be avoided when fighting Hellenes (469b-471d).

The guardian is like a dog, because, as Socrates declared earlier, ‘the disposition of noble dogs is to be as gentle as it can be with their familiars ... and the opposite with those they

⁸⁵ Planinc, *Political Philosophy*, 191-6, 270-1.

don't know' (375d). But what of the fact that the guardian, having been loosed upon the foe, must also regulate the city? And the further complication that the guardian must also treat his foe as a future friend, for, as we have seen, even the unjust man must be treated justly, and this means not harming him, so only using force to the extent necessary to protect everyone from harm and keep him from committing an evil act?

In this way, time presses up ever more intensely against Plato's narrative - past and future must be somehow interwoven and mediated: the enemy may become a friend, the friend is a potential foe.⁸⁶ Only *sophrosyne* can diagnose the right application of an almost medicinal violence, or more accurately application of courage/spiritedness to avoid injustice. But this virtue emerges not from courage, but from an *eros* that bears the imprint of a cosmic order discerned by the *nous*, and acts both as a kind of intuitive discernment of vice and virtue, and a principle of reasoning or distribution. It drives the higher parts of the soul by giving the proper weight and balance to the different options before them, allowing them to be rightly used.⁸⁷

Thus, the only way the rule of the guardians makes sense is if there is a class of guardians who *do not* fight (as opposed to those amongst the fighters who rule), but rather employ *thumos* as a supplement to *eros*, instead of vice versa. These guardians would look beyond the actually timeless and steely grip of courage, and instead towards the cyclical nature of life. They would act either to inflame courage, or to cool its ferocity where appropriate. And does not this suggest the primarily female character of the supreme guardians? It is women who are physically unsuited to *melée* combat, who are by dint of their fertility perennially unavailable for combat and intense exercise. Women are closer to the birth of children, and by virtue of their bodies intimately connected and educated in the cyclical nature of reality. The courageous are always looking to space: to the competition of cities, the running of the race, the tide of battle. That is embodied by Sparta, a city constantly at war with its neighbours, without walls or boundaries because it cannot conceive of disaster: it does not think of itself as a city in time. But the equalising of the female, one may speculate, belongs to the city not of the One, and of male-female indifference, but already to the City of the Dyad, in which sexual difference may be implicitly included, just as the *oikos* is much more integrated into the male public processes of the *polis* within *Kallipolis* than for the usual

⁸⁶ See John G. Gunnell, *Political Philosophy and Time: Plato and the Origins of Political Vision* (Chicago: Chicago UP, 1987).

⁸⁷ Catherine Pickstock, 'The Role of Affinity and Asymmetry in Plato's *Lysis*', *International Journal of Philosophy and Theology* 81:1 (2020), 1-17.

Greek norms.⁸⁸ Of course, in terms of the sheerly psychic and philosophical city it would seem that women are included because of their psychic equality, rendering gender difference irrelevant. Yet a tighter consideration suggests that the supreme, non-military guardian is paradigmatically female, by virtue of the difference of the female body itself.

One can therefore conclude that, while the *Kallipolis* dubiously (it is implied) erases sexual difference in its allowance of full gender equality, the challenge of the first wave implicitly suggests a revision whereby the possibility of the equality of women in rule, besides a genuine notion of this very rule, actually requires the recognition of this difference.

In terms of this same tension between unity and mixture, ‘the second wave’ challenges the notion that not only are men and women to be given the same roles, but women and children are to be held in common. To maintain the geometric order, at war with time, a strict programme of eugenics must be enforced, and the natural family be wholly dissolved (414c-415c).

This imperative, however, runs up against one of the great ambiguities of the *Republic*, which is the extent to which the life of the guardians and other persons living in the city converge in a shared citizenship: something we saw in the Introduction to be disputed amongst Greek thinkers. At many points, it seems clear that the guardians are a distinct class, with the disciplines of communism being theirs alone: they are to live apart in barracks and the ‘children of silver and gold’ are to be selected in the eugenics programme to join the guardians (415d-417b). But it is not clear whether the whole city participates in the sharing of women or if this applies to the guardians alone. If it is only the guardians, then, since it has been made clear that sometimes ‘silver and gold’ will come from ‘bronze’, this entails the removal of children from their biological parents, which would seem wholly to undermine the universal schema of the city, since the children of the ‘bronze’ parents, will know who their biological parents are, whereas the children who are silver and gold, will not, being supposedly sprung from the civic womb directly. But if, on the other hand, women and children are held fully in common by all, then how are the guardians meant to impose discipline? The people of *epithumia* will see the guardians as brothers and sisters, parents and children, and vice versa. How will an elderly citizen of the ‘bronze’ class respect the commands of a gold or silver child? How will a guardian - taught above all in piety - chastise

⁸⁸ Greg Anderson, *The Realness of Things Past: Ancient Greece and Ontological History* (New York: Oxford University Press, 2018), 160-73.

an elder of a subordinate class? Moreover, in their policing duties, will they not be required, at least in theory, to detain, lay hands on and even banish or execute their elders, even of the guardian or ruler class? It is not envisaged that the guardians, and least of all the rulers, will transgress in a manner that requires this treatment, but there seems inherent in the *Kallipolis* a tension between the divine law due the family and the criminal law between citizens, only accentuated by the merging of *polis* with an artificial *oikos*. The Guardians are meant to act as the city's conscience and policemen, but the very principle of externalisation by which they came into being has been collapsed.

Justice as tripartition may be adequate to space, but it is not adequate to the mingling of classes and the intersection of familial and civic hierarchies consequent upon time. If human interactions in time are more than a matter of force, then their ordering requires a referral of their contingent details to the light of the eternal Good, whose transcendence exceeds the immanence of spatially divisible justice and the mere common (spatial) good of the city. In this way, already the flow of time, with its engagement with the finite otherness of the Dyad is indicated as paradoxically nearer the exaltation of the One/Good than the fixed immanent hierarchies of justice and its restriction to the division of labour.⁸⁹

Glaucon was initially persuaded by Socrates of the rightness of sharing women and children. But besides now doubting its realisability, he has also lost much of his passion for it, since increasingly his reason is somewhat repelled by this vision, at once absurd and lovely, of the *Kallipolis*, with its account of swanlike innocence in mating, of a universal family constituting a perfect single will. *Apparently*, Glaucon was originally moved away from normal eroticism towards a more austere vision by Socrates. But *covertly* he had been too erotically persuaded of this disciplined orgy.

If the first wave secretly, against the uneasy surface meaning of the text, dislodged a vestigial overrating of violent *thumos* in the city of speech, and the second dislodged a vestigial overrating of sexual *epithumia*, then Socrates' third and 'greatest wave of paradox', that will implicitly cast the boat aside, will be addressed first to the *nous* (473c-474c). It might seem we were here progressing from seeing how a threat of an excessive spiritedness and desire in *Kallipolis* are ultimately restrained by reason, but covertly, as I shall now argue, Plato also implies that this 'perfect' city is too purely rational.

⁸⁹ Planinc, *Political Philosophy*, 270.

The city is finally (by implication) deconstructed by the question of how it is to be ruled. This third problematic allows Socrates to point Glaucon away from the spatial image of the city to the contemplation of a more complete philosophy. He shows Glaucon that, before they can address how the philosophers are to come to power, they must address what a good philosopher is (473d-474c). Socrates is now able to persuade Glaucon to desert the 'raft' and employ the 'cloak' of the dialectic method, beginning with the question of the relationship of 'is' to 'is not' (473b-c), which will be the central premise and issue of the *Sophist*, the dialogue that most of all reveals the dialectic method, and the relationships between the Forms. From there, Glaucon is led into the analogy of the cave (514a-520a), diverting from the immanent image of the *Kallipolis* to a purer contemplation of a transcendent image of wisdom as the Forms glimpsed in the light of the Good. Having appealed to Glaucon's *nous* and guiding him to the highest pinnacle with every enticement he can manage, Socrates now has to guide him down again. He must secretly (one can argue) unwind the *Kallipolis*, and as in the *Sophist*, descend by division, going from the One to the Two in order to discover the Good, and the One amongst the Many.

As Socrates promises in the analogy, Glaucon's eyes have become accustomed to the light of the true sun; he has finally come clearly to observe the One/Good, his eyes seeing first the forms of 'phantoms of the human beings and other things, then 'the things themselves', next 'the light of the stars and the moon', and finally 'the sun itself by itself in its own region' (516a-b). But now he must return into the cave - and here he finds himself desperately confused and assailed. His vision will, as promised, become 'ten thousand times better' than his peers, but he will need gradually to recover from the blinding light of the One, so that with his dialectic vision - the twin eyes of the Dyad? - he can identify good and bad, 'is' and 'is not' amongst the many, and distribute everything in right proportion as suited to its nature: the art of the statesman.

It is true that the solar focus on 'the One' in this passage seems to resolve the problematic of justice in the first two books. How do we know that the ruler/knower is not simply a higher enforcer, if his role is merely to position the other roles of force and desire? Contemplating the One/Good gives him after all something specific to do and a guarantee that knowledge is no mere sophistic persuasion.⁹⁰ Yet the problematic remains: how can this role of contemplation really be a political role? How is the intellectual 'forcing of force' and

⁹⁰ Adi Ophir, *Plato's Invisible Cities: Discourse and Power in the Republic* (London: Routledge, 2002).

counter-desiring of desire any more than arbitrary hierarchy at the human level, both political and psychic? As has already been intimated, it can only be so if there is an erotic echo of the Good even at the lower levels. And that implies once more the mingling of levels and classes - not promiscuously, as is risked by *Kallipolis*, but in a genuinely fruitful, because ordered way, through the rightly desiring phronetic instances of human events and interactions in time. Otherwise, the guardians cannot be seduced away from contemplation in order to rule, without inevitably descending into martial and erotic corruption, as Plato now proceeds to trace.

In consequence, the *Kallipolis* is finally attacked by mapping it not onto the static geometric abstractions invoked at the outset, but rather still more emphatically onto the flow of history. The raft of the city is ultimately torn apart before Glaucon's eyes, and he cannot return to it if he wished. As Planinc observes, 'the eugenic vision fails', as Socrates argues that 'your rulers, will not, for all their wisdom ascertain by wisdom combined with sensation...the laws of prosperous birth or infertility of your race...but they will escape them and there will be a time when they will beget children out of season' (546a-e).⁹¹ Socrates calls this 'high tragic talk'; whereas the city outside of space and time was a 'divine comedy', the same city exposed to the ravages of time is 'tragic' from its own standpoint, although absurd from the perspective of the philosopher (545d-e).

This melding of tragedy and absurdity is inherent to Socratic irony, which is a divine or daemonic compassion that at once conceals and reveals, while giving each what he is ready to accept. In this context, the irony works by the covert triumph of Socrates' own narrative (and mythically shadowed) doubts over his mathematically modelled dialectical surmountings of these doubts: his only apparent withstanding of the waves. The supposed degeneration of the city is described as a failure to understand mathematical harmonies, no doubt of a Pythagorean kind. Yet one can suspect that the 'geometric' account of breeding is as much a parody of the attempt to impose a 'geometric' schema on biology as it is a serious account; the earlier line about 'not geometrical but erotic necessities' can be read as implying this (485d). Plato's account of the best medicine as being that which was applied to correct healthy bodies, rather than to maintain sick ones, could imply that he does *not* endorse a medically revisionary eugenic programme in the mould of the *Kallipolis*, when linked to his

⁹¹ Planinc, *Political Philosophy*, 282.

view in the *Laws* that nature itself is imprinted with an order and *logos* that maintains a ‘natural’ balance of pleasure and pain.

In the end, it is surely clear that Plato prefers the erotic over the geometric, since the ultimate Forms contain the prototypes also of material things, which the mathematical forms, though higher in status, as merely thin and abstract, do not. This mediating role of mathematical realities was added by Plato to the pre-Socratic Pythagorean tradition which originally understood the identity of things with numbers in a much more direct and ‘materialist’ sense.⁹²

In the course of the cycle of temporal decline, the guardians become corrupted, desiring wealth and honour above the good, and giving greater weight to gymnastic education than musical (548b-c and 549a-b). They turn into untamed beasts who prey upon those they should protect. The ‘aristocracy’, the rule of the wise - literally the rule of wisdom - is replaced by ‘timocracy’ in which the desires of the populace are ruled by an elite, through excessive force and not persuasion (547c-d). In course of time, the people are impoverished, and the regime becomes an ‘oligarchy’, a rule by the few/rich (550c-551a). The city of the One turns ineluctably into the city of the dyadic, of differences, in a negative sense: first as a mixture of good and bad in timocracy, and now as the two cities of the rich and the poor (551d). Eventually, the city rises up and distributes wealth and power throughout society, creating a democracy, and it is the many, the desiring part, that rules (557a-558c). But this unguided and rudderless multitude ends up becoming ruled by fear of the few, and so appoints a ‘tyrant’ who removes all the best citizens - those ‘few’ whose virtue makes them capable of ruling - and engages in constant warfare to maintain his position (562a - 569c). In Book IX the scale is shrunk to the individual character of the *psyche* alone, with the characters of the different regimes dialectically degenerating into that of the Tyrant, the truly unjust man.

This seemingly inevitable degeneration of the philosophical city may cast into a different light the expulsion of the older civic theologian, the poet: is his lyric art not declared ‘more beautiful’ than the permitted hymnic? (398a-b) Is this lyricism somewhat more integrated with the hymnic as a continuous lyrical life in the city of *Magnesia*? Inversely, does not Plato’s mockery, in the *Symposium* (189c-193d) after Aristophanes, of a hermaphroditic ideal

⁹² Albertson, *Mathematical Theologies*, 23-39.

as too rivalrous to the divine, suggest some equivalent mockery of his androgynous city of *Kallipolis*?

So, to summarise: the language of violence and contradiction is first expunged in the *Republic* with the creation of the *Kallipolis*, but then exposed as still after all lurking by the ‘three waves’. This city exits from normal human time at some point after the guardians emerge, yet justice is fully revealed in this city precisely by the division of the guardians from the others. Until the ‘best’ are selected out as the ‘few’, the ‘best’ cannot rule, as the Good is not identifiable, nor the consequent good and just rule of the forceful and desiring classes as subordinate. But in conceiving of how the few should live, Socrates imposes upon them the impossible triple demands which appear to withstand the three waves, but esoterically do not.

Each challenge is met by an ever more extreme imposition of unity, that results in a yet more extreme division, as the dyadic difference starts to reassert itself though the exposure of inherent contradictions in the One. First, the male/female binary is abolished. The equality of women immediately introduces the problem of how reproduction is to be married to strict equality of roles and education. This is answered by the destruction of the old/young and *oikos/polis* boundaries, with the abolition of the family and the presence of the young on the battlefield. But this abolition confuses the operation of the civic hierarchy with the familial one, rendering justice impossible and the rule of the Good inoperative, as lacking the invocation of *phronesis*. Finally, the boundary between philosopher and statesman must be breached and this demands that either a philosopher becomes a king or a king a philosopher. Yet given the relatively degenerate character of *thumos* and *epithumia*, that must entail the corruption of the philosopher who is supposed to be the only uncorrupt ruler. The historical succession of regimes reveals that the philosopher becomes gradually indistinguishable from the sophist and will be cast out in a bad division that does not differentiate good from evil, or worse, differentiates in the wrong direction. The statesman who must be educated becomes the Tyrant and the city of the One, the city of unremitting evil.

One cannot therefore read this process of decline as simply a betrayal of the ideal city, but rather as a decadence that results *necessarily* from its over-ideality. This is exactly why the second best and explicitly ‘tragic’ city of the *Laws* will turn out to be ‘better than the ‘best’.

Chapter Two: Plato's *Magnesia*: The Ideality of the Real

1. Introduction

In this chapter I will eventually compare and contrast the city of the *Laws* with the city of the *Republic*, arguing that this apparently less ideal and 'second best' city is for Plato in fact more genuinely ideal as well as realistic. I shall further claim that this view entirely coheres with his later understanding of participation and articulation of a metaphysics pivoted on the relationship between the One and the Dyad. This later metaphysics, I shall suggest, corresponds with the relatively more democratic bent of the *Laws*, which is thereby shown to depend upon and not to be somewhat removed from Plato's affirmation of our sharing in transcendence as the basis of a just civic existence. I will first chart the evolution of his metaphysical thinking prior to the *Laws* and its intimate connection already with developments in his political thinking.

2. Transition to *The Laws*

The relationship between the *Republic* and the *Laws* can be regarded as analogous to the relationship between the *Sophist* and the *Statesman*: the *Sophist* performs the 'good' sophistry of diagnostic questioning by turning the destructive nature of sophistry upon itself, rehearsing the reality of the many (the infinite variety and lack of an idea of truth inherent to sophistic argument) by opening out to the variety of things, but then categorising them in kinds through the sifting by dyadic difference. The dialogue ultimately reveals the prevaricating sophist hidden amongst the many and this 'bad One' is put on trial, just as the *Republic* reveals the 'bad One' of the tyrant. In the *Statesman* (*Politicus*) however, the threads are rewoven as we search for the just man, the 'good One' of the statesman who appeals to the Many only through the mediation of the Dyad and so reconstitutes the Many as the interweaving of unity and difference.

The Democratic Plato

In the *Republic*, the few are systematically corrupted. They become brutal, acquire excessive wealth and power, and finally their own excessive ‘spiritedness’ consumes itself and they become too weak to control the many, so that the city becomes divided between wealthy and poor, thereby yielding ‘two polities’. The larger city of the poor, angered by their mistreatment, eventually overthrows the oligarchs. Socrates describes democracy as ‘very fine’ because it allows every man ‘freedom’ and contains ‘all dispositions’. It is a kind of laboratory in which every type of character and potential constitution can be discerned and debated, including, thinks Plato, the philosophical disposition towards truth (*Republic* 557b-561e).

The city of the many is paradoxically at once divided and united. It has lost the earlier unity of the community of ‘is’, of simultaneously shared pleasure and pain, but it has gained a community of ‘is not’ or unlike, a community alternatively united in its shared desire for freedom and equality (557a-558c). Because the city of the many allows every kind of person, and permits them freedom, it is analogous to the city that preceded aristocracy: the ‘natural’ polis, or ‘city of utmost necessity’. The desires of that early city began as moderate and good, and it is never described as evil or wicked, but on the contrary as admirable. But the city must, with the corruption inherent to the passage of time, necessarily give birth to corrupt, oligarchic rulers.

In this passage of Book Eight of the *Republic*, Plato insinuates a rival chronology to the somewhat imaginary one that details the decline of the beautiful city of speech, seen in the previous chapter. With the benefit of understanding the *Kallipolis* as unrealisable in time, we see that it is actually timocracy or oligarchy that normally and historically ensues from the *anagkaios polis* or necessary city, and that philosophers cannot readily emerge from these more realistic and corrupt guardians at all. Rather it is from *democracy*, succeeding to oligarchy after the rebellion of the excluded poor against the corrupted oligarchs (in alliance with their more decadent sons) which contains contending freedoms giving rise to debate. Therefore, for Plato, only the breakdown of an inherited customary order and hierarchy embodied by the few, can lead to a radical questioning of the true nature of order or reality.

The sophist, like the aristocratic guardian class in the city of necessity, emerges naturally in this setting. Sophistry is developed to fill the newly created needs of the regime to master a incipiently sceptical chaos, but ends up being used to control and manipulate, embodying a

dangerous nominalism and moral relativism, as embodied in Thrasymachus' claims that the best man is the strongest, wealthiest and most cunning. Because nobody is permitted to rule by force under democracy, it is necessary to persuade, and so the sophist takes up one man or one faction's cause; but because he does not seek truth, he sells his words, adopting first one position and then its contrary. But ultimately this fosters an incipient anarchy that can only be stemmed by tyranny, itself supported by the most successful use of sophistic persuasion.

It is in reaction to this that the 'good sophistry' of philosophy emerges, combating its cunning with the ironic cunning that points to an absolute, abiding truth beyond the civic vagaries of time and place.

However, the deployment of sophistry and of counter-sophistry stokes the old fear of oligarchy in a new guise: the existence of men, both sophists and philosophers, who are capable of persuading others and educating the young, is perceived as an unacceptable expansion of power at the expense of the unity of the *demos*. This is illustrated by the playwright Aristophanes, with his eagerness to mock and cut down to the size the leading citizens through his comedies, exposing their pretended embrace of democratic sentiment, which equal laws would seem to enjoin upon them.⁹³ This is why, Socrates, despite being poor and ugly, is singled out for special treatment in *The Clouds*, as the genuinely detached, but here naturalistic sceptic who recognises no other gods but 'chaos, clouds and the tongue: these three alone'.⁹⁴ By contrast, the reprehensible behaviour of the sophists who sought to rule as did the oligarchs of old, for their own sake, gave a bad name to philosophy, and unable to distinguish the two, the people tended to turn to the worst of the sophists who is the tyrant. The tyrant seduces the city with his speech and persuades them to accept the rule of the 'bad One', which is to say, the unjust man and so injustice itself.

Politics and Participation

How can the subversion of democracy by the democratic encouragement of sophistry be prevented? How can the people be brought to accept the new aristocracy of the wise, which will alone save them from oligarchy and tyranny, and so paradoxically, uphold also the democratic element?

⁹³ Aristophanes, *Acharnians* II, 142-5; *The Knights*, 732-5, 1340-5.

⁹⁴ Aristophanes, *The Clouds*, 222-1503.

It is in the later dialogues of the *Sophist* and the *Statesman* that we see the dialectical method guide us away from the *Kallipolis*, and towards the true island kingdom envisaged in the Cretan discussions of the *Laws*, to the city on the brink of eternity: as Planinc puts it, ‘the perfect image of the movement of *nous*’. The *eikon* is also a participation, for Plato ‘freely interchanges *mimesis* and *methexis*’.⁹⁵ To ‘perform’ a role is to actively share in its life and nature: to enact the script of the civic laws with true erotic devotion and no ironic reserve as satirised by Aristophanes. Yet it now arguably turns out that, in comparison with *Magnesia*, *Kallipolis* was not by this standard authentic. It was rather at a further mimetic remove from truly involved *methexis* of the Forms themselves (*Republic* 509c-511d).

So, the mirror-like, two-dimensional geometric ‘map’ of the *Republic* is replaced with something less like a reflection, or an idealised drawing, and more like a carefully crafted and painted statue (*Republic* 420c-d). The reflection might appear to be superficially closer to the original as sheer *mimesis*, but in fact it is the ‘performative’ statue that is the closer imitation, because it is a thicker, more relatively self-standing ‘sharing in’ or participation. The former image is more ‘exact’ in relation to the eternal side of the divided line, but *Kallipolis* is mapped only onto the dimension of space. It is the city more on this side of the divided line, conceived in terms of time as well as space, prudence as well as wisdom, that creates the more rounded and substantive image that is paradoxically most like the One/Good by virtue of a more dispersed, and so democratic, erotic linkage.⁹⁶

The nature of this city involves the Dyad equally with the One and their intermingling: a constant marrying and interweaving of things together to produce a quotidian and realisable harmony. In this city, the inhabitants are caught up in the duopolies of city and soul, male and female, city and world-soul and world-soul and *kosmos*. These progressively ‘larger’ souls each possess a character, psychically imprinted by the cosmic order, capable of recollection by dint of the soul’s descent from the One into the Many, which can be read as the soul’s descent into time.

In this context, it is no coincidence that the last book of the *Republic* is an account of the soul’s journey through the *kosmos*, and of particular note is the crossing of Lethe that washes away memory (*Republic* 620d-621b). This parable of the soul’s descent into the changing

⁹⁵ Planinc, *Political Philosophy*, 271-5.

⁹⁶ Lucia Prauscello, *Performing Citizenship in Plato’s Laws* (Cambridge: CUP, 2014). 57-101. I strongly concur with Prauscello’s main conclusions concerning the more democratic character of Plato in the *Laws* as compared with Aristotle, but she does not relate this to the metaphysical and religious dimensions, as I do.

world is understood by Plato as educational, teleologically oriented towards the encouragement of wisdom and the overcoming of forgetfulness. The entirety of the world of ‘appearance’ - vivified by the world soul according to the *Timaeus* - is impressed with the virtues revealed in *Kallipolis*, particularly moderation, whereby the appetite is conditioned to desire everything in right measure. On the political level, the most primitive human communities that are directly under the rule of necessity, are ‘naturally’ taught to be moderate if they are to survive. With the further development of cities, human nature is revealed in its full psychic richness, but also its inherent contradictions and instability. The city is regarded as the mediate realm, between the animal and the divine, world and individual, and between the world of becoming and the world of what is. Since it is thereby identical with a human existence (for the *polis* is given a rather broader definition by Plato than by Aristotle), the human being as such is implicitly identified with citizenship, that has for Plato both a temporal and a cosmic import. Equivalently, the city is, in its essence, that institution which, though caught up in time and space, seeks to transcend them, playing above all the part of time as a ‘moving image of eternity’ (*Timaeus* 37d). This mediation is most strongly expressed in the concept of *methexis* or participation.

Methexis describes the interrelationship of transcendent Forms to the embodied world, whereby one thing ‘partakes’ in another, without being that other. This describes not only the relationship between finite things and the Forms, but also between the Forms themselves, and, by reflection, between things and things. Plato uses a number of terms for ‘participation’, such as *parousia* (presence), *symploke* (interweaving), *koinonia* (coupling), *mimesis* (imitation) and *mixis* (mixture). However, *methexis*, used ninety-one times in the dialogues, is the one most widely applied by scholars, and that which seems to best capture the general sense.⁹⁷ Plato deliberately avoids using terms restrictively, so his dialogues form not a sophistic speech to manipulate or ‘fix’ our response, but rather allow us, also, to participate in and to perform his works themselves.

Methexis derives from the Greek theatre, describing a mode of performance in which audience interacts with the players, breaking the ‘fourth wall’ that might circumscribe a stage. So, in theatrical terms, we can think of the diagrammatic and over-finished *Kallipolis* as too stage-like, too like the written word as presented in the *Phaedrus*, as not available to dialogue, not capable of imitating truth along the axis of time where all are equally actors.

⁹⁷ Hans-Georg Gadamer, *The Idea of the Good in Platonic-Aristotelian Philosophy*, trans. P. Christopher Smith (New Haven CT: Yale UP, 2009), 10.

Rather than this geometric mere *mimesis*, or ‘flattened’ *methexis*, a fuller participation suggests a dynamic relationship between Forms and things, an involvement in a ‘theo-drama’ in which the heavenly action fully circulates amongst ‘the audience’.⁹⁸

Some scholars have claimed that participation is less present in the later dialogues, arguing that Plato departs from his theory of the Forms, with a consequence of canonical discontinuity and assumed ‘change of mind’ in Plato’s own time. This stems from a classic misreading of the ‘third man’ argument, which is used not to destroy, but to clarify the theory, distinguishing between ‘higher things’ of the same kind as embodied things, from transcendent exemplars and causal sources of those things, thereby preventing the ‘third man’ regress (*Parmenides* 132a-b). In fact, the ‘critique’ of the Forms is for Plato an intensification of the theory of participation, since it ensures the priority of an ineffable sharing in a mysteriously unknown paradigm over any notion of a copying of a ‘visible’ hyper-example of a finite entity, just as, one can suggest, the implied critique of *Kallipolis* is an intensification of the need for civic and individually erotic participation in the Good.

Methexis in Plato is indeed at once a metaphysical and a political concept, as indicated by its origins in Greek theatre, which was regarded as ‘performing’ citizenship in an act of pious representation of realities involving the divine realm - while we have already seen in that citizenship itself was a kind of performance for the Athenians.⁹⁹ Yet this semantic range is to a degree under-addressed by Plato scholarship, concealed by inappropriate divisions between a metaphysical, literary and political Plato, when his philosophy depends upon the integration of all three dimensions.¹⁰⁰ *The Sophist* and *Statesman* have certainly been seen as dialogues for which *methexis* is integral; but the same cannot be said of *The Laws*.¹⁰¹

The Sophist arrives at the idea of participation both in and amongst the Forms via a discussion of the nature of truth and falsehood, to deal with the apparent paradox of describing something as ‘that which has no sort of being’ (237a). This is ensuant upon the problematic of the one and the many: the ‘parts’ that compose our existence must be ‘real’; yet the ‘whole’ in its fullest sense is without parts: thus, either reality is different than the whole, which would give it a reality outside of reality, and render the ‘is not’ problematically

⁹⁸ As Gadamer argues, *methexis* suggests ‘real relationships’ in contrast to mere *mimesis*: see Gadamer, *Dialogue and Dialectic: Eight Hermeneutical Studies on Plato* (New Haven CT, Yale UP, 1983), 11.

⁹⁹ See Prauscello, *Performing Citizenship*, for the significance of drama to Plato’s conception of citizenship.

¹⁰⁰ Stanley Rosen, *Plato’s Sophist* (New Haven CT: Yale UP, 1983), 84.

¹⁰¹ Prauscello, *Performing Citizenship*, 1-2.

fully real, or else the apparent reality of a unitary whole with parts that are other to the whole is an illusion.

A similar *aporia* is exemplified by other distinguished contraries such as motion and rest: either motion is not rest and this 'is not' is, or else rest and motion collapse into each other. Ultimately it is decided that the philosopher must be like 'a child begging for "both": he must declare that reality or the sum of things is both at once: all that is unchangeable [and fully exists] and all that is in change [and in part non-existent]' (249d). For things to exist they must possess both rest *and* motion. Clearly reality is not exclusively either at rest or in motion, and yet reality as a whole, it would seem, cannot be both in motion and at rest without being contradictory. The only way out of this difficulty is to consider all things as being capable of 'blending and participation in one another', just as they all commonly 'participate' in a reality that somehow exceeds the contrast of rest and motion, being and non-being. The same thing applies in general to the relationship of the same to the different (*thateron*), which is clearly equivalent to that between the One and the Dyad attributed to Plato's oral teaching.

Embodied reality somehow blends and interweaves elements of both motion and rest, whole and parts, unity and diversity, same and different, while the transcendent realm of the Forms still more mysteriously fuses the two into one. It is, however, rapidly established that the pair of motion and rest is different from the pair of same and different, just as their respective terms are different. Thus, each of these terms must be Forms in themselves. The eventual conclusion is that 'It must then be possible for 'that which is not' to be...the nature of difference makes each of the other four Forms - motion, rest, same and difference - different from reality or existence, such that their 'is not' being, in a sense 'is' (*Sophist*, 255d-e). Each new division not only divides but unites, such that the stability of the Forms is guaranteed by their mutual participation in one another, a blending that is structured by an interplay of compatibility and incompatibility, echoed here below as a musical and grammatical interweaving of vowel and consonant, low and high pitch.

This account of participation however, neither begins nor ends with abstraction. Rather, we came to the question of being and non-being due to the hunt for the sophist, a figure that for Plato is the antithesis of the philosopher, a person who uses his command of logic and rhetoric not to seek for truth, but to pervert and manipulate language for his own ends. In the course of the discussion, the difficulty of non-being is raised as just such a 'sophistical'

argument, whereby the sophist argues that his truth-denying speech still cannot be considered false, as it is impossible for 'that which is not' to exist. The search for truth therefore begins in *The Sophist* as a hunt and trial of a criminal; the sophist poisons the well of public discourse with falsehoods, corrupting the republic. But the dialogue also commences with a deep ambiguity about the identity of accuser and defendant: exactly who is the figure of the stranger at the outset? What is his relationship to the invoked Parmenides, known advocate of pure identity (*Sophist*, 217a-d)? We are in a state of moral uncertainty, and only a trial can determine guilt and innocence, separating out truth from falsehood.

The Longer Trial of Socrates

In fact, each one of the dialogues is a kind of juridical process. There is a continuous 'trial' of Socrates in which Socrates is going to be found innocent and eventually crowned as the winner of the race, returning, like Odysseus, to his true *oikos* in his philosophical triumph over death.¹⁰² It is precisely the principle of *thumos*, integrally linked with death, that must be overcome in the *Republic*, as we have seen. This duel with death is literally played out in the *Phaedo*, *Crito* and *Apology*, but is presented allegorically in many other dialogues.

In the case of the *Republic*, we begin to see a transformation in Socrates, and also in the *Laws*, if we accept Planinc's opinion that he is here transformed into the 'Athenian stranger': alien at once to either sophistry or to Parmenidean monism. This transformation does not imply the disappearance of Socrates, but rather the consummation of his philosophical vision: for Socrates sought to be a midwife, not a sophistic 'author'. In finally erasing Socrates's name, Plato is therefore presenting Socrates at his very pinnacle: not as dead but as life transfigured: entirely transparent to truth, bringing readers to the love of wisdom without imposing anything upon them. In the end, therefore, Socrates is found innocent of having influenced his followers. It was truth - the Good itself - that did that.

Participation in the Sophist

This continuous trial 'process' is linked to the very notion of participation, as is revealed at the end of the discussion on non-being in *Sophist*: 'this isolation of everything from everything else means a complete abolition of all discourse, for any discourse we can have

¹⁰² Planinc, *Political Philosophy*, 104-5.

owes its existence to the weaving together of Forms' (260a). This 'discourse' is precisely philosophy, and by this statement Plato is not only indicating that it relies ontologically upon an interweaving of Forms, but also that the method of dialectic is inseparable from such a concept of 'horizontal' participation. Such a method is employed throughout both the *Sophist* and the *Statesman* in order to locate the particular 'types' of their respective titles.¹⁰³ This is done by a process of continual division of categories, somewhat anticipating Aristotle's later approach to the classification of being and revealing the arguable link between his turn to the immanence of Forms and Plato's later concern with horizontal participation at once within the eternal realm and in their finite echo. Thus, we see that participation involves the ordered division and connection of reality and that thinking is itself a participation in and echoing of this cosmic process.

The city is included in the process, and within this context the sophist is negatively classified as a parody of the philosopher defined as a psychic doctor and civic educator. He is a perverse figure in a number of senses: a 'hunter of tame animals' who uses persuasive speech in secret, for compensation; and most worryingly of all trades and sells virtue. The weaving together of Forms, or the art of dialectic, is misused by the sophist to combine that which is inconsonant, or to rip up the fabric altogether and teach that reality is not subject to any moral law (*Sophist*, esp. 223a-224d.).

It follows that the sophist makes a mockery of *methexis* and so also of citizenship which is true human sharing. The key way that he perverts participation is in treating it as commercial: freely exchangeable, as movable goods which involve no deep connection. It is no coincidence that he is a hunter of tame animals either: both the simple rustic city and the city of excessive courage exclude the sophist, along with commerce. Only once we reach the stages of oligarchy and democracy can these forces finally emerge. If the association of the Forms in participation is analogous to the harmonious city-state, then the commercial association of ideas in the *Sophist* is analogous to the treacherous commerce of the oceans.

So, we can see, positively and negatively, how, in this later dialogue, participation now relates more clearly to the horizontal interconnections of the Forms and the political interconnections (both hierarchical as with noble and base and equal, as with rest and motion)

¹⁰³ See Kenneth Dorter, *Form and Good in Plato's Eleatic Dialogues* (Berkeley CA: University of California Press, 1994).

of the embodied Forms, besides the vertical participation of embodied beings in the Forms. The embodied beings thereby also participate in the eternal horizontal participation amongst the Forms themselves to produce the complete political dimension, such that the ineffable unity of the five prime Forms, including difference, and despite their mutual difference, is finitely reflected in embodied oscillations.

Participation therefore is both a thought and an affect or power (*dynamis*): ‘anything has real being that is constituted either to affect anything else or to be affected’ (247d-e).

Paradoxically, while resident in the temporal world we can only bring unity under the Good by the act of division. Participation in the Forms that exist in the light of the Good includes participation also in the Dyad.

Participation, Myth and Politics in the Statesman

The linkage of participation with politics is taken further in the *Statesman*. Theodorus, a geometer, makes the mistake of suggesting that Socrates will be ‘three times in my debt’ for discovering the ‘statesman’, ‘philosopher’ and ‘sophist’ (*Statesman*, 257a-b). Socrates swiftly mocks him for suggesting that any ‘mathematical expressions of proportion’ could encompass the differences between them. For the harmony and relationship between the Forms is not one of simple proportion, nor does number stand above the Forms; rather the harmony is one of relationship and speech (hence the grammatical analogies of *The Sophist*).

At first the Statesman is defined as the herder of men. But the stranger (Socrates?) objects that ‘we are claiming he [the statesman] alone is herdsman and shepherd of the human flock, but we are merely singling him out as such from a host of competitors’ (268a-c). The *true* shepherd is rather also ‘matchmaker’, ‘midwife’ and provides ‘games and music’. The mathematically ‘pure’ concept of each man fulfilling only his profession according to mere ‘justice’ has been already amended in the *Sophist*, which thereby advances the *Republic*’s suggestion of the primacy of the Good (and its prudential instantiation in specific temporal circumstance) over the Just. Whilst each man must fulfil a singular role in one sense, that unity has dramatically shifted from the performance of one task (even if it has individual parts/elements) to an understanding of each role or job as involving a multitude of functions and roles proper to it. This multitude must be made one by a unifying and individually realised *telos*. Instead of citizenship involving merely the legal prescription of ascribed roles, it now involves an internal and erotic interpretation and integration of various facets of a

single role, itself echoing the integration of the whole city. This is supremely true of the supreme citizen who is the statesman.

The Stranger proceeds further to elucidate the nature of the statesman by telling a ‘likely story’ (275b). Since the truth of political participation is one of social relationship, formed since untraceably primordial times, it cannot be readily captured only by logical subdivision, or *logos*, but rather such an account must be informed by *mythoi*, stories which help shape what Plato will refer to in the *Laws* as ‘right opinion’ or *orthos doxa*. Such stories, since they are not subject to any external measure of truth, and are lost to time, can only be judged by the standard of their internal consistency and harmony. Thereby they transcend the mere *doxa* that is common in the world of politics, intrigue and rumour, and instead turn the intellect towards both eternal truths and internal harmonies.

Appropriately, then, the myth that follows is itself a story of the history of soul, the cosmos and of recollection itself. It describes the cosmos as a ‘living creature, endowed with reason by him who framed it’ and who ‘imparts its rotation to it’ (269c-e). However, ‘there is also an era in which he releases his control’. In the first era, the rotation of the cosmos is the reverse of today, and everything moves under divine control, time flows backwards, and there is, in consequence, no procreation. The world is under the rule of Cronos who rules the world directly with the assistance of the daemons. Under their sway, humans are an ‘earth-born race’, who like, the guardians according to the ‘noble lie’, are born from the ‘womb of the earth’. Therefore, the world of embodied beings was once governed by the same harmonious order of participation and blending as exists between the Forms. It was directly ruled by beings who contemplated them, and thus imparted and mediated the image of the Forms to the embodied world.

Thereafter, the world is released from divine government and the cosmos proceeds on its course of ‘having control and government of itself and all within it and remembering, so far as it was able, the instruction it received from God’ (273a-b). The Stranger asks which era makes for ‘greater happiness’ and the young Socrates replies ‘No, I cannot decide’ (272a). He explains that, if the humans of that time had used their ‘association’ with the animals to ‘learn from each several tribe’ their ‘distinctive truth’, then it would have been a ‘thousand-fold superior’ to our own, but if not, then it is our own that is superior (272b-d). Although the knowledge of virtue implanted as *doxa* in the world gradually fades in the later era, for Plato,

it would seem, it is only the freedom and challenge of our ‘self-moving’ world that permits the development of philosophy.

The significance of participation in this account is pervasive. First, the universe has its motion ‘imparted’ to it by God; self-movement is always participating in motion, being and intelligence itself. The learning from the animals by intelligent human beings is an image of the one and the many and their mixture. In this way, recollection requires us to associate beyond ourselves in order to learn. Likewise, the statesman of our current era, after the retreat of the divine governors, participates in divine statesmanship by diagnosing vice and ignorance and persuading his patient into virtue.

The true Platonic nature of city and citizenship has finally begun to take shape: the soul and the city alike are mediate entities between the realm of spiritual intelligence and the animal. But it is the psychic citizens, who of themselves constitute the city, who participate in the Good not just upwards through contemplating *sophia*, but downwards through their exercise of *phronesis*. Like the demiurge, they stand between the One and the Many, and must constantly cast an eye to each. In living in cities and exercising citizenship humans are taking on a daemonic role, mediating between the realm of appearance and the Forms.

The descent or *katabasis* into the realm of the animal, of the many, is thereby a homeopathic purification. As we see in Book X of the *Republic*, we lose our memories in proportion to our ‘suffering’ - to our knowledge of evil - and those who are most impelled to forget partake most fully of animal nature by becoming beasts (620c-d). Yet recollection always potentially keeps pace with this descent, for we transcend time not by entering into timeless simulation of the eternally real (as in the *Kallipolis*) but through forging a city defined by the obscure invocations of *mythos*.

After the mythological approach, the Stranger resumes the dialectical one.

The statesman is declared to be analogous to the weaver both as philosopher and king (*Statesman*, 277a-279b). He threads together the different classes of society, and through their mutual participation they form a whole; the strands remain distinct but are held in place by their interlocking relations with many other strands. This forms a ‘weave’ of vertical and horizontal threads: the warp and the weft. Likewise, the very form of the dialectic of division is itself analogous to this weaving, as all the threads must be distinguished, and yet combined. Both arts are essentially the ‘blending of forms’, and the very act of dialectical division is what unites everything in a whole. Weaving indeed forms an image of vertical and horizontal

participation: where the horizontal threads of the woof cross the vertical threads of the warp, horizontal and vertical are blended together.

Equally, the *polis* is dialectically divided into its crucial causes and components of ‘noble’ and ‘base’, slave and free, public and private. The different classes of people must be woven together into ‘service’ itself, which must in turn be blended with production (306a-309b). Above all, the horizontal ‘warp’ of ‘desiring’ and pliable characters, surely kindred to the ‘difference’ and ‘motion’ of the *Sophist*, must be interwoven with the vertical ‘weft’ of strong and inflexible characters (309b). This dialectic is subsequently expanded to embrace the different modes of governance which are monarchy, oligarchy, democracy and tyranny, all typically foregrounding an excessive dominance of the different civic component (301b-d).

The acts of division in these dialectical operations are governed by two primary rules as set out towards the end of the dialogue. The first is: ‘let us divide them according to their natural divisions, as we would carve a sacrificial victim. For we must in every case divide into the minimum number of divisions that the structure permits’ (288a). This minimum consists in the most general categories, beginning with the principle of unity and simplicity emphasised in the *Sophist*. As before, each later categorisation is necessitated by a logical inconstancy or lack in the earlier principle. Closely related to the rule of simplicity is the demand that each division must be between two non-arbitrary groups: both halves, for Plato’s method of first ‘dividing down the middle’, must rather be united by shared qualities (263b). The analogy of the sacrificial victim is not coincidental; the ‘middle’ division of the carcass is between what is due the gods and what is for humankind, between what is noble and base; it also establishes dialectic as a sacred and civic ritual.

Thus, if *The Sophist* establishes a triple link between participation, dialectic and difference (the dyadic), the more explicitly political *Statesman* connects all three in turn to the liturgical.¹⁰⁴

3. The City of *The Laws*

¹⁰⁴ Cornelius Castoriadis stresses the bizarre musicality of the *Statesman* and links its ritually participatory character with an anticipatory refusal of what Hegel later named ‘alienation: *Sur Le Politique de Platon* (Paris: Seuil, 1999), 188-97.

The ritual character of both psychic reason and civic ruling as a mediation of the high and the low, the One and the Dyad is most explicitly and lengthily expounded in the *Laws*.¹⁰⁵

Overcoming Stasis

We have seen in discussing the *Republic* that, for Plato, the attempted escape from contradiction instead reveals apparently unsolvable *aporias*. This insight is alternatively but complementarily grasped by Giorgio Agamben in his short book *Stasis*. He argues, following Nicole Loraux, that the nature of the ancient city is that of a perpetually suspended civil war - *stasis* in the Greek.¹⁰⁶ He plays upon the double image of stability and struggle and takes it to be a normative state of pre-modern politics. Drawing particularly on Plato's *Menexenus*, Agamben argues that Plato is reflecting, in his account of Athens, a mode of civil war that was always anticipating reconciliation. The very act of *stasis* is part of kinship and unity itself, as we see with the use of the word *symmeignymi*, which means at once to fight and to mingle.¹⁰⁷ We find then a further dark variant of the notion of participation, interweaving and mixture.

Stasis arises from the circumstance that, while the city ends the vengeful feuding of families (as at the end of Aeschylus's *Oresteia*), the very exclusion of the *oikos* from the political also ensures that civil war rumbles on, surfaces in civic disputes and even helps constitute, through the suspended irresolution of this disputes, civic unity. Similarly, conquered peoples under the governance of the City can continue to be alien and threatening. But inversely, as we see in Plato's description of warfare in *Republic* Book V, even the foreigner may still be a Hellene, and therefore if disunity invades within, unity also imposes its imperative from without.

It is partially in this context that Plato searches for a more universal definition of justice, whereby it is due to everyone, just and unjust, and may never involve a harm, unlike the post-tragic but actually still tragic and contradictory circumstance of the Greek city where justice to the *polis* still necessarily involves the revenge of one family faction against another, or against a stranger who is yet not altogether so. Even in fighting, enslaving or killing an

¹⁰⁵ See Evans, *Civic Rites* and Anderson, *Realness of Things Past*, 129-148, 242.

¹⁰⁶ Giorgio Agamben, *Stasis: Civil War as a Political Paradigm* (Edinburgh: EUP, 2015) 1-18. This view that makes civil conflict foundational is surely an exaggeration (See Azoulay, 'Rethinking the Political'), but it can nonetheless be allowed as a vital factor in ancient civic formation.

¹⁰⁷ Agamben, *Stasis*, 5.

enemy, we must for Plato be acting in a teleologically educational, just and moral capacity. The descent of the soul into time, and the coming of the age of Zeus, subsequent to the era of Cronos, as discussed in the *Laws*, represent the opening up of the possibility of learning, by a process of cyclical recollection and forgetting, and a continual interweaving of goods. The Good is realisable for us along the axis of time, so we must always treat an enemy citizen or city as a future friend, especially in view of the fact that the *Laws* is actually concerned with an alliance of *politeis*. Therefore, we should destroy only the worst and justice-refusing part of the city and leave intact its capacity to recover.

We see then a transformed account of the city. Instead of seeking to exclude Difference, or the Many, from the One, or the Same, and so the household and locally alien from the civic realm (which only leads to their being externalised and recurring), we instead create a unity through participation, through the marrying of contraries. This city is none other than *Magnesia*: the city of the *Laws*.

The Genealogy of Law

The new city is born out of the question *not* ‘what is justice?’, but rather ‘what is the origin of the laws?’. This seemingly mundane question is actually the more ultimate. The *polis* (city), *polites* (citizens) and the *politeia* (constitution), for Plato, all pertain to a psychic level of being to which the issue of justice is not entirely adequate. Justice concerns the city’s equitable arrangement and distribution within a given and established space. But once the nature of justice in space and in the geometric abstract had been established, and a variety of concerns about the nature and participation of Forms and of the Good had been addressed, the way was made clear for a work capable of interweaving the strands of temperament through the contingent and changeable course of human history.

This turns out to be equivalent to the question of law, in the sense of prescribed ritual patterns for the conduct of life. And we need to realise here that the *nomos* refers not merely to customary law, but to the nature of the *kosmos*. So, in seeking the origin of *nomos*, Plato is endeavouring to give a more complete answer to the central question of his philosophy: how to live the objectively good life in terms of a universal goodness.¹⁰⁸

¹⁰⁸ Gunnell, *Political Philosophy and Time*, 217-21.

In *Laws* 1, each traveller recommends the system of government native to them, and the Athenian, the ‘Socrates’ of the dialogue, weaves them into an ideal system, based on the merits and limitations of each: ‘a household or family can be said as a whole to be worsted by itself when its wicked members triumph, and be its own mistress when they fail’ (627c-d). In other words, the city is caught in a perpetual *stasis*, with the disputations of the ‘laws’ forming a battleground in which good can be divided from evil, and evil may triumph over good. Good legislation is defined as discerning ‘which of these states [pleasure or pain] is better or worse’ in each situation, when this ‘judgement takes the form of a public decision of a city’ (644d). Law, then, is a dialectical ordering of participating elements, demonstrating participation in action. The true nature of the guardians as those who, like dogs, ‘can recognise their master and bark at the stranger’, is revealed in this counter-logic of civil conflict.

Moreover, *The Laws* describes the nature of participation between embodied beings and Forms more clearly than the *Sophist* and the *Statesman*: ‘each of us living creatures is a puppet made by gods...these interior states (pleasure and pain) are, so to say, cords, or strings by which we are worked; they are opposed to one another and pull us with opposite tensions in the direction of opposite actions, and therein lies the division of virtue from vice’ (644d-645c). In other words, the source of the motion of our souls resides in the ‘strings’ of our participation in eternal reality. For since the Forms are also intelligences, it is clear that one cannot clearly distinguish in Plato ‘gods’ from ‘Forms’.

Our ability to act lies in our ability ‘to yield to one of these tensions’ of transcendent and embodied reality, and the path of the moral life is to ‘always co-operate with the noble drawings of law’. The continuing importance of the dramatic imagery inherent to *methexis* is seen here in the idea of humans as players in a puppet show, whereby we become participants in the drama of divine law and cosmic order. As ‘spectators’ of the eternal we more fundamentally try to ‘act it out’, to the amusement and concern of the gods, who are the more final audience and stage-directors of the ‘real tragedy’ of this city, which does not pretend to the purification of the tragic and poetic proper to the *Kallipolis*.

This training of *doxa* is one designed especially for children (664a-669b, 788a-824c). It relies not on critical thinking, but the correct habitual response to stimuli in different circumstances, like learning steps to a dance. In the *Republic*, the Guardians are revealed by an effectively ‘eristic’ argument, which seeks to assert a unity by excluding the other argumentative case,

rather than following the dialectic method, wherein both arguments are ‘mixed’ and the good of both is gradually sifted from the bad.¹⁰⁹ In the eristic, one seeks only to defeat the other argument, which causes the bad parts of your own to be retained. The education suggested by the eristic argument is also one-dimensional – courage is learned by witnessing courage, but not when it is inappropriate through counter-example. This can issue in the ridiculous, like the mounted battalions of children in the *Kallipolis*. The example of *Magnesia* suggests to the contrary that courage, and the other virtues, are to be taught not by simple imitation alone, but by a more complex imaginatively discerning participation.

To continue and reinforce this training in ‘right opinion’ in the case of older, ruling men, the Athenian recommends that we ‘ply our puppet with drink’ and ‘by participating in this practice’ older men, who are most fitted by sagacity and experience to rule, are ‘brought back to the mental conditions of [their] remote infancy’, which involves a Dionysian confident energy otherwise deficient to age in its sober condition (645d-646a). For the older citizens, it is not sufficient to apprehend things in abstraction, but rather their souls must be set in motion to appreciate difference (again the echoes of the *Sophist*) by the mingling of pain and pleasure, which requires the soul to be pliant and child-like (669b-672c).

Prauscello has admirably summed up the implications of this for Plato’s conception of citizenship: ‘children and elderly people, rather than being “imperfect” citizens or citizens with “qualifications” according to the Aristotelian vision, are seen as embodiments of different stages of the human existence, all of which are able to contribute to a lifelong training in civic excellence’.¹¹⁰ She suggests that this view of ‘citizenship as practice’ was ‘counter-hegemonic’ in relation to a prevailing view of ‘citizenship as achievement’ which regarded it as mainly a legal status not acquired till the age of roughly Thirty-One, and attained through a specific *cursus* of education and (likely beginning towards the end of Plato’s life) military service in the *ephebia*.¹¹¹ She rightly links this radically new inclusivity in the later Plato to the new pre-eminence of time and the new stress upon *eros*: the crucial matter of the right tuning of affectivity in which all share.¹¹²

What one might call this ‘essential use of weakness’ is paralleled at the historical level in *Laws* III and IV (676a-724b). As with the *Statesman* and the *Menexenus*, although later cities

¹⁰⁹ Planinc, *Political Philosophy*, 135-8.

¹¹⁰ Prauscello, *Performing Citizenship*, 235.

¹¹¹ P.B. Manville, *The Origins of Citizenship in Ancient Athens* (Princeton NJ: Princeton UP, 1994,) 8-11; Peter Liddel, *Civic Obligation and Individual Liberty in Ancient Athens* (Oxford: OUP, 2007), 290-3.

¹¹² Prauscello, *Performing Citizenship*, 234-5.

in Plato's era corrupt the primitive simplicity of earlier pastoral society, it is only by dwelling in the later corrupt city that the soul can be educated not only to master pain and pleasure, but more significantly to master virtue and vice. For it is by being exposed to vice that we can learn to become truly virtuous, as opposed to merely innocent because immature (however questionable such a thesis would seem to be from a later Christian perspective). Thus, wisdom is won in the city-state in the course of civil war, which is the ultimate test and school of the soul.

Looked at this way we might suggest that the era of *Cronos* corresponds with the *Kallipolis* of the *Republic*, and the era of *Zeus* with the lessons of *The Laws*. Notably, the idea of autochthonous people in the earlier dialogue is the 'likely story' told to the Guardians in order to give them 'right opinion' (414b-c). This myth is given at least partial reality by the civic control of human breeding. However, the programme of breeding is an attempt artificially to lift the city outside of time and it is in the failure of this programme that the city of *Magnesia* comes into its own.

At Last, Magnesia

The city of *Magnesia* is very different from *Kallipolis*, even in its immediate description (*Laws*, 704a-724b, 735a-747e). It is divided into twelve sections, each with a village, surrounding a central area of worship, commerce and supreme governance.

Unlike the city of *The Republic*, it is composed not of communal barracks, but of a set number of free families, governed by heads of households, which both turn cultivate the land and participate in the political process.¹¹³ Parents are sacred, to be worshipped and served as gods, and offences against them by children treated as blasphemy. *Magnesia* is a general school at once of shared practice and of philosophic *logos*. By contrast, we can call the *Kallipolis* of *The Republic* the 'Cronos City' of a primordial patriarchy, since only the Philosopher-Kings are masters of *logos*, with the rest of the city raised on *mythos* alone. *Magnesia*, however, is 'Zeus City', as it interweaves *logos* and *mythos* for all its citizens. The governing *nomos* denotes at once both 'law' and 'music', with the ruling older generations required to participate and be educated continuously also in ritual *doxa*, to sustain wisdom.

¹¹³ Pierre Vidal-Naquet, *The Black Hunter: Forms of Thought and Forms of Society in the Greek World*, trans. Andrew Szegedy-Marzák (Baltimore MD: Johns Hopkins UP, 1985), 226.

Only through ritual can wisdom be fully attained in theory as in practice. *Kallipolis* is an image of the soul, but in *Magnesia*, the lower and higher aspects of the soul (*nous*, *thumos* and *epithumia*) are more harmoniously united.¹¹⁴

This mixture is reflected in the many unequal but proportionate distributions between classes and ages of people in *Magnesia* (740a, 715a-768e). Consequently, there is here present a hierarchy of ever greater refinement as well as a hierarchy of logical derivation, with each ‘natural’ subdivision a ‘performance’ of the internal harmonies, resonances and hierarchies of the Forms. In ordering and distributing goods, the good ruler goes directly beyond right opinion to true wisdom, and by these acts reveals and participates in ‘the God’, which we can take to be the unity in which all the Forms participate, and in which they are ordered, divided and ruled.

It is in the mythical-logical interweaving of the *Laws* that we can begin to see what vertical participation means in this context. The participations between the Forms, mediated by the Form of Difference that at once distinguishes and unites them, as discussed in *The Sophist*, is precisely an image of a supreme weaver and harmoniser. If it is to image vertically this interweaving, then our own world requires a kind of horizontal ‘charm’ to weave together the apparently contradictory and warring elements, and this process necessitates a weaver, the just ruler or ideal ‘statesman’ to enact and perform participation.

Most decisively, it obliquely suggests that the Forms themselves are politically ordered: they require a divine ruler and statesman, a unitary *theos* to integrate them. A supreme God, sometimes invoked by Plato as ‘god’, or ‘the divine’ (*to theion*), lurks behind the Forms, exactly as a ‘second god’, the Demiurge, blends together diverse elements to shape the *Kosmos* as discussed in the *Timaeus*.

Just as the era of *Kronos* is to ‘be infinitely preferred’, *unless* it should prove that the era of *Zeus* ‘serves to educate the soul’, so *Kallipolis* is supreme and yet the ‘second best’ city of *Magnesia* claims a paradoxical superiority by the very merit of its apparent imperfection in being the city of difference rather than unity, and of the dialectic unity of the Dyad rather than the eristic unity of the false ‘One’, which proves eventually to be a tyrannical imposter. So, whereas the *Kallipolis* seeks to refine and purify each element and keep them separate, *Magnesia* mixes together base and precious metals, creating an alloy. And whereas the

¹¹⁴ Babonich, *Plato's Utopia*, 424.

elements of *Kallipolis* were in a secretly unstable Pythagorean harmony, the elements of *Magnesia* are carefully interwoven in such a way that they seem utterly concealed but are preserved from impurity by a ritual cycle of refinement through the application of the twin laws of *eros* and *thumos* (*Phaedo*, 85e-88b). The forceful element is represented by the new Guardians who impose the criminal law, but it is now tempered by an application of *eros* in the form of communal rituals.

In each application of *eros/thumos* the other serves as ‘auxiliary’. So, the criminal law dealt with in Book IX (853a-852c) stems from the love due to family and fellow citizen, with particular emphasis and gradation applied to inter-familial crimes (728b-730b) and crimes against neighbours (843a-e), while the purpose of all punishment is curative, directed towards social healing, since injustice is taken to be a disease of the soul (728d, 933e). Meanwhile, the erotic rituals, ultimately directed towards appropriate marriages (771a-776b), including male-female dances in states of moderate undress, are checked and measured by the rule of a ‘master of the revels’ who channels *eros* towards virtue and wisdom (722a-d).

The essence of the role of the godlike human shepherd of *Magnesia* is summed up in the conclusion of the *Statesman*: it is to make good marriages (310a-311c). Unlike the eugenic programme of the *Kallipolis*, it is not similar natures, but contrary ones that must be joined. It is precisely when a class is ‘purified’ that it loses its erotic bond with the other classes, and destructive regime change occurs, as the *Republic* described. But if each class contains an element of the other their conflicts will always occur with the anticipation of peace, and whilst the other may be distinguished, they may never be radically excluded from the *polis*. This state of adequately pacified *stasis* inclines not towards perpetual violent conflict, but ultimately towards a moderated violence channelled through legal disputation. Opposing parties are brought together to determine truth in common. Citizenship becomes fundamentally oriented towards a balancing and interweaving of public and private life, of *oikos* and *polis*, male and female. The household participates in the political and vice versa. Rather than merged, they are held in a paradoxical tension, mediated through both the literally assumed soul of the city and the interactions of the now properly mingled souls of the citizens.¹¹⁵ At the heart of citizenship lies marriage, a unity achieved by the union of opposites without the dissolution of either, in which One, Few and Many are latently present.

¹¹⁵ Anderson, *Realness of Things*, 193-207.

We have finally washed up upon the shore of Ithaca, and like Odysseus Socrates has donned a disguise, that of the Athenian. Like Odysseus also, Socrates begins in a cave (*Odyssey* 12.102-105, 345-65). The *Laws* is a dialogue in which three strangers meet on a pilgrimage to a sacred cave, and on the way discuss the origin of the laws (624a-626b). The cave in question is the ancient subterranean sanctuary where the Cretan king would commune every seven years with Zeus. Socrates, it can be argued, appears amongst the pilgrims not under his own name, but under the name of his city, for his soul is the true constitution of Athens and he is its Philosopher King. He has always gone cloaked in irony in his earlier dialogues, but in effecting a final escape from the secular cave, *en route* to the sacred one, he becomes, like Odysseus in the cave of the Cyclops, who declared, ‘my name is *Nemo* [no man]’ (*Odyssey* 9.366), everyman.

The true statesman enters under the authority of Zeus into his rightful household, which interweaves *oikos* and *polis*, just as it fuses cave and heavens by entry into the positive sacred darkness. Like Odysseus who is greeted as a beggar, Socrates, the true philosophic king in disguise, deploys his cunning (the good ‘sophistry’ of the *Sophist* and Socratic irony) to trick the bad suitors of the city: those who wish to make a bad marriage and usurp what they cannot rule. He identifies the loyal servants, whom he makes his auxiliaries in his plans, just as the best of the servants, his old nursemaid (and midwife!) recognises Odysseus.

In this way, the good parts of the city are separated from the bad, by the statesman’s art, using firstly eristic as a diagnostic weapon, as in the *Republic*, to divide the good members of the household from the bad. Having made this division, the ‘wicked suitors’, the thug-guardians are killed, and thereafter the women who prostituted themselves to them - the sophists - are executed. Finally, the very image of the contemplative soul of the city - Penelope, as it were - is reunited in the marriage bed constructed by ‘Odysseus’ (whom we can take to be now symbol of the active soul) as the true city of *Magnesia*. This vessel will bear Odysseus/Socrates through the remainder of his days, as it will cradle humanity in time, until the soul departs for the true eternal city of which it is the living image (see *Republic* 592b).

4. The Missing Third City

If, as we have thus far argued, the *Laws* was written in continuity with the *Republic*, an interesting possibility arises. For not only are the first and second-best constitutions

(*Kallipolis* and *Magnesia*) referred to amongst those to be chosen by the legislator, but there is said to be a ‘third [constitution] we shall investigate hereafter, if God so will’ (739d). We might infer that if Plato dedicated two dialogues to the first and second-best regimes respectively, and promises to discuss a third, then a third dialogue ought to exist.

This third best constitution is identified by a number of scholars as democracy, and if the first dialogue was a discussion of the republic, the second of the laws, then presumably the third would be a discussion of the people, and perhaps it would be entitled *Demos*. Plato presumably never got around to it, or perhaps never really intended to.

But this is not the only third dialogue that Plato suspiciously failed to write. One of the best-known examples is the hypothetical dialogue *Hermocrates*, the third interlocutor in the linked dialogues of *Timaeus* and *Critias*. Likewise, in the case of the *Sophist* and *the Statesman*, a third dialogue is promised on the subject of the *Philosopher*. Mary Louise Gill accordingly argues that Plato never intended to actually write a third dialogue, and that the *Sophist* and *Statesman* provide the reader with the dialectical ‘tools’ to reconstruct the dialogue for themselves.¹¹⁶

This ‘missing third’ aligns not only with the ‘third regime’ of democracy, and the ‘third’ figure of the philosopher, but with other Platonic triads: most significantly, for my purposes, with the tripartite soul in the *Republic*, the god-human-animal structure of the transmigration of the soul, and the three classes into which he divides society in the *Republic* and the *Laws*.

The *Timaeus/Critias* pairing can also be compared with our hypothetical *Republic* trilogy. If we conceive of the uncompleted trilogies as dialectical movements, we start with the ideal and the heavenly: the cosmology of the *Timaeus* and the impossible best regime of the *Republic*; we then proceed by an act of dyadic, eristic division to the second dialogue, which occurs within time and history: the temporal city of *Magnesia* and the mythical civilisation of *Atlantis*, the city consumed by the cycle of history as discussed in the *Critias*. The first text represents the divine (as we see in the *Laws*), the life of the philosopher, and the rule of a perfect monarchy. But this undivided monad is a false ‘one’: we gaze upon it but do not yet know it; we must instead come to know the true Unity (in the closest manner possible for us) through imperfect participation by an act of division, such as is enacted in the division into

¹¹⁶ Mary Louise Gill, *Philosophos: Plato’s Missing Dialogue* (Oxford: OUP, 2015).

creation by the demiurge in the *Timaeus*, and by the descent from *sophia* to *phronesis* in the *Republic*.

Nevertheless, the dyadic perspective is in turn not completely adequate: as pure monarchy threatens to be tyranny, so also pure aristocracy threatens to be oligarchy. The democratic component of mixed government, mixed *Kosmos* and mixed thought is missing. With seeming paradox, this third, popular component is also the esoteric, unwritten oral element: the bond of hermeneutic and legal judgement that links unity with difference. The people are both weaver and shuttle.

The third and always unwritten psychic completions of these trilogies would provide, one can infer, the cryptographic key, by dealing more with the lower, animal element and also reversing the order: here we ascend from sophist and plebeian, to soldier-statesman, to philosopher. But the unwritten dialogues are not a call to follow a line of descent past the human into an unending animality, but are rather a dialectical call to turn back, retrace our steps, and read backwards and side to side - the motion of the weaver, the action of *methexis*: recollection now as a way of life, one might say. This call is made by the higher *eros* of the *Symposium*, which elevates even the lowest, animal component. One can then suggest that the more dispersed and ritual character of the mediation of justice in the *Laws* unifies the two senses of the third as at once the democratic 'lowest' and after all the esoteric dialectical 'middle', in a way that can be connected with the uniting role from top to bottom of the higher *eros*.

Nonetheless, the *Dyad* can equally and alternatively be regarded as the factor of mediation between the One and the hypothetical third. The 'second dialogue' of *The Laws* already advocates not the false dyad of timocracy, but the true dyad that unites the Many with the One by a measured use of force. Thus, within *Magnesia* we descend into the *oikos*, into the choirs and feasts, besides infancy and controlled drunkenness, into the primitive city once more. We enter into the *eros* of the soul, animal nature, birth, democracy, mixture, forgetting. But we return from this condition through the governing discipline of dyadic *thumos* to a higher uniting *eros*, a divine animality, recollection.

In the city of *Magnesia*, therefore, we can discern an 'animal' constitution in the households, which allows a mixture of all kinds of character for civic life to draw upon, and also a divine city, the elite 'nocturnal council' (951c-968e), which meets before dawn to revise laws,

ensure that they are in keeping with basic legal principles, to relate them to theology and engage in contemplation of the ‘self-moving’ divine realm (894b).

The analogy here is clear: the philosophers will continue to rule and dwell in the philosophical city, but it is a ‘nocturnal’ one, since the allegorical sun is allegorically concealed. As dawn breaks, a dyadic interval starts to govern. In one sense this is the mediator. But in another, as we have seen, it is the lowest democratic elements that mediate: since effective compulsion is more achieved through the ritual patterns, the most vital laws, erotically capable of weaving unitary wisdom with compelled division.

5. Conclusion

The ‘less perfect city’ of *Magnesia* offers a mixture that conveys stability and escapes from the cyclical decline consequent upon *Kallipolis*’s over-vaunting. Both cities are constituted by the reciprocal rule of people over each other, rather than by any extrinsic and modern state governing apparatus which bypasses the need for the virtue of the citizen and so for mutual citizen self-government.¹¹⁷ The emphasis on law in the *Laws* is not a switch to a concern with a more objective authority over-against the people, since the crucial laws are themselves to do with instilling the right ritual patterns of behaviour. As Prauscello suggests, ‘the relationship between citizens and the law is like a “scripted process”, since ‘citizenship is a script to be enacted’.¹¹⁸ But for justice to be fulfilled, this enactment must be authentic and must involve all free people, of all life-stages and vocations. The crafting of the city is not just architectonic, on the part of the rulers, but also artisanal, on the part of each citizen.

As we have seen, in the city of the *Republic*, it is either the case that the citizenship of all means the abolition of the normal *oikos* in favour of the new artificial and mythical city-household, or else that the citizenship of the guardians alone requires that the city is also constituted by the non-citizenship of the desiring class, who must simply be controlled, such that the nature of the *polis* as defined by citizen self-rule is compromised. But the city of the *Laws* already restores a basic democracy, while also integrating aristocratic and monarchic functions. Already it points towards the third, inferred, unwritten democratic city which is to be theorised through enactment. All citizens are now fully such, albeit within an inherently

¹¹⁷ Pierre Manent, *Metamorphoses of the City: On the Western Dynamic* (Cambridge MA, Harvard UP, 2013), 17-101, 138-139, 163-164, 252.

¹¹⁸ Prauscello, *Performing Citizenship*, 232.

hierarchical order, in a city where Spartan pain and Dionysiac pleasure are also allowed their paradoxical roles in mediating the Good. In this way, Plato saves the Greek ‘citizen project’ of self-government, while sustaining his salves against the degeneration of democracy into sophistry and tyranny. *Magnesia* is not just a more realistic city, *as* more realistic it is also more genuinely ideal.

Plato never abandoned the theory of the Forms, nor the centrality of participation. However, his later (and perhaps always intended) more articulated metaphysics, which balances the One with the Dyad and elaborates the horizontal mixture of the Forms amongst themselves, both eternally and in the course of time, is matched by his later more democratic articulation of citizen self-government. There is no retreat from metaphysics into pragmatism involved here: instead, there is a clearer witness (as also with the account of cosmic origins in the *Timaeus*) to the inextricable involvement of metaphysics with the religious and the liturgical. The later comparatively greater bend towards the popular, is also a comparatively greater bent towards *eikos mythos* (*Timaeus*, 29d, 59c, 68d) as the necessary twin of *eikos logos*.¹¹⁹ Both lexemes refer to discourses bearing upon true images of the intelligible Forms, as opposed to *either* false reason *or* false narration. Plato’s later more integrated poetic and philosophical account of participation includes also a more integrated account of the life of true citizen in the true earthly city.

Since Greek citizenship concerned a mutual sharing of rule that was typically at once hierarchical and egalitarian, insofar as it involved some element of ‘mixed government’, the Platonic metaphysics of both vertical and horizontal sharing is arguably the most appropriate ‘citizen metaphysics’.

¹¹⁹Luc Brisson, *Plato the Myth-Maker*, trans. Gerard Naddaf (Chicago IL; Chicago UP, 1998), 129-130; Paul Veyne *Did the Greeks Believe in Their Myths: An Essay on the Constitutive Imagination*, trans. Paul Wissing (Chicago IL: Chicago UP, 1988). Veyne argued Plato was similar to the Greeks in general in supposing myths were, indeed, ontologically true, and yet not, exactly, literally true: they were, rather, poetic approximations to a primordial and eternal time and space with rules naturally different to our own, confined to temporal cycles: 5-26. He showed that Pausanias also made mythical revisions, 95.

Chapter Three: The Conundrum of Citizenship in Aristotle

1. Introduction.

It is Aristotle rather than Plato who has been taken as canonical in relation to the topic of ancient citizenship, articulated in the course of his critique of Plato's political thought. Yet I have already intimated reasons to doubt this status, and this chapter seeks to consolidate those intimations.

Commentators such as Lloyd Gerson have nonetheless argued persuasively for reading Plato and Aristotle overall in a unified and complementary fashion (as was already done by the Middle and Neoplatonists). Even those like Macintyre who tend to be more critical of Plato, have argued for Aristotle as 'revising' and 'completing' the Platonic project.¹²⁰ Where he appears to dissent from Plato, he is offering a dialectical development, as Macintyre contends. However, I will argue against Macintyre that Aristotle sometimes returns, without convincing solution, to tensions which Plato has already resolved.

2. Aristotle as student and critic of Plato's politics

Like Plato, Aristotle traced the origins and development of the *polis* and proposed the founding of an ideal colony (1260b, 27-1261a, 8).¹²¹ The primary aim of this section will be

¹²⁰ Lloyd P. Gerson, *Aristotle and Other Platonists* (London: Cornell University Press, 2005), 1-23. See Eduard Zeller, *Outlines of the History of Greek Philosophy* (Mineola, NY: Dover 1980), 166-85 and Erich Frank, 'The Fundamental Opposition of Plato and Aristotle', *American Journal of Philology* 61 (1940): 34-53 as paradigmatic of this 'anti-harmonist' reading of Plato and Aristotle. By contrast, Gerson identifies Antiochus of Ascalon as a key 'harmoniser' of the two philosophers, and Cicero as reflecting this account through Varro. See also Léon Robin, *La Théorie Platonicienne Des Idées Et Des Nombres D'après Aristote* (Paris: Félix Alcan, 1908) and Harold F. Cherniss, *Aristotle's Criticism of Plato and the Academy* (Baltimore, MD: Johns Hopkins University Press, 1944) and *The Riddle of the Early Academy* (New York, NY: Russel & Russel, 1945), as further examples of a revival of the 'harmonising' position. See also Alasdair Macintyre, *Whose Justice? Which Rationality?* (London: Duckworth, 1988), 88-102.

¹²¹ Aristotle, *Politics*, trans H. Rackham (Cambridge MA: Harvard UP, 1998), used for all quotations from the *Politics* in the text.

to understand how and why this city differs both from that of the *Republic* and of the *Laws*, cities which Aristotle specifically denounces in the course of his own theoretical elaboration.

We are fortunate to have almost the entirety of his Plato's *corpus*, as he wrote it, and his dialogues are pedagogic: designed to teach the reader how to be a Platonist. By contrast, we only have Aristotle's work at second hand; the surviving texts are effectively lecture notes taken by listeners and we cannot in consequence be fully confident that they record Aristotle's views with complete accuracy. Moreover, they may reflect only the account he gives of them in the unique setting of the Academy, in which not every debate or argument registers the true beliefs of the debater. Many of the arguments Aristotle dismantles in his works might have been put forward as straw men for the purposes of refutation. It can be too easily assumed that some of these arguments, particularly as relating to the doctrine of Forms, were intended as authentic representations of Platonic positions, whereas they may have been offered as deliberate travesties for purposes of elucidation, or to rebut misunderstandings of them.¹²² Finally, what we know of Aristotle's lost works suggests that they may have retained a more Platonic orientation.¹²³

All of these qualifications noted, there remain substantial conflicts between the two thinkers in their approaches to philosophy and politics, and these differences were productive of more substantial ones.

It is striking that, on my reading, Plato and Aristotle make very similar critiques of the *Kallipolis* as a city dominated by an overly reductive, and quantitative geometry. Both agree that even the wisest philosophers will inevitably make the wrong divisions and decisions (for example, in the form of who is to marry whom, and which child is to be assigned to which class) and cause a political degeneration which the regularity of the operation of law may serve to correct. Where they differ is in their alternatives to this system of *polis*-making.

As we see at *Politics* 1265a, Aristotle significantly begins his critique of both the *Republic* and the *Laws* with the question of number. He suggests that for the 5000 citizens of *Magnesia* (as opposed to more manageable 1000 of *Kallipolis*) to be kept in 'idleness, together with

¹²² See Harold Tarrant, *Plato's First Interpreters* (Ithaca, NY: Cornell University Press, 2000).

See also Cherniss, *Aristotle's Criticism*, above.

¹²³ A. P. Bos, *Cosmic and Meta-Cosmic Theology in Aristotle's Lost Dialogues* (Leiden: Brill, 1989).

their wives, children and attendants’, ‘an area the size of Babylon’ would be required to sustain them. Aristotle’s contention is that the quantity that Plato seems to have determined as fitting for *Magnesia*’s warrior class disregarded the geometrical question of ratio as between between the *khora* and *tous anthropous* (the country and the population).¹²⁴ Yet highly specific prescriptions were laid down in this respect by Plato, such as the number of 5,040 men as the (free adult) population of *Magnesia* and the demand that property be continually equalised between these. With respect to immovable property, it is actually *Plato* who more adhered to the democratic principle of *isonomia*, or legal equality, at least in the case of this fictional city.¹²⁵

Aristotle went on to assert that Plato had neglected the question of constitution, or of ‘regime’ in the *Laws*: ‘there is hardly anything but laws [*nomoi*]; not much is said about the constitution [*politeia*]’ (1265a). This concerns the notable Greek tension between the *koinon* as *arche* and as *nomos* referred to in the opening section of Chapter One. The lack of a specified regime in the *Laws* and the lack of laws in the *Republic* does indeed tell us something: if we read these two dialogues together, Plato was proposing that the ideal constitution must stand above the laws, but that we neglect at our peril the mediation of this ideality by law, which, indeed, as exemplifying the formally dyadic offers its own mode of ideality. For Plato, as for most ancient Greeks, a constitution was precisely determined by stipulating who should rule, and the requisite character of those who rule: it was not a matter of ‘organisation’ alone. Aristotle shares this understanding of constitution, and so his accusation against Plato would seem to suggest that the latter called into question the very basis of a ‘politics of virtue’ in favour of a more impersonal *mathesis*: but this would be to read the ‘laws’ of *Magnesia* too much as if they were the more formal geometric arrangements of *Kallipolis*. The truth is rather that Plato thought of constitutional character as mediating Ideas above numbers with the help of the numerical patterns of liturgy and custom. By contrast, Aristotle merges constitution and law, such that in effect his *Politics* offers ‘The Republic’ and ‘The Laws’ both at once. The implications of this merging we will eventually unfold.¹²⁶

¹²⁴ See Stuart Elden, *The Birth of Territory* (Chicago IL: UCP, 2013), 21-52.

¹²⁵ On *isonomia* see Marcel Detienne, *The Masters of Truth in Ancient Greece*, trans. Janet Lloyd (New York: Zone, 1996), 100-1.

¹²⁶ See *Politics*, 1292a, 31-35: ‘for where the laws have no authority, there is no constitution’.

The science of *politeiai* that Aristotle develops, whereby different regimes are compared, divided, and subdivided through the discovery of qualitative distinctions, is not novel. Rather, it is the method proposed by Plato in the *Statesman*, which we called that of eristic Difference, of making the right division within multiplicity, a method sustained in the *Laws*. The mystery of why Aristotle nevertheless attacks this dialogue is surely not to be ascribed to a failure to be aware of this methodological continuity. Rather, Aristotle has apparently good reasons to argue for the extension of Plato's own self-critique to *Magnesia* as well as *Kallipolis*.

As we have seen, Plato's account of the operation of ethico-political *phronesis* assumes a prior ascent to the fully rational level of the soul through the operation of *sophia*. The ascent is complemented by a paradoxical descent which unifies the lower with the higher through the act of making 'marriages' between goods and making the many one. This reflects Plato's understanding of the soul as a hierarchy formed of *nous*, *thumos*, and *epithumia* as the lowest element. But the least principle of desiring becomes, in the mode of the higher desire that is *eros*, especially operative in the *Laws*, also the supremely mediating and integrating daemonic factor between more sensual and more cognitive elements. Aristotle, by contrast, saw body and soul as directly and hylomorphically unified. This given unity is defined by its *telos*, involving a horizontal growth of a thing from its potential to its actuality, which may or not be fulfilled, in some contrast to Plato's notion of a psychic ascent as integral to the soul's nature.

Nevertheless, in these albeit different ways, both Plato and Aristotle wished to emphasise the continuity between soul and body, sense and reason. This continuity is naturally linked to further continuities between people and land, and between goods and the Good. As we see in Book III of the *Politics* (1287a, 29-33), Aristotle wanted the Good itself ('God and reason', as he puts it) to rule in the *polis*, a vision that he clearly shared with his teacher. Where they differ most fundamentally is in method. Both were dialecticians, but Plato emphasised the interplay of the One with the Dyad, and of rest and motion, in a dynamic hierarchy of ascent and descent which applies also to the life of the *polis*. Aristotle, on the other hand, sought to deduce everything step by step from foundational principles, making divisions into integral unities with an analytic precision. In this way, an *episteme* of definite 'demonstration' displaced the probable and apophatic indications of Plato's dialectical reasoning.

In consequence, for Aristotle, each type of thing has a nature and a form of knowledge appropriate to this nature. In other words, things are known by themselves: if we look at something's nature, we can immediately discern its *telos* or purpose.¹²⁷ Once we know that, we can say what 'the good' is for it, in its own particular case. The best of all arts of knowing is that which pertains to contemplating the best thing, that to which all things are oriented; the final cause which is the first mover and his handiwork the cosmos (*Nicomachean Ethics*, 1178b8-1179a35).¹²⁸

In terms of his political understanding, this leads Aristotle to stress that the art of politics involves practical wisdom (*phronesis*), since politics is a practical matter concerned with living well in community, which is a matter of justice, or of the proper coordination of human lives and properties (1277b-30; *NE* 1140a24-b30). Though he agrees with Plato that the best and highest art is that of *sophia*, the contemplation of the highest, most unchanging good, he much more strictly divides politics from contemplation as a practical rather than theoretical matter and equivalently suppresses the primacy of ritual and religious participation as defining Greek citizenship.¹²⁹ In the *Nicomachean Ethics* (1177a-1179a), Aristotle accordingly describes complete happiness as belonging to contemplation, and delineates a hierarchy of happiness in which the Gods are entirely happy and blessed, whilst humans who are perforce caught between the active and contemplative life are imperfectly happy, and animals who have no part in contemplation cannot be said to happy at all.¹³⁰ On this scheme of 'division' the fluidity of Platonic participation is lost, because political and even animal life no longer share in contemplation in some remote degree by virtue of their activities. Instead, these activities are regarded as inherently estranging. It is true that the education of the citizen in virtue for Aristotle implicitly included intellectual virtue, and so, in a sense, the entire city is, for him, as for Plato, directed towards *theoria*.¹³¹ Yet the latter is achieved less

¹²⁷ Aristotle, *Physics*, 194b23–35.

¹²⁸ All references to Aristotle, apart from the *Politics*, are to *The Complete Works of Aristotle*, 2 vols, ed. Jonathan Barnes (Oxford: OUP, 1994).

¹²⁹ This subversive philosophical suppression, with its negative implications for the full citizenship of women, has been demonstrated in detail by Blok in her *Citizenship in Classical Athens*, 13-21. At one point she notes Plato's greater conformity to existing civic reality in the *Laws* in the appointment of priests and priestesses more by divine lot than human vote (236-7; *Laws* 759c) but she does not extend this argument with respect to Plato, as I have tried to do.

¹³⁰ The active life seems to be given a higher status in the *Eudemian* rather than *Nicomachean Ethics* (*Eudemian Ethics* 1219b). The *Nicomachean Ethics* is presumed to be later and its elevation of the theoretical can be seen as resulting from inherent problematics concerning the relationship of virtue to justice considered in this chapter.

¹³¹ See Book One of the *Nicomachean Ethics* in general.

by collective worship (as in Plato), as by individuals who have eventually forsaken the practical life of politics.

This weakening of metaphysical participation in Aristotle is reflected in the immanent details of his politics whereby, once more, a fixed hierarchical division tends to prevail over a more dynamic and in the human case at least (but arguably beyond it, given Plato's belief in metempsychosis) more pedagogic, hierarchical process. In consequence, the household, including animals, slaves, women and children, become for Aristotle significantly more external to the life of the *polis*.¹³² Similarly, less is explicitly said about the vertically kinetic process of education as integral to the political.

Aristotle's great achievement was to discover in things their particular types of integrity, shape and purpose. But in the course of this novel project he came, arguably, to overemphasise the sheerly given nature of things, making of that essential nature a limiting horizon of potential. Plato's cosmos, by contrast, is one in which more vertical and in consequence *also* more horizontal transformation is possible for all things.

Plato accordingly comes generally closer to speaking of things 'analogously' - in a loose, rather than geometrically proportionate sense - so that whilst he also makes Aristotle-like distinctions, he tends to allow, for example, that happiness of some genuine kind is in operation even at the level of beasts, because for Plato universal ideas are real of themselves and actively involved as generating powers in the shaping of things. They are not simply abstractions that are diversely instantiated, realised in various instances. For Aristotle, participation tends to be construed in terms of solely the statically mimetic, as opposed to the other methetic element of a dynamic 'sharing in' or more active 'partaking'. We are able for him to participate in the good to the extent we resemble it. The gods are perfect likenesses of flourishing; we are imperfect likenesses; animal flourishing is in no way political or oriented towards transcendence.

¹³² It is possible that it is Aristotle and not Plato who was further removed from actual Greek practice here, for which the *oikos* was an integral part of the polity and indirectly women *did* play participatory political roles, since the *polis* was not an exercise of central democratic control of isolated individuals in the modern manner. See Anderson, *Reality of Things*, 167-70.

Aristotle was perhaps more conventionally Greek than Plato in his greater hesitation about psychic deification, tempered praise of democracy, and his tragic account of life.¹³³ His ‘best possible city’ is an account of human existence that ultimately despairs of more than a partial realisation of the good, especially at the political level. This is why he regards a quality of detached, ironic reserve as a typical aspect of a noble (*kalon*) character: the aristocratic politician may perforce have to punish and rebuke his fellow men, but he does so with a certain disdain for the whole process (*NE* 1128a32, *Politics* 1332a10-15).¹³⁴

Equivalently, Aristotle’s redemptive mission was to render joyous this fate by a kind of acceptance: each thing is allowed to be entirely itself; each thing contains within itself the potential to be itself in an ideal, fully actualised sense within the bounds of its own finite existence. Yet this ease with one’s own fate had been already displaced in Plato by a divine unease and a daemonic discontent.¹³⁵ Aristotle, instead, suggested as ultimate principles in the last line of the *Politics* ‘moderation, possibility and suitability’ (1342b,31-3).

In terms of these three principles, we can further comprehend the central points of divergence between the two philosophers. Plato accepted moderation in virtue, but also excess in the exercise of love, because there cannot be ‘too much’ in relation to the good, whose temporal increase should be limitless. Whilst both philosophers note the necessity of engaging in the active life (the great return from contemplation in the *Republic*), Plato claimed that this is an act of almost super-abundant love: the philosopher will not wish to return to the world below but does so out of love of his fellow citizens. Yet in this ‘descent’ into the active life, the soul perfects its wisdom. Aristotle does not quite say that there can be ‘too much of a good thing’ in relation to the Good - indeed he addresses this question in the *Nicomachean Ethics* with respect to the fate of the overwhelmingly outstanding citizen - but precisely the concept of the ‘becoming’ and the ‘possible’ ends up being the limiting horizon that introduces the ‘mean’ into the question of our relationship to the Good: we must tend to the needs of the body, which extends to negotiating all the matters of the world as regards marriage, money-making and the waging of war, and this renders a ‘pure’ focus on contemplation immoderate in terms of normal civic existence (*NE* 1095b,1177b).

¹³³ Richard Kraut, *Aristotle’s Politics* (Oxford, OUP, 2002), 5, 471-73.

¹³⁴ See Susan D. Collins, *Aristotle and the Rediscovery of Citizenship* (Cambridge: CUP, 2006), 154-60.

¹³⁵ Friedrich Nietzsche, *The Birth of Tragedy*, trans. W. A. Haussmann (London: T. N. Foulis, 1910), 108-110.

Similarly, the life of the body is seen as a check on happiness and the contemplative life by both philosophers, but in Plato the realisation that we must participate in the good *qua* our mortal embodiment is the opening to an account of how the very problematic of bodily/active life is its own unique channel into the life of the Gods. For Aristotle instead, the need of ‘moderation’ in order to attend to particular practical goods is regarded as inherently a check upon our contemplative participation in the Good, almost as if ‘the Good’ and ‘goods’ were in a state of ontic rivalry.

Thus, Aristotle did see the sense in which one cannot have ‘too much’ of the good, or ‘too much’ virtue, but this caused for him a kind of excretion of the purely virtuous and the purely generous from ordinary ethical and political life. At the sublime edge of practical reality, we have the presence of the contemplation of the cosmos and the divine which cannot be excessive. But between the regularity of *praxis* and the theoretical margin lies the problematic and yet paradigmatic phenomenon of the magnanimous, entirely noble man, whose impulse to virtue is hyperbolic compared with ordinary civic norms and expectations and not much given to admiration, since nothing is as great as his own sublimity which approximates him to the divine (*NE* 1125a). In a Nietzschean fashion, Aristotle suggests that an aspiration to complete nobility and magnanimity might cause such a man to seek to seize as many goods from others as possible, to subject them to his own ‘throw-away’ generosity and desire to make glorious public gestures (*Politics* 1325a). This would seem to be in a sense ‘just’ if the measure of justice is the maximum exercise of virtue.

Yet Aristotle does not go along with this counter-intuition that he nonetheless entertains. Such a mode of ultimate justice would also destroy the city, for even robbery with exalted intent offends our usual standards of what justice entails (1281a). Thus, a tension appears between magnanimity and justice, which are both and variously said by Aristotle to be the ultimate in virtue. Is the height of virtue the self-sufficient capacity to be discriminately and somewhat disdainfully self-giving, or is it the relational regarding of the good of the other as well as of oneself (*NE* 1129b29-33)? As we shall see, this ethical tension is intimately linked to a political tension between the rule of the person and the rule of the law, just as the excess of the magnanimous man over routine justice is linked to the problematic of the ostracising of the overweening individual.¹³⁶

¹³⁶ See Collins, *Rediscovery of Citizenship*, 61-6, 132-46.

The three categories of the moderate, the possible and the suitable also lead Aristotle to come to startlingly different conclusions on the issues of democracy, citizenship, monarchy and empire. If we read the *Republic* and the *Laws* together as representing the ascent of the soul upwards to the ideal city of the One, then down to the dyadic city of *Magnesia*, then we can observe a similar duality in Aristotle.

He is in fundamental agreement with Plato about the nature of the Good, and the fact that the Gods most fully, perfectly and ‘naturally’ share in it. Both philosophers also agree that the ‘best possible city’ is a blend of the ideal and the practical, the unified and the diverse. But for Aristotle the ‘best possible city’ simply *is* the best city full-stop - precisely, because of its instantiation of these three principles. The *Kallipolis* is not the best city because it is neither possible (biologically, economically or psychologically), nor respectful of the differences involved in human ‘becoming’ (it has women take an equal place with men and receive the same education), nor moderate (it excludes various forms of art that promote moderation/harmony, and in general takes extreme stances).

Plato’s view, by contrast, if we take into account both cities and their implicit relationship, effectively cuts across Aristotle’s question of the possible. Finite things exist by virtue of their fluid participation in the very highest things. This existence is not simply a deficiency, but both an imitation of, and a dynamic sharing in the realm of the Forms which includes as a super-form, the form of the Dyad or of Difference, which is an exemplary archetype of their very divergence from the eternal perfection of Unity.

For this reason, ontological limitation is much more ambivalent for Plato than for Aristotle. Less imperfect for him considered simply as the fate of restriction, such that for Aristotle the good of say, being a tiger, is in no inherent sense deficient. Tigerhood can be perfect tigerhood, just as perfect citizenship is perfect in itself, without reference to other modes of being good, including being a good man as such. And yet for Plato limitation is more perfect than for Aristotle as being more perfectible outside its own given bounds, especially in the case of human beings, including their civic life. All things can rise or fall in the ontological scale via metempsychosis; human beings can be deified and the genuinely just city is a school

of deification. So, in one sense, for Plato, all finite possibility is more restricted; in another sense it remains more open, even in its finitude, to transformative improvement.

It then follows that, indeed for Plato the ideal city of the One is impossible for men because of their embodiment and their becoming, which certainly requires a ‘mean’ compromise, as for Aristotle. Yet at the same time, it is not entirely impossible because of dynamic participation. The possible dyadic city can ‘impossibly’ aspire beyond itself and it contains within itself as part of its civic fabric the pedagogic and contemplative city of the philosophers.

3. Democracy and Citizenship

Since Plato and Aristotle nonetheless converge on so much as to the necessary ‘mixture’ of the ideal and the real, it seems somewhat baffling that Aristotle should end up recommending a form of mixed government that is nonetheless apparently more biased towards the democratic (*Politics* 1332b-1334b). The answer to this conundrum lies in his complex account of citizenship.

The paradoxical nature of citizenship in Aristotle can be read through two lenses: the supreme ‘rational’ community of the *polis*, and the cosmic order in which Aristotle locates it. If the ‘true’ citizen who is the philosopher is a subterranean figure in Plato, then in Aristotle he remains so concealed. The truly free man cannot be a slave (1255a-b), while the truly good man must be king (1284b;1287a). Yet between the natural slave and the natural master, lies a troubled and ambiguous realm in which Aristotle’s average citizen is located: one who is clearly free but not so clearly virtuous. What really sets Aristotle and Plato politically apart is that whilst they agree on the nature of the *polis*, the citizen and this truly ‘human’ realm, Aristotle makes the only true imitators of the Good the first mover and partakers in the divine life who are the gods and the daemons. Citizens in general are not participants in the eternal, although kings form a partial exception. The citizen is certainly (and by definition) one who has a share in this-worldly rule, since he is partly one who rules, partly one who serves. But this share in rule does *not* so clearly give him a share in turn in divinity, nor even, it turns out, in virtue.

Aristotle freely admits, following Plato, that ‘the best must rule’, that there must be a rule of virtue which is the government of passion by reason through a justified exercise of private and collective force or *thumos* (1279a-b). For him, also, the very purpose of the city and its laws is the education of the citizens in virtue.¹³⁷ But what constitutes the best, or the finite good, is where the two subtly diverge. In Book III (1277b-1278c) Aristotle outlines the differing forms that citizenship takes in the *polis*. We might say that Aristotle (somewhat in accord with what we now know of Greek citizenship as a spectrum)¹³⁸ defines four different main gradations of citizenship: formal citizenship, as having been born of citizen parents; artisans and labourers granted a limited share in government in democratic regimes; the ruling elite of an aristocratic regime, and finally the ruler of a monarchy who is its sole true citizen. Aristotle’s account of citizenship varies based on the regime: ‘As there are several forms of constitution, it follows that there are several kinds of citizen, and especially of the citizen in a subject position’ (1278a). But he never finally situates citizenship or narrows it to one of the four definitions just given, an ambiguity that reflects wider contradictions in his *Politics*.

It is easy to read Aristotle as passing quickly over the matter of speaking of children and women as formal citizens, making way for his substantial argument for the respective merits of aristocracy and democracy (1284b). But a different perspective emerges if we focus more upon the assumed metaphysical context of Book III. Three strongly interrelated themes emerge: the interrelationship of animal, human and divine worlds; the status of friendship and the possibility of arriving at the Good in political life.

Aristotle’s most straightforward, clear definition of citizenship - that of ruling and being ruled in turn, and in having a share in offices - is what for him defines the very nature of a *polis* as having a genuine and fully human *politeia* (1277a-b). The city is constituted by citizen-participation in its governance. And yet this supreme definition of what a citizen is belongs only to the third, aristocratic definition of citizenship.

¹³⁷ Collins, *Rediscovery of Citizenship*, 44.

¹³⁸ See Chapter One, first section.

The definition becomes more unsettled in relation to the second kind of citizen who may not necessarily share in or qualify for office (except in a complete democracy) but nevertheless has a role in selecting citizens for office, and in serving in more limited roles like jury service. Aristotle openly wonders whether such people are fully citizens: if they are so counted, then true virtue is no longer the key mark of citizenship, and yet free people are neither metics nor slaves (1277b). Such semi-citizens who do not rule, have no need (or perhaps capacity) to exercise the virtue of *phronesis*, but only of ‘right opinion’ (*orthos doxa*). And notably this is also true of citizens in the phase when they are being ruled and are not ruling (in their case the capacity for prudence lies dormant, 1277b). Where the definition is left behind altogether is in the cases of women and children, who are clearly said to be citizens, but have no share in government whatsoever. Finally, the monarch rules but does not share in office: he is not ruled in turn, but only rules.

In relation to this requirement of reciprocity, it is crucial that both citizenship and friendship are bound up with questions of equality; only equals can be perfect friends, just as perfect reciprocity implies at least some mode of equal distribution (*NE* 1158b-1159a). Yet the question of the connection of these social relationships to virtue is ambivalent. For the Good is either held entire by a godlike magnanimous soul who is fittingly the King (exercising the *arche*) and doled out in portions to the servants of that divine master, or else held in common between equal citizens (as the distributed *koinon*). The most perfect virtue seems after all to escape both friendship and citizenship, and so the very nature of the *polis*, whose character threatens thereby to become more one of pragmatic compromise between immanent reason and passion, than one of the salvific mediation of transcendent reason, as with Plato.

This is despite the evidence that there is some equivalent of Platonic *eros* in Aristotle. Just because *phronesis* is for him a specifically intellectual rather than practical virtue (as *not* so specified by Plato), even though it regulates practical reason in order to establish in differing situations the appropriate mean, and the best circumstantial way to achieve ends, it is the practical virtues themselves which discern both the ends of flourishing and the means to those ends, which are the exercise of the virtues themselves. Inversely, since these ends are specific ‘goods in general’ we can even say these ‘final causes’ are somewhat theoretical, after all a little ‘Platonically’ tinged. And yet they are discerned, along with the intrinsic and inherent means to those ends, by the virtues themselves which involve a blend of reason and emotion: an ‘intelligence operating through longing’ (*orektikos nous*) or ‘longing operating through

thought' (*orexis dianotike*). Thus 'the origin of action - its efficient, not its final cause - is choice, and that of choice is desire and reasoning with a view to an end...good action and its opposite cannot exist without a combination of intellect and character' (*NE* 1139a-b4). All that *phronesis* supplies is the balancing of virtues and a more 'controlling' reason with the operation of the passions (*NE* 1144b-1145a).¹³⁹

Yet just because of the eminence Aristotle gives to intellectual virtue in general, including *phronesis*, which is ultimately ordered to purely theoretical *sophia* (*NE* 1145a),¹⁴⁰ he has a predilection to seek an eventual escape from the emotive (just as the 'consumer city' in general sought to escape the realm of needs and contingent impulses), which is only achievable in the sphere of pure, dispassionate, intellectual contemplation, where the erotic, unlike in Plato, has been left behind. It follows that for him 'longing' is confined to the practical political arena of compromise. Even magnanimity (which starts to exit the political, as we have seen) is a calm and self-regarding sway of the widest possible influence, while *theoria* involves an entirely calm and fully satisfied excess that is purely cognitive.

The full implications of this comparative subordination of *eros* can be seen in Aristotle's complex endorsement of democracy, which he understands in terms seemingly not so different from Plato's description: it makes possible a kind of 'wisdom of crowds', because every kind of person and quality is present. The most virtuous individual in the city may have a greater claim on authority than any other individual, but he possesses a more incomplete account of the good than that of the city as a whole. Consequently, when the entirety of the *polis* (its adult male free citizens) is gathered, it speaks with greater authority than any one person, and so represents the primary element in Aristotle's 'best possible' regime (1282a). These massed citizens can rule over each other simultaneously or else 'turn by turn' simply through their own virtuous activity and with no modern sense of a 'separated' central 'state' or governmental apparatus (1317a-1318a).

¹³⁹ For this see *Nicomachean Ethics* VII in general. It is arguable that Macintyre does not fully grasp the leading role of the emotions in Aristotle, because of his strong desire to reject modern reductive 'emotivism'. See Alasdair Macintyre, *After Virtue: A Study in Moral Theory* (London: Duckworth, 1983), 1-36, 137-53.

¹⁴⁰ Aristotle here suggests that ethical prudence is ordered to wisdom just as political ruling is ultimately subordinate to the rule of the gods. The difference from Plato here is then the relative lack of participatory mediation in either case: there is more of an unbridgeable gulf.

But what is for Plato a ‘many coloured garment’ of the assembled citizenry, in which good may jostle with bad, is in effect for Aristotle a vision of a single titanic person, statically containing base passions (controllable only to a degree) alongside reason and the will:

Just as the multitude becomes a single man with many feet and many hands and many senses, so also it becomes one personality as regards the moral and intellectual faculties. This is why the general public is a better judge of the works of music and those of the poets, because different men can judge a different part of the performance, and all of them all of it. (1281b)

For Plato, such a city could not be said to be truly united. It is paradoxically ‘atomised’ in a sense, allowing the good to escape oppression by the wicked (for a time), but keeping the wicked from being educated or chastised by the good. Fundamentally, as we saw in the last chapter, Plato thought, in agreement with Aristotle, that unity can only exist in the city, as in the soul, when the higher parts rule the lower, higher goods are valued above lower and virtuous men rule those of lesser virtue. But for him this is both a matter of an essential restraint rather than mere ‘management’ of the baser by the higher, and also one of continuous erotically educative raising of the baser through its prudent arrangement by the wise and its orientation beyond itself to wisdom. By contrast, for Aristotle, there is rather less fluidity and communication between both the parts of the soul and the classes within the city. In consequence, tension arises between virtue and the coercive achievement of unity.

Aristotle is half-prepared to allow that, since virtue should rule in the city, aristocracy or monarchy are preferable to democracy. However, the more there is virtue, the less there is any widespread citizenship in the full sense (and so the less there is a city) and *vice versa*. He is even ready to allow, in albeit problematic terms, that the person of uncontaminated virtue, if such there be, should be the sole ruler, such that pure monarchy involves the monarch being the sole citizen. But we would here seem to have exited any normal understanding of specifically civic governance at all (1286a, 1287a-b). As Donald Morrison notes, ‘since the monarch is the only citizen, his self-interest and the interest of the citizen body are identical.’¹⁴¹

¹⁴¹ Donald Morrison, “Aristotle's Definition of Citizenship: A Problem and Some Solutions”, *History of Philosophy Quarterly* 16, 2 (1999): 143-65.

However, Morrison is sceptical of the view that different degrees of citizenship are inherent to Aristotle's theory, and instead leans towards a univocal account of citizenship as 'a share in happiness'. He is too swift to dismiss the alternative accounts of citizenship as merely formal, or as obvious debasements, such that the *tou archomenou politou* (1278a) or 'ruled citizen' becomes for Morrison clearly contradictory. Given the inherent tension in Aristotle between citizen as virtuous ruler and citizen as passively participating in rule without any necessary virtue, this is not so clear after all.

Morrison places much weight on Aristotle's remark that the refusal of a share in public honours to some men living within certain regimes is disguised by a fiction of formal citizenship. But as we have seen, the term citizen is also applied by Aristotle to those like wives and children of citizens who have no prospect of a real share in public honours. At the same time, Aristotle contradictorily narrows the definition (1278a) in saying that properly and by ancient tradition only those released from manual labour can fully be citizens. It follows that, by definition, even in a democratic regime, citizenship in the 'full' sense of politically virtuous reciprocity not only is not, but cannot be, extended to all those who enjoy the formal status of citizen.

Citizenship in Aristotle is somewhat varying and analogical, but the analogical continuities sometimes involve outright contradictory tensions. Above all, the phase of 'being ruled' is ambiguous, because it seems to suggest a sinking into non-virtuous passion, incapable of *phronesis*, that must be extrinsically and so in a sense 'tyrannically' controlled. Thus, the more the city is dominated by virtue that must be active, the more it becomes sheerly aristocratic and even monarchic. But with the consequent loss of reciprocity, of the 'turn by turn', not just democracy, but citizenship and so the city itself, the *politeia*, is abandoned. For justice is here offended, in the sense that too many citizens are excluded: something which seems neither fair, nor safe for the city as a whole. If it is unsafe to allow the non-virtuous a share in ruling, to exclude them altogether would be still more perilous (1281b).

Such a perceived affront to justice in the very name of virtue (the excess over justice of magnanimity and nobility) reveals that, for Aristotle, the good is just one factor for licit citizen-participation in civic life; the others are freedom, birth and property: 'wealth and freedom are the grounds on which the two classes [of rich and poor] lay claim to the

government' (1280a).¹⁴² For Plato, in comparison, with his more elevated view of passion and more metaphysically extensive account of *methexis*, virtue can remain coextensive with valid citizenship, because his account of virtue makes it coincide more with that just division and distribution which constitutes *nomos*.

If, for Aristotle, pure virtue threatens democracy and legitimate *politeia* as such, then, conversely, the more democracy prevails, the more a pragmatic constraint of the many by the whole tends to displace the virtuous constraint of passion by reason. Pure mass force starts to substitute for the mediating of reason by force. Whereas the solely virtuous monarch would constrain by force now apolitical subjects, under pure democracy an aggregated political will constrains everyone who is equally lacking in virtue. In contrast to Plato once more, the political and the virtuous no longer perfectly align.

What is still worse with Aristotle, is that virtue narrowed to the exercise of real virtue by a few and then by the one, might be a sham virtue, reducible to a concealed self-interest, since he fails to provide a counter to such sophistic suspicion in the way that Plato does in the *Republic* by directly subordinating the ruler to an accessible and practically mediated divine transcendence. In other words, the wearer of the ring of Gyges is for Aristotle invisible even to the gods and therefore would truly seem to become a law unto himself, like the witty individual: how can we be sure that the latter is ironic in the name of the reserve of the Good, and not just his sense of his own superiority?

4. Law as Resolution in Aristotle

The thematic of law ties together the problematic strands of formalistic citizenship: the 'share in happiness', the 'passive citizen', and the question of a hierarchy of relative citizenship. Aristotle tended to shy away from a dynamic hierarchy of citizenship, instead opting for a more scientific 'locating' of citizenship at different levels in different regimes. Yet it is his rejection of a more fluid order, and over-confinement of friendship to the egalitarian, which renders a wide sharing in 'full' citizenship impossible and transforms hierarchical relationships into those of outright command and obedience, masterhood and slavery.

¹⁴² See Collins, *Rediscovery of Citizenship*, 136.

If the specifically political life of virtue is fated to penetrate only a part of the material city, then some second principle other than citizenship, and in some sense separate, is necessary after all to unite it.¹⁴³ Law, for Aristotle, is none other than the stipulation that citizens should rule turn by turn (1287a). Yet we have already seen that the problem then arises of how far ‘being ruled’ can fall within the compass of virtue and so of full citizenship - despite the fact that he declares that one can only learn to rule by first being ruled, as in the case of military training (1277b).¹⁴⁴

So, whilst the citizen body proper can be united by a shared understanding of the Good, the citizen body in formal terms, the ‘ruled citizen’, can only be governed, and acquire a ‘share in happiness’ by the habit of obedience to laws made by citizens proper. Even if the citizen body has a membership of one, as with monarchy, the unity of the citizen’s soul will be mirrored in the justice of the laws he sets down. For clearly the virtuous ruler will respect his own laws that derive from his virtue (1287b). Thus, law tends to synthesise the rule of virtue proper with an order contrived through regular obedience to something extrinsic.

In a sense Aristotle followed Plato in pursuing a turn towards law and the law-governed city as the solution to the failings of the *Kallipolis*, which was itself based upon self-rule under the aegis of virtue. As against the risk of a lack of personal wisdom on the part of self-interested rulers, and a failure to heed wise council on the part of the ruled, the more regular operation of law offers a more certain constraint: ‘he therefore that recommends that the law shall govern seems to recommend that God and reason alone should govern, but he that would have man govern adds a wild animal also’ (1287a).

But one immediately notices the anomaly: for Aristotle we are inherently political animals and therefore the non-animality of law would appear to threaten also the essence of the political. Whereas Plato’s psychic tripartition stressed the mediating role of *thumos* between reason and passion (linked to *eros* as elevated passion), ensuring a preservation of an animality that is itself political, in Aristotle the two are more directly put in apposition, threatening an either/or construal of their relationship, such in subordinating the animal, the

¹⁴³ See *Politics*, 1326a-b.

¹⁴⁴ There seems no warrant for Kraut’s claim that there is, for Aristotle, a class of citizens who only rule and are never ruled: Kraut, *Aristotle*, 367.

political is also lost sight of. We have already seen how a more purely rational virtue tends in Aristotle to leave behind the practical and the political, something allied to his wondering whether the god-like noble man should rule alone, in abandonment of shared citizenship. Reluctance to do that and fear that this offends both justice and security, while continuing to fear the rule of the non-virtuous, leads Aristotle to favour the more impersonal rule of *nomos* as, in effect, a compromise between the rule of reason and the rule of the passions. And yet we now see, from this quotation, how the rule of law also tends to leave behind our animal inter-personality and reciprocity, rather in the way that the virtues are for Aristotle subordinate to the immanent theoretical balancing of his version of *phronesis*, which is also a kind of immediate presence of the divine. Even though, for Aristotle as for Plato, customary law is primary, a kind of reduction of law to the formulaic, or to the ‘mathematical’ seems to threaten here after all.

Thus, what is meant by *nomos* in Plato and Aristotle is somewhat different. As Plato outlined in the *Statesman* (299b-e) and then the *Laws* (4.720a), law is analogous to the practice of medicine. The doctor for slaves has learned only a series of procedures to be applied in fixed circumstances, which are generally effective, but he cannot deal with more particular circumstances, or the needs of free men. The doctor for free men has the same facts at his disposal but understands the underlying principles and is able to modify and finesse his treatments for different individuals and circumstances. This doctor will propose a carefully calibrated regime of diet and exercise, rather than pick from a menu of treatments that he has been prescribed. Likewise, there are judges who simply apply laws, handing out the fixed penalty for theft, or the variations involving theft with a weapon, theft towards a slave, theft by a slave and so on. The better kind of judge, Plato suggests, is the one who can apply the law through an exercise of *phronesis* to particular circumstance, and this kind must, he argues, be a philosopher who understands the true nature of justice and the good.

It is significant that, by contrast, Aristotle argues that the analogy fails, because the physician is a great deal less likely (and able) to pervert his position for person gain or desire (1282a-b). The fact that for him the magistrate becomes like a physician who is as likely to poison the patient as cure him is telling. To a subtle but real degree, Aristotle’s political pessimism, which qualifies the human and mediating element of governance, foreshadows modern constitutional theory’s hermeneutic of suspicion. By contrast, laws in the end are for Plato only as good as those who make and apply them.

We have also already noted that, whilst Aristotle's political unity was the traditional one of equal males in debate, Plato's included all generations and both sexes, with each person participating in their own particular mode and life-phase. In this way, as in others, the 'command' aspect of law was subordinated to its customary function: the less sheerly male, the less sheerly adult and even the less sheerly human correlated with the less sheerly legal in the modern codified and explicit sense. Aristotle, on the other hand, considered the city to be unified if all the free men are gathered together, assuming them (we can say) to 'represent' their households, through their direct 'presencing' of it as an embodiment of it through their headship, since they rule in the *oikos* by a kind of monarchy (1255b). He accepted this model because his biology excluded women and slaves from being capable of full citizenship. In other words, Aristotle's sense of *nomos* tended to make it more coincide with regime or *politeia*, and with *arche* or 'sovereignty'.

It should be explained here that our modern concept of 'representation' did not exist in ancient Greece.¹⁴⁵ Though there were political leaders who 'represented' (as we would see it) their fellow citizens in governance and diplomacy, and public speakers willing to hire out their words for money (the infamous 'sophists'), what they were doing was not classed or labelled as 'representation' (indeed there was no equivalent word). The concept of political practice being abstracted from its participants (the citizens) and from its proper context (the *polis*) was alien to the basic assumptions of Hellenic thought. Citizens either ruled (as in a democracy) or they did not (as in a monarchy). The idea of 'representative democracy' is not present in Aristotle, who speaks of what we would call 'representatives' but are in fact simply citizens 'ruling in turn', for themselves, though of course as citizens who are individual instantiations of this species. These 'rulers by turn' really do rule, and not, as with modern concepts of 'popular sovereignty' rule as somehow an extension of the people's will or alternatively as its substitutionary alienation.

Rather than 'representation', two possible categories of 'extended rule' operate within Aristotle. First, he assumes that the household is not so much 'represented' as it is embodied by its head when the citizens are gathered together. The head of the household is its rational and ruling principle, and thus is the only part of the household competent to act politically.

¹⁴⁵ See Monica Brito Vieira and David Runciman, *Representation* (Cambridge: Polity Press, 2008), 6-10.

The other category is the only aspect of our ‘representation’ that can be said to be fully present in Greek thought: pictorial and dramatic representation, or *mimesis*.¹⁴⁶ So for Aristotle the slave, the woman and the child imitate the citizen, who himself is an ‘imitation’ of its laws (and vice versa). In as much as the adult male citizen is the most perfect ‘image’ of rational life, he is the architectonic principle of the city and therefore able to rule when his turn comes around (1255a-b).

In this context, it is less obvious in the case of Plato that a true unity might emerge spontaneously from the mere assemblage of all citizens. Within Plato’s philosophy, unity is more continuously and sporadically realised: vertically as infusion and elevation; horizontally as the blending of like with unlike, as opposed to the ‘sortage’ into proper position that tends to be characteristic of Aristotle, even if the Platonic question of blending is involved in his consideration of proportionate justice as distribution and punishment. Aristotle’s sortage is more confined to the classing of like with like, allowing some imitation across these boundaries, but not a liminal participatory merging, conducive to a more radical unity. A man is for Aristotle united with his family and wider household in a bodily sense (by biology and economic necessity), but rationally is partially separated by the lesser capacities of the woman and child, and almost entirely separated from the existence of the slave who is alternately instrumental and idle, but not, like the ‘free’ citizen constantly answerable to customary civic constraints.

How does this more rigid insistence upon classification relate to Aristotle’s treatment of law? Like Plato, Aristotle distinguished between law as given and law as in need of interpretation. Yet where Plato prioritised the second and so ultimately the more flexible personal rule of the wise, Aristotle, insofar as he favoured democracy and regarded pure kingship as unlikely or impossible, reversed this preference in favour of the given law and its anticipatory system of classification (even though he recommended that judges must prudentially apply laws to particular circumstances and sees customary law as more important than specific prescription, while inversely Plato agreed with Aristotle that the laws themselves should largely be left unchanged) (1287a-b).

¹⁴⁶ See Vieira and Runciman, *Representation*, Preface, vii-xii for the many aspects of representation.

In *Magnesia* the drafting of the laws was coterminous with their application; it is the virtuous despot or an aristocracy who will devise the laws and proceed to rule by the application of the laws they have made. But in the case of Aristotle, who far more modelled his city on established precedents, there was a (somewhat proto-modern) fundamental rupture between the one who makes law and the regime that applies it. He gestured towards a Solonic model, in which the drafter of the constitution goes into exile in order that he may not then wield overweening power and yet that this constitution may then acquire a more impersonal force of authority (1284a-b).¹⁴⁷ So insofar as he leant towards democracy, Aristotle compromised both continuously and critically renewed human participation in divine government and continuous citizens' self-rule in the same gesture: the unquestionable nature of the original legal foundation, once the legislator has gone into exile. In this division of legislation from government one has, arguably, a very remote beginning of the legal thinking that will eventually lead, in modernity, to ideas of the state and of sovereignty.¹⁴⁸

5. Aristotelian Aristocratic Pessimism versus Platonic Democratic Optimism.

Aristotle's political approach nonetheless resembled more the approach of Plato in the *Laws*, than the *Republic*. This played out in three ways: 1) the continuous rule by 'representatives' from amongst the population who 'take turns' ruling; 2) the intermittent rule by the entire citizen population gathered in a single council and 3) the 'representation' of all the unfree, junior, foreign-born and unfree members of the city by the citizens (adult male landowners). We see in 1) a complete continuity of rule and an incomplete unity of rule, and in 2) a complete unity of rule and an incomplete continuity. These imperfections not only balance each other out but are further mediated by the use of constitutional modes whereby the unity in space is rendered into a unity in time by the 'supplementary' establishment of laws. It is the primary role of the continuous rulers to apply these laws justly, to 'mend' the *aporia* opened up in pure citizens' rule between a favouring of unity on the one hand and a favouring of continuity on the other, even though both are equally needed. Finally, in the case of 3), as we saw above, we find a weak form of 'representation' in which the citizen actively rules the

¹⁴⁷ On ostracism, see also *Athenian Constitution*, XXII, 1-8.

¹⁴⁸ R. G. Mulgan, 'Aristotle's Sovereignty', *Political Studies* 18, 4 (1970): 518-22.

household as a monarch and the household passively participates in the *polis* through their interests being considered by their ‘king’.¹⁴⁹

It follows that even the ‘completeness’ of the unity which Aristotle imagined was drastically qualified by his sequestering of the majority of the population from the fulfilment of citizenship and political life. In the case of the man of superior virtue, Aristotle was clear that monarchy entails the taking of this process to the ultimate: ‘hence it only remains for the community to obey such a man, and for him to be sovereign not in turn but absolutely’ (1288a). It is for the lions laughable if the hares try to make speeches in the assembly, after the story of Antisthenes - and yet the hares also belong to the political community and may, it is implied, both justly and dangerously find the leonine mockery intolerable (1284a).

To resolve this *aporia*, as we have seen, Aristotle exalts the supposed neutrality of law. But if, for him, unlike Plato, the operation of citizenship is not continuously present across classes and generations, then the city itself in the full sense of the assembled citizens is present only intermittently, and the democratic normativity of mutual sharing is subordinated. Therefore, Aristotle’s philosophical assumption of the achievability of a limited but in its own way perfect finite perfection here runs up against an *aporia* of unity versus continuity which can only be resolved by a surreptitious generic switch: from the city defined by its citizenry and their self-rule to the city defined by the laws standing over-against the citizens and the ‘political’ realm: a switch from *politeuma* to *politeia*. This switch further compromises to a degree the very notion of the *polis* and of the citizen.

The Aristotelian resignation to the finite ensures that he proffers ‘Polity’, or a democracy tempered by aristocracy, dominated by the ‘middle classes’ who combine moderate wealth with virtue as the best regime likely to be attained, even though, absolutely speaking, aristocracy or the rule of the virtuous few is superior (1295a-b), or else (but problematically) the sole monarchic rule of an outstanding individual. Yet Aristotle’s relative pessimism with respect to our links to the absolute, and his account of the lower part of the soul as more unmediatably bestial (compared with Plato), ensures that he does not expect virtue to be all

¹⁴⁹ Aristotle distinguishes between several forms of monarchy, from the tyrant who rules purely for his own interests, through the limited monarchy of Sparta, to the ‘absolute’ monarchy (*panbasileia*) of the King who rules as a master over his household (*Politics* 1286b).

that dominant, and requires the lesser tyranny of the majority to temper democratically the likely worse tyranny of a minority.

In one sense, for Aristotle, democratic rule is the maximum of citizens' self-rule, since all citizens are involved. Yet this involvement of all citizens also qualifies the sense in which we are any longer talking about citizens at all. Normally, as we have seen, citizenship is defined by the capacity both to rule and to be ruled, turn by turn, and yet in the case of a democracy citizenship will be extended to any who are capable only of being ruled, but not of ruling (1289b-1290b). It follows that democracy is, for Aristotle, both normative for the understanding of citizenship as a wide sharing in rule, and yet simultaneously aberrant in relation to citizenship, insofar as the inevitably less virtuous and more menially employed men, elevated to this status within a democracy, also lack a crucial aspect of the reciprocity of citizenship and its associated exercise of active virtue. It is so associated because a lack of virtue is by definition a lack of an ability to govern both oneself and others. One could indeed call this Aristotle's '*aporia* of citizenship'.

Given that, in a democracy, or even the mixed constitution of 'Polity', the mass of citizens will not be all that virtuous, and perhaps even the virtue of the aristocracy is intermittent and unreliable, citizen self-rule and therefore the primacy of citizenship as such must be, as we have seen, heavily qualified by the more primary rule of law. Law is for Aristotle a *meson*, a mean (1287a) yet not a mean of virtue or between virtues, but in effect between virtues and the other factors of wealth and liberty. Law-making thereby belongs not purely to Aristotle's understanding of ethics as intransitive, self-remaining action or *praxis*, but also to the architectonic and outgoingly transitive *poesis*, that is politics itself. Thus, he cites approvingly the sophist Gorgias: 'just as the vessels made by mortar-makers were mortars, so the citizens made by the magistrates were Larisaeans, since some of the magistrates were actually Larisa-makers' (1275b). The political and legal is for Aristotle inherently contaminated by inferior *techne*, just as inversely pure ethical *praxis* tends to escape the political. This strongly contrasts with Plato, where the entire *praxis/poesis* or intransitive/transitive action contrast is not found and the poetic and technical, when they are divinely inspired, enjoy a more ultimate dignity.

Aristotle's relative favouring of democracy as compared to Plato, is consequently also linked to a greater pessimism *sub specie aeternitatis*, and a greater tendency to qualify the primacy

of citizenship in favour of the submission either of the majority of citizens to the ‘super-participatory’ rule of a few or even of the one, or of all citizens to ‘sub-participatory’ legal foundations and processes ultimately bound by those foundations (1287a-1288a).

By reason of this pessimism, he suggests (quite unlike Plato) that the specific functional good of the citizen with respect to the city is not equivalent to being a good man as such and even that the man who is good simply as a man (as fully noble and magnanimous) need not possess the virtue of citizenship, thereby seeming to open up already a ‘Roman’ vision of a perfectly good ‘retired’ life (*Politics*, 1276b).

6. Monarchy and Empire

Yet in other respects, it is arguably Plato who more anticipates Rome: indicating the extreme tensional duality that I shall locate there in Part Two.

Plato’s love of ritual and symbolic order, whose temporal theocracy seems to recall the eternal, and the monarchic-aristocratic order that goes along with it, was closely linked with his admiration of Egyptian civilisation, in which a powerful religious and mythic narrative sustained the political order, through a ritual and artistic repetition which had allowed Egypt, Plato believed, to escape the forces of political entropy and maintain thousands of years of continuity.

Thus, Plato perpetually relocated his narratives to Crete, Egypt or Sicily, but for Aristotle, for all the more apparently abstract and universal nature of his arguments, and his Macedonian birth, Athens was everything. Accordingly, he ultimately distrusted kingship (even while being paradoxically drawn to its absolute version) because the rule of one virtuous man over the non-virtuous many tends to approximate ruling to mastery over slaves (1255a), which is entirely non-reciprocal, rendering it apolitical. And this distrust could extend to imperial involvements, since we see in Book VII of the *Politics* that Aristotle regards ‘barbarian’ states as non-political and composed of slaves, not self-governing citizens, due to their imperial size and monarchic regime (1332b-1333a).

Aristotle does allow that some non-Greek polities rise to the level of civilisation as he defines it (note his consideration of the Carthaginian constitution (1272b-1273b), but in general terms the *polis* is mainly exclusive to the Hellenes. Was Aristotle's vision of the good life then at odds with his pupil Alexander's military expansionism, indicating Aristotle's criticism of excessive militarism and emphasis on balance and harmony? In fact, as Aristotle quite clearly lays out in Books I and VII of the *Politics* (1253b-1255b, 1328a, 1334b-1336a), he considers it desirable that the Greeks should attain military hegemony over non-Greeks and reduce them to something like tributary status.¹⁵⁰ This view he readily justified in the same way that he justified slavery and patriarchal authority: just as the individual who has a natural superiority in virtue must rule the one who lacks it in the manner of a monarch, so must Greek society as a whole rule societies fitted (by their characteristics of habit and regime) only for slavery.¹⁵¹ All the same, we can assume that Alexander's reported embrace of Persian customs was at odds with the Hellenocentric and constitutional model of politics of his teacher. So, we can legitimately infer that just as, in Aristotle's thought, an excessive virtue in the city threatens civic justice, equivalently the international assertion of superior Hellenic virtue threatens to reduce Greek rule to sheer domination, with a consequent possible leaching-back of such colonial corruption and servitude into the heart of the mother-city.

We can contrast Aristotle's attitude to both monarchy and empire with that of Plato, in preparation for our transition to Rome. Aristotle's advocated ostracism of the excessively virtuous man follows the pattern of his 'Athenian' reception of Plato, in which he re-imagines the philosopher not as King but as founding father, in the manner of Solon – a father who must probably be exiled. Plato instead demonstrated and fully laid out the terms for the alternative 'internal' exile of the Philosopher within the city, into the citadel of the theoretic city within a city of the academy. Not only does he recommend an ideal model for both visible and invisible *polis*, he also later presents a method capable of perpetually drawing the *polis* back into virtue. Socrates, in refusing to leave the *polis* and instead facing death, contradicted the Solonic model, and proposed instead that philosophy must be living and human, academically perpetuated in his memory. Thus, the essentially 'erotic' model of education, philosophy and politics rejected the notion that any person can literally transfer a

¹⁵⁰ See Manent, *Metamorphoses*, 17-101, 138-9, 163-4, 252.

¹⁵¹ See Andrés Rosler, 'Civic Virtue: Citizenship, Ostracism and War', in *The Cambridge Companion to Aristotle's Politics*, ed. Marguerite Deslauriers (Cambridge: CUP, 2013), 144-175, (especially 166-168).

truth (like a body of written laws), but instead implied that he can only be the occasion for the recollection of and participation in a shared and lived understanding.

Thus, Plato's love of monarchy, his concern (viz Cyrus in the *Laws*) with the education of the character of the rulers of great empires, his theoretical and practical interest in colonies and his notion of the hidden inner city of philosophers, all point to an ideal international order that is neither intermittent, as for Aristotle (1261a), nor lacking permanent central leadership. Plato was arguably proposing an altogether novel international order, unknown to both Greeks and Barbarians. The very paradox of unity and division within the Greek world, analogous to the vision of the cosmos as being both in motion and at rest, is the basis in Plato for an order that combines the depth and unique 'political' nature of the Greek city-state with the scale and divine stature of the empires of Egypt, Babylon and Persia.

The shared mythic 'grammar' of the 'second-best' and colonial visible cities would be the basis for a grand interweaving carried out by a political elite that all shared in membership of a single esoteric city: the philosophical city of *Kallipolis*. The Platonic Academy in Athens was exactly a prototype for such a city, drawing students from across the Greek world.

We can therefore perhaps infer from Plato's teaching a vision of a Hellenic world united by a common 'liturgy', in which the divine theatre of the Gods contemplating the Good would be participated-in by a 'chorus' of Greek cities. Underlying all of Plato's discussions of justice was arguably a tacit but idiosyncratic 'imperial' logic, whereby that which is differentially outside unity must also be paradoxically included within it; in which the unity of Greek cities would also be the fulcrum for a politically cosmic unity that could govern the world, in some anticipation of the Jewish Middle-Platonist Philo's notion of a *megalopolis*.¹⁵² Plato was not concerned, any more than Aristotle, with politics only as the question of political dominance over a group of people or a territory. Rather, the purpose of political unity as the self-government of citizens was directed towards the end of genuine mutual flourishing. In this spirit the international 'imperial' order envisaged by Plato was not a system of alien domination, but the more humanly universal sway of justice.

We are ready for the transition to Rome.

¹⁵² Philo, 'On the Creation', *The Works of Philo*, trans. C.D. Yonge (Peabody, MS: Hendrickson, 1993), 4.

PART TWO: ROME

Chapter Four: Cicero and the Rome that was not Greece

1. Introduction

Political life preceded political thought by some centuries, and it was only once political life in the defining sense of citizen-rule has started to become somewhat untenable, which stands slightly apart from the human person and so able to be regarded, that it could truly become an object of thought.¹⁵³

It was at the twilight hour when Athena's owl was already taking wing, when the unthinkable had become thinkable, that citizens were forced to establish the nature of politics and conceived of it as a conscious philosophical project. In Athena's city, Plato and Aristotle aimed at the possible restoration of a way of life compromised both by the growth of sophistry and the imperial expansion of the Greek polities.

In turning eventually to the case of Cicero, we discover a series of resemblances to the circumstances in which political philosophy first emerged. He was writing at a time when the Roman Republic had almost ceased to be and was in its final crisis. Like the ancient Greek city-states, it was threatened by fraudulent mass politics from within and a vast imperial expansion from without. Cicero directly drew upon Greek thought and Plato specifically, to give a conscious philosophical shape to Roman ideals and modes of life that had been promulgated largely unconsciously up to that point and wrote his own 'Republic' and 'Laws' for this purpose.

However, in order to understand Cicero, we must first understand Rome, and to understand Rome we must situate it with respect to Greece in terms of its version of both the city and the citizen. In what follows I shall, in successive sections, first try to comparatively situate the Roman city, citizenship, social and constitutional structure and religion, before considering in more detail Cicero's political philosophy. In the case of both Rome and Cicero I shall identify an extreme oscillation between a fulfilment of the Platonic vision on the one hand, and a certain anticipation of the much later modern liberal outlook on the other.

¹⁵³ Manent, *Metamorphoses*, 4-6.

2. Religion and the Ancient City

Ancient citizenship, as we saw in Part One, can actually be defined as having access to the worship of the gods of the city, and this worship was directly linked to rights of ownership, voting, marriage and burial.¹⁵⁴ There was, as Fustel de Coulanges first perceived, no sharing of these rights with other cities worshipping other gods, unless the gods themselves were deemed to have entered into alliance and their cult was now shared. Such alliances could sometimes be fostered by shared class interests across civic boundaries.¹⁵⁵ These alliances also concerned battles over degrees of access to citizenship rights that were immediately and indissociably cultic rights. But no inter-civic unity, transcending class, ever emerged, apart from the later imperial expansion of Macedon. A uniting religious perspective was lacking, and the experiments for transforming a more philosophical and universal vision of religion into political terms (as with Plato and Syracuse) were largely stillborn.

The imperial expansion of Rome did not involve any abandonment of the tight association of cult with citizenship, even though later understandings of this expansion took more philosophical forms, both Stoic and Platonic. One can suggest that this expansion was rooted in the peculiar circumstances of its founding, which legend may, to a degree, accurately record.¹⁵⁶ From the outset, Rome seems to have been an amalgam of local and invasive tribal groupings and therefore it involved more than one alliance of both gods and human *cultus*. For this reason, its seemingly ‘progressive’ impulse towards universality and inclusion was actually grounded in more primitive factors than in the case of Greece.¹⁵⁷ As a tribal alliance, the originally familial centrality of religion (linked to cults of ancestors and territorial gods, guarding both boundaries and lineage) persisted more strongly: assuring a greater importance for the *oikos* within the *polis*. At the same time, initial tribal loyalties remained as inner tribal tensions, involving the constant *stasis* of struggle between aristocrats and their *clienteles* and between aristocrats and plebeians (originally, perhaps, families with a weaker sense of cult or lineage and little secure terrain). As with Greece, the inextricability of internal and external civic tensions propelled Roman aristocrats towards alliances with aristocrats in other cities, while the need to placate the plebeians with material rewards also drove expansion outwards. Conversely, this ever-greater rewarding propelled forwards the struggle of both plebs and

¹⁵⁴ Fustel, *Ancient City*, 109-215.

¹⁵⁵ Fustel, *Ancient City*, 197-202, 216-343.

¹⁵⁶ Fustel was critical of German excessive suspicion (as with biblical criticism) of ancient sources: see Arnaldo Momigliano and S.C. Humphreys, ‘Foreword’, *Ancient City*, ix-xxiii.

¹⁵⁷ Fustel, *Ancient City*, 352-6.

clients towards full citizenship, which eventually involved full access to the auguries, the census and the consulship, besides rights to sacral *connubium* and civic honouring in burial.

Religion was central to both the external and internal development of Rome. There was no promiscuous political indifference towards local cult. On the contrary, the conquering of foreign cities was read as the yielding of foreign gods. Their cults were captured and often taken back to Rome in the process of *evocatio*, or ‘calling forth’ of the gods, in a way that was taken as strengthening rather than weakening the prestige of the original local deities. Naturally, alongside this capture went the removal of independent citizenship within outrightly conquered cities, or its weakening in those cities with which Rome entered into alliance.¹⁵⁸

In consequence, Roman territories were often governed by a mixture of permanent military emergency, direct volition of governors, subordination of local custom to Roman law and *de facto* toleration of continued local tribal law. The new cities in Gaul were sometimes outright Roman creations, and in general individuals across the far-flung empire sought above all, just like the clients and the plebs, entry into the privilege of Roman citizenship, which was still focused on the boundaries of the Roman *urbs* itself, even though from the outset the *civitas* was more transportable, as with Aeneas’ legendary carrying of the *palladium*. This imperative rendered the eventual barbarian capturing of Rome as much an internal capturing of the citadel by aspirant citizens as an external overthrow of the city by outsiders.¹⁵⁹

Conversely, Rome’s internal struggles were akin to those between entirely alien tribes, traceable back to different origins and alternative cults. The more agrarian rather than somewhat enterprising and artisanal economy of Rome, as compared with Athens, ensured that often the plebeians could just be bypassed like ghetto dwellers, since most of the crucial work required by aristocratic proprietors could be carried out by slaves: if anything, Rome was still more of a ‘consumer city’.¹⁶⁰ Their initial exclusion from full citizenship in terms of their exclusion from the city’s primary cults was so absolute that, to begin with, the tribunes of the plebs could only be incorporated into the city’s religiously protected deliberations by the device of deeming them to be *sacrosanct*: at once religiously impure and yet as such not

¹⁵⁸ Fustel, *Ancient City*, 352-80; Clifford Ando, *The Matter of the Gods: Religion and the Roman Empire* (Berkeley CA: California UP, 2008), 44, 95-148; Mary Beard *et al*, *Religions of Rome, Volume 1: A History* (Cambridge: CUP, 1998), 313-68.

¹⁵⁹ See A.N. Sherwin-White, *The Roman Citizenship* (Oxford: OUP, 2001), 397-460

¹⁶⁰ See Chapter One, Section 1.

be impeded in their activities.¹⁶¹ It was bizarrely this very ‘untouchability’ of the tribunes which assisted the social progress of those they represented.

One can therefore conclude that, in terms of both local city and expanded empire, Rome did not, at the most fundamental civil-religious level, ever combine citizenship (even after its Antonine expansion) with a natural and plural universality. Instead of our assumption that an extension of citizenship would involve its being less culturally and religiously specified, antique pagan extension was more like gradual admission of everyone into a strictly local cult. Certainly, there were countervailing philosophical conceptions, but these were never fully incarnated.¹⁶²

Moreover, once a return to monarchy ensued, under the ‘tyrants’ in Greece and the Caesars in Rome, the civic aspect of religion, as against its natural and cosmic aspect, was actually reinforced. Both the power of the tyrants and that of the Caesars depended in part upon the support of the plebeians, whose condition was relatively alleviated. Thus, there was absolutely no automatic association in pagan antiquity of the popular and egalitarian with the anti-religious: if anything, the reverse. And nor was there usually any association, either, of the anti-religious with the republican and the democratic: for the prime initial guardians of civic religion were the aristocratic heads of the main families. To begin with, in the period of the Roman kings, one could almost say that it was their mode of power that tended (as it were, in anticipation of Montesquieu), to emphasise rather the political and the pragmatic, even if this was not true of the later emperors, who were after all not exactly kings. Conversely, the aristocratic chiefs who overthrew the kings thought of themselves as sacral monarchs on a small scale (like Odysseus).¹⁶³

3. The Roman Civic Difference

We can see from the foregoing that whereas the Greeks were a people with a *polis*, or rather many *politeis*, the Romans were a *polis* with a people.¹⁶⁴ The Roman people and the Roman city were coterminous, and Rome was able to extend a civic logic into its national operations and its national logic into its civic life.

¹⁶¹ Fustel, *Ancient City*, 261-298.

¹⁶² Fustel, *Ancient City*, 344-352; Ando, *Matter of the Gods*, 120-48.

¹⁶³ Fustel, *Ancient City*, 243-77.

¹⁶⁴ VI, 11-18, 43-57.

Cicero indeed praised the Roman constitution as an example of an ideal mixed regime, but for him it also contained elements foreign to Greek ideals (Cicero, *Republic*, II.17).¹⁶⁵ The mixture of oligarchy (the Senate and the Patricians), monarchy (the elective King and later the Consuls), and democracy (the various offices and assemblies of Plebs), included significant degrees of mediation unknown in their amplitude to the Hellenes. Most notably, Rome was organised into ‘centuries’, different bands of citizenship each with their own assembly, which cast a single collective ‘vote’ at the level of the republic.¹⁶⁶

The existence of this mediated rather than direct political sphere in Ancient Rome can be traced in large part to a radically different understanding of the relationship between *oikos* and *polis*, and between public and private citizen.

The singular virtue of Rome identified by Livy as *pietas*, the Roman basis for civic loyalty and religious duty, was the same virtue as filial loyalty to a father within a family (*History* 1, xxi). Cicero accordingly made no hard distinction between public and private, household and political duties in his *De Officiis* (I.139-8, II.9-10) and seemed in fact to regard the art of ‘household management’ as being of the same fundamental kind as that of politics.¹⁶⁷ As Cicero’s concept of duty makes clear, even though lower forms of commerce are to be scorned by respectable citizens, managing your country estate, your finances, making investments, and engaging in large scale trade, are considered acceptable and fitting, so long as they are done justly and for the common good (*De Officiis* I.150-1). The household was porous to political life, and consequently the Roman family was more political, while the Roman *civitas* was more familial in nature.

But while Rome possessed an hereditary kinship elite claiming original descent from the first founders (the Patrician class), this class was not wholly closed, and in any case the Plebs enjoyed many of the rights of fully-fledged Greek citizens.¹⁶⁸ Moreover, a third class of citizen - the ‘Equestrian’ (*equites*) or knightly class - was founded, so that wealthy citizens could bolster the Roman cavalry, in exchange for political preferment and office.¹⁶⁹

¹⁶⁵ See Cicero, *De Re Publica* and *De Legibus*, trans. C. W. Keyes (Cambridge MA: Harvard UP, 1977).

¹⁶⁶ Mary Beard, *SPQR: A History of Ancient Rome* (London: Profile, 2016), 147, 190.

¹⁶⁷ Cicero, *De Officiis (On Duties)*, trans. Walter Miller (Cambridge MA: Harvard UP, 2001).

¹⁶⁸ Jean-Claude Richard, ‘Patricians and Plebeians: The Origins of a Social Dichotomy’, in *Social Struggles in Archaic Rome: New Perspectives on the Conflict of the Orders*, ed. Kurt A. Raaflaub (Oxford: Blackwell, 2005), 107-27.

¹⁶⁹ Livy, *History of Rome*, trans. B. O. Foster (Cambridge, MA: Harvard UP, 1919), 1, XLIII; Beard, *SPQR*, 262-4.

Not only did the system of Centuries and various proto-representative offices such as the Tribune render the Roman constitution heavily mediated, but the relationship between individual citizens was of the same nature. Whereas Greek citizen interrelations took either directly egalitarian or directly hieratic modes, usually the vast majority of Romans were part of complex hierarchies with multiple overlapping claims, tiers and systems of patronage and benefaction.¹⁷⁰ And whereas Greek citizens were freed of childhood obligations to their father upon reaching the age of majority, Roman citizens remained far more firmly under the influence, formal and informal, of their *Pater Familias*.¹⁷¹ Few sons could hope to advance in Roman society without the sponsorship of their family, and its attached friends and clients. And crucially women exercised much more authority and held greater public status than was possible in Greek society.¹⁷² With so much of political life invested in developing friendships, cultivating wealth, managing slaves, coordinating the endeavours of freed slaves and arranging marriages, women inescapably held more influence. This was reflected in Rome's religious and cultural representations of women and female roles, with the 'Roman Matron' possessing authority and status in her own right.¹⁷³

Royal/aristocratic ideas of the family granting political power were accordingly interwoven with republican notions of friendship and more universal civic familyhood right from the early years of Rome, perhaps emerging out of its unusual model of electoral Kingship, as described extensively and positively by Cicero in his *Republic* (2.21-34).

Equivalently, Rome possessed no hard distinction between public and private morality. Because the more domestically-inclined Romans were less constantly before each other's eyes, the importance of a moral code exercised under all circumstances, however invisible, became paramount. In this respect, Cicero did not invent but inherited a Roman ideal of justice as 'keeping your word no matter what'. Whereas Greek citizens were unified by a shared life, the more numerous and divided Roman *polis* had perforce to be united in a more abstracted, contractual and symbolic sense, with a much-increased requirement for the internalisation of value. And where Greeks were directly united by their regime, the *politeia*,

¹⁷⁰ Sherwin-White, *Roman Citizenship*, 264-74; Paul Veyne, *Bread and Circuses*, trans. Brian Pearce (London: Penguin, 1990), 232-47.

¹⁷¹ Valerie M. Warrior, *Roman Religion* (Cambridge: CUP, 2006) 28-32; Richard P. Saller, 'Familia, Domus, and the Roman Conception of the Family' *Phoenix* 38, 4 (Winter, 1984): 336-55.

¹⁷² Saller, 'Domus, Familia', 38.

¹⁷³ Judith P. Hallett, *Fathers and Daughters in Roman Society: Women and the Elite Family* (Princeton, NJ: Princeton UP, 1984), 211-62.

Romans were united by the *vinculum*, or civic bond (Cicero, *Republic* I.49), which operated both vertically through *pietas*, a chain of obligation stretching up through clients, parents and political leaders to the gods, and horizontally through *fides*, a common sense of trust in our business partners, friends, colleagues, fellow voters, military comrades, spouses and religious congregants. Just as Rome was split vertically by the centuries, so it was laterally host to numerous other bodies that we would see as belonging to ‘civil society’ today: religious cults, political associations and funeral guilds.

It has been assumed, in the tradition of Hannah Arendt, that because of this more distinct public realm, citizenship was stronger in ancient Greece, and yet one could wonder whether the relatively greater restriction there of the political to the non-productive, non-administrative and non-trading actually confined also the scope of deliberative participation and ultimately subordinated this participation to the theoretical: encouraging eventually in Greece the Stoic private and inwards retreat.¹⁷⁴ Therefore, the strong Greek separation of *polis* from *oikos* might be regarded as ambivalent from the point of view of the scope of citizenship.

By more uniting the two, it is true that the Romans engendered a society that was still more riven by internal divisions, since something like private and tribal feuding was more sustained and even endorsed. The ancient family fates were much less chained up in Rome than they were in the *Oresteia*. Nonetheless, factional dispute was compensated for by a more implicit unity that was indirect and symbolic. The moral paragons praised by Cicero in his *Republic* are precisely those who did their duty in circumstances in which no benefit could flow to them, and rather much harm, since they were loyal to the invisible and almost pre-political *vinculum*. And Virgil, writing shortly after Cicero, during the reign of Augustus, praised above all in his *Aeneid* the ‘unknown’ valour of those who died unwitnessed by any but the gods on the battlefield (XI.720-30). Stoicism (and its own Platonist influences) is strongly at work in Cicero on this issue and in many other Roman authors, but it often seems as if Stoicism was selling Rome its own ideals back to itself. In either case it is a matter of the birth of *conscientia* as ‘conscience’ in roughly our modern sense.¹⁷⁵ As we shall see, one can identify *both* communitarian and proto-liberal aspects to this development.

¹⁷⁴ See Chapter One, section 1.

¹⁷⁵ Martin van Creveld, *Conscience: A Biography* (London: Reaktion, 2015) and Richard Sorabji, *Conscience through the Ages* (Oxford: OUP, 2014).

In one respect, what Greek political philosophers claimed about the oversized city, that it would be not one city but several, and be perpetually afflicted with civil war and internal strife, seems to have in fact been true of the Roman Republic. Yet the same city that was perpetually at odds with itself was also more effective at resisting foreign subversion than nearly any other in the antique world. Precisely because Rome had vast potential for having low public solidarity, it had to devise a culture and institutions that would hold muster over a large and diverse population, ensuring that loyalty was inherently linked to expansion. Unlike the Greeks, Romans were perpetually in the position of having to take things on trust in their public and private affairs, and every time that trust was rewarded, it was also reinforced.

Not only the coterminous nature of family and *polis* in the Roman Republic, but the coterminous nature of people and city comes into relevance at this stage in our argument. Cicero describes Rome not just as a *civitas* but also as a *populus*, a people (*Republic* I.7). The Roman Empire had much in common with older, eastern, imperial entities: a shared cosmic vision, an ability to integrate and mediate diverse religious cults, besides mundane but vital aspects like roads, a postal service and an imperial bureaucracy.¹⁷⁶ However, it was uniquely not based upon initial monarchic rule over a single people expanded outwards. There were several peoples to begin with, and the constitutional mixed civic government of Rome was later extended to many more peoples. It was not simply subjecthood that was imposed but citizenship that was proffered, spreading first across the Italian peninsula and culminating through various transitional phases in the Edict of Caracalla in AD 212, which extended full Roman citizenship to every free man in the Empire and gave every free woman the same rights enjoyed by Roman women.¹⁷⁷ Rome was not merely a ‘city with an empire’ but a historically unique ‘city-empire’ in which membership was that of citizen as well as subject, however much this served to mask modes of domination and oppression.¹⁷⁸

Despite the extraordinary civic character of its empire, and the ethnically disparate character of its eventual citizens, Rome nonetheless fused its civic identity with its identity as a people in a way that the Greeks did not. Although the Roman Republic possessed many of the elements that distinguished the *polis*, including the exercise of modes of democracy, it also

¹⁷⁶ Eric Voegelin, *New Science of Politics and Order and History: Volume Four, The Ecumenic Age* (Baton Rouge LA: Louisiana State University Press, 1957).

¹⁷⁷ Claudia Moatti, ‘The Notion of *Res Publica* in the Age of Caracalla,’ in *Citizenship and Empire in Europe 200 to 1900: The Antonine Constitution after Eighteen Hundred Years*, ed. Clifford Ando (Stuttgart: Frans Steiner Verlag, 2016), 63-98.

¹⁷⁸ Myles Lavan, *Slaves to Rome: Paradigms of Empire in Roman Culture* (Cambridge: CUP, 2013).

possessed, as a single city, the features of an ancestral ‘people’ or of a nation existing almost primordially, prior to any arising need or occasion.

Thus the Romans did not see themselves as Italians, as Athenians saw themselves as Greeks, but as identifiable incomers: in the case of Virgil’s rendering of Rome’s founding *mythos*, as exiled and colonising Trojans.¹⁷⁹ Mythical or not, this self-perception indicated a clear demarcation between Rome and its near neighbours.¹⁸⁰ Rome was a city of refugees, both in its assumed migrant origins, and in its perhaps unique extension of citizenship granted to threatened neighbouring tribes, various diverse groups and later migrations: this being, according to Livy’s mythicised historical record, characteristic of Rome since its very origins (*History* I, viii-ix).¹⁸¹

In consequence, the Romans’ self-understanding as an ancestral people was nonetheless formed entirely in the *polis*, in the single city of Rome. This coincidence ensured that both the *polis* and the nation were ‘familial’, comprised of ethno-political groups in which membership was largely a matter of birth and occasionally of marriage. The Roman republic, of its innermost nature, merged the categories of people and *polis* and rendered the boundaries of both extremely porous. You could be adopted into Roman citizenship, and into Roman nationhood. The Roman Republic was in one sense still more of a rational, ‘intentional’ community than the Greek *polis*, yet a specifically and uniquely ‘civic ethnos’ was assumed to have an ancestral persistence stretching back into an untraceable and divinely engendered past. All the same this ‘Romanness’ had to be perpetually re-negotiated and redefined.

That would seem to leave a great potential for radical disunity, total fluidity and social breakdown. But it was continuously circumvented, because the dovetailing of city and people itself opened up new modes of unity and stability that had to do with appeal to a more inchoate and more pre-political sense of the shared *vinculum*. As a result, the city of Rome was at once more extra-rationally ‘implicit’ than the Greek city-state, and nonetheless also more continuously and creatively ‘self-defining’ in its ability to perpetually expand and shift the boundary of citizenship.

¹⁷⁹ Andrew Erskine, *Troy Between Greece and Rome: Local Power and Imperial Power* (New York: Oxford University Press, 2003).

¹⁸⁰ Angelica Maria Bernal, *Beyond Origins: Rethinking Founding in a Time of Constitutional Democracy* (Oxford: OUP, 2017), 107-31.

¹⁸¹ Dench, *Romulus’ Asylum*, 93-151.

This more fluid, unstable citizenship, unknown to Greece, was only enduring because it was buttressed by an equally alien conservatism, from a Hellenic perspective, in both law and religion. The Athenians, as we have seen, revised their laws codes several times. And as the legal order was a secondary tier to the lived reality of the community, a Greek citizen might escape the law at any time by severing himself from the *polis*, and yet remain Greek.¹⁸² But for the Roman there was no severing the civic bond, because Roman law was not bounded: its relative fixity within time coincided with its limitless expansibility in space.

In the case of Cicero's own emphasis on 'the name of Rome being famous throughout the world' there was present both a legal and a moral universalism that was implicit in the Roman constitution and worldview (*De Officiis* 1.82). The *vinculum* and the virtue of *fides* were for this reason also compromised when faith was broken between a Roman and a non-Roman.¹⁸³ Since civic trust could exist between citizen and non-citizen, the potential for anyone and everyone to be ultimately absorbed into Roman citizenship and republican life had been opened up, even if, conversely, the Roman fluidities could tend to approximate adopted foreign citizens to the status of children and slaves.¹⁸⁴

If law was more stable in Rome, then so too was religion. The Romans rarely threw out a religious practice once it had been introduced and retained many whose significance had since been largely lost sight of.¹⁸⁵ And more than even the Greeks, with their Delphic oracle, the Romans built prophecy into their political life.¹⁸⁶ When ill fortune, especially military defeat was suffered, the Senate would consult the Sibylline prophecies, besides the augurs, and generally the solution would not merely be the distanced Greek response of ceasing a battle, performing a single sacrifice or making a peace treaty, but rather a series of liturgical actions.¹⁸⁷ The Romans would also revive particular religious functions that had lapsed, reinstate holy days, besides, as we have seen, importing alien or novel religious custom on a

¹⁸² Thus, the striking significance of Socrates refusing to flee Athens: as if he was demanding by negative witness that its local law coincide with the universal. See *Crito* 49e-52d.

¹⁸³ Feliks Gross, *The Civic and the Tribal State: The State, Ethnicity, and the Multiethnic State* (Westport, CT: Greenwood, 1998), 115-68.

¹⁸⁴ Lavan, *Slaves to Rome*, esp. 111-55,

¹⁸⁵ Jörg Rüpke, *Pantheon: A New History of Roman Religion*, trans. David M.B. Richardson (Princeton NJ: Princeton UP, 2018).

¹⁸⁶ Livy, *History of Rome* I. XXI, discussing the reign of Numa: 'The consideration and disposal of these matters diverted the thoughts of the whole people from thoughts of violence and arms...the nation was governed by its regard for promises and oaths, rather than its dread of laws and penalties'. And see Ando, *Matter of the Gods*, 1-42, who stresses the empiricism of Roman Religion: practices and attitudes were altered in response to divinatory results. See also Federico Santangelo, *Divination, Prediction and the End of the Roman Republic* (Cambridge: CUP, 2013).

¹⁸⁷ Livy, *History Volume II*, LXII and *Volume III*, IX. Ando, 1-18, 59-92.

regular basis.¹⁸⁸ They were also rather more animistic than the Greeks. Every place, and indeed every gathering or human institution, had a distinct spirit - a 'genius' whether of an individual or of a place - while the *lares* were their still-living ancestors hovering around them and over their activities.¹⁸⁹ Fidelity to these customs bespeaks a greater heroic, pre-civic inheritance than was the case with *Hellas*. They suggest the stronger Roman preservation of the religion-kinship-terrain bond that Fustel saw as lying at the origins of the ancient city.

4. Citizenship, Republicanism and Empire in Rome

By the edict of Caracalla in 212, all freeborn inhabitants of the Roman empire were declared citizens.¹⁹⁰ This presents us with a fundamental paradox. Citizenship is a republican notion: it involves a notion of sharing in rule, of participation in self-government. And yet its widest extension was undertaken not under the Roman Republic, but under the Principate, the Empire. Eventually, in Chapter Six, we will need to understand how Christian notions of both eternal and earthly citizenship relate to this paradox.

But first we need to ask to what degree the paradox has to do with the contrasts between Greece and Rome that we have already invoked. Greece tied citizenship intimately to the bounded city: it had to do with a literal shared space and with partition amongst those familiar to each other. Just for this reason, Greece proved inhospitable to any imperial project: Alexander's empire was the exception, but it was largely located far away from Greece itself. Moreover, it quickly collapsed after his death, in part because he had sustained the political autonomy of local territories.¹⁹¹ Thus, for the Greeks, citizenship remained non-exchangeable: it was linked to access to territorially limited religious cults, which included rights to marriage, burial and property-ownership.

Roman citizenship, as we have seen, was different from the outset. At the same time as Fustel was exploring the Indo-European legacy in the case of Greece and Rome, Victorian scholar Henry Maine included such a consideration in his own more comprehensive account of the

¹⁸⁸ Ando, *Matter of the Gods*, 43-59.

¹⁸⁹ Harriet I. Flower, *The Dancing Lares and the Serpent in the Garden: Religion at the Roman Street Corner* (Princeton NJ: Princeton UP, 2017).

¹⁹⁰ Clifford Ando, 'Introduction: Sovereignty, Territoriality and Universalism in the Aftermath of Caracalla', in *Citizenship and Empire*, 7-27.

¹⁹¹ Antony Pagden, 'Afterword: Roman Citizenship, Empire and the Challenges of Sovereignty,' in *Citizenship and Empire*, 243-56.

same legacy. His remarks on Rome help us to see how the paradox of ‘imperial citizenship’ can be linked to a greater paradox governing the whole of Roman history.¹⁹² As has been described, much more than Greece, Rome began and remained very tribal, giving greater explicitly political importance to marriage, family and kinship and to household religion. In Maine’s terms, this meant that it cleaved more to a primordial order based on ‘status’, nomadically somewhat indifferent to land and settlement. By contrast, the Greek city states, sacrally linked to cultic terrain (backed by myths of autochthony), involved from the outset an order of ‘contract’ based upon pacts between different families.

And yet paradox already arises insofar as, in Greece, the family order of ‘status’ remained somewhat prior to and outside the political order of ‘contract’, whereas in Rome the two were fused. So much was this the case that the legend of the rape of the Sabine women suggests that marriage and family only arose as a secondary and included matter, within the scope of the political, in the case of Rome, in a way that we can almost compare to the arrangements of Plato’s *Kallipolis*.¹⁹³ Thus there is, after all, a sense in which, from the outset, as many scholars of Roman law confirm, Rome was after all more really more contractualist in character than the Greek cities.¹⁹⁴ In the case of Greece, inter-familial contract was sedimented by divided and shared land within the city-bounds, whereas in the case of Rome it started from the outset both to escape these bounds (thus the greater importance for Romans of country estates) and to assume a more non-territorial, directly inter-personal character, tending already to a certain focus upon the rights of individuals.

Therefore, one could argue that, in terms of the status versus contract contrast, Greece was ‘moderately modern’, whereas Rome was a strange blend of ‘more primitive and more modern’. And the one because of the other.

Maine pointed out how the imperial extension of citizenship meant also a promulgation of the Roman *Patria Potestas*, or the absolute authority of fathers within their families, along with the extension of Roman sacral norms of marriage. Practices of incest and polygamy were seen by the Romans as particularly intolerable marks of barbarism.¹⁹⁵ In this way, bringing huge numbers of people who in no sense belonged to the Roman city or even to its civic

¹⁹² Henry Sumner Maine, *Ancient Law: Its Connection with the Early History of Society, and its Relation to Modern Ideas* [1861] (Cambridge: CUP, 2012); Pagden, ‘Roman Citizenship’.

¹⁹³ Ando, ‘Introduction’, 13.

¹⁹⁴ Ando, ‘Introduction’; Pagden, ‘Roman Citizenship’; Daniel Lee, ‘Citizenship, Subjection and Civil Law: Jean Bodin, ‘Roman Citizenship and the Theory of Consensual Subjection,’ in *Citizenship and Empire*, 113-34.

¹⁹⁵ Maine, *Ancient Law*, 135-147; Pagden, ‘Roman Citizenship’, 253-4.

offshoots under the sway of Roman law did not mean that no cultural concomitants were involved.

And above all citizenship was a religious, *cultic* matter, as we have already seen. Thus Caracalla claimed to be issuing his edict as thanks to heaven for some act by which it had preserved his life, and the edict represented an offering whereby he was leading everyone ‘throughout the inhabited world’ ‘to the temples of the gods’.¹⁹⁶ More recently, it has been shown that whereas, prior to the ‘Antonine Constitution’ of Caracalla, everyone within the Roman empire indeed had to externally acknowledge the legitimacy of the Roman gods and the cult of the emperor, now citizenship demanded of everyone their own more direct and personal subscription to that cult.¹⁹⁷ It follows from this that universalisation of citizenship was not necessarily, if at all, in keeping with the Stoic sense of the ‘cosmopolitan’, recognising the rights and dignity of all humans simply according to nature. To the contrary, this universalisation was more of a bringing of everyone within the bounds of Roman specificity in certain respects and could go along with an increased intolerance of alien cults and practices. Thus it bore down heavily upon Christians, who could no longer seek the alibi of loyal disengagement from Rome, eliciting the protests of Tertullian and others, along with their increased sense of alienation from the entire Roman republican-imperial project.¹⁹⁸ Practices of banishment and civil disqualification, declaring people *peregrini dediticii* were henceforth extended; originally republican citizenship mutated more into loyalty to the emperor, the ultimate ‘father’, with an equivalent extension of the crimes of *maiestas* and *perduellio*. The *stasis* of civil dissent was increasingly read as asymmetrical *polemos* or insurrection against the city itself, with one party to the civil war being consequently regarded as absolutely in the right.¹⁹⁹

On the other hand, this very recursion to the primitive also sustained something of a tendency towards a modern pivoting between an absolute sovereign centre and the atomic individual.²⁰⁰ Even though many Romans, including Cicero at times, had sought to construe Roman citizenship in more directly Greek terms of shared and involved co-ruling, from the outset it had in fact been thought of more than with the Greeks in terms of a contract between

¹⁹⁶ A fragmentary papyrus recording Caracalla’s edict was only discovered in 1901: see Ari Z. Bryen, ‘Reading the Citizenship Papyrus (P.Giss 40),’, in *Citizenship and Europe*, 29-43.

¹⁹⁷ Moatti, ‘The Notion of *Res Publica*’, 63-98.

¹⁹⁸ Moatti, ‘The Notion of *Res Publica*’, 70; Hervé Inglebert, ‘Christian Reflections of Roman Citizenship’, in *Citizenship and Empire*, 99-112.

¹⁹⁹ Moatti, 63-98.

²⁰⁰ Pagden, ‘Roman Citizenship’; Lee, ‘Citizenship, Subjection’.

the polity and the individual, bringing the latter under the rule of the law, understood both as command and protection.²⁰¹ Roman law was in consequence more a *ius sanguinis* than a *ius soli*, a law of the soil.²⁰² And in practice the contract was one-sidedly extended: first the peoples of Italy and eventually everyone in the empire was ‘granted’ citizenship, but one crucial aspect of this supposed beneficence was to render them subject to Roman taxation. Indeed, there had always been *cives sine suffragio* in Rome, citizens without the right to vote, more so than with Greece,²⁰³ and a main purpose of rendering non-Romans Romans was to remove their independent political dignity.

To begin with, under the republic, this process was achieved through the conferring of citizenship to whole peoples *en masse*. Later, under the empire, it was instead offered to local officials, thereby bringing them firmly within the Roman orbit of control.²⁰⁴

At the same time, one should not exaggerate the degree to which the Roman empire anticipated the structures of the modern state in terms of both sovereignty and individualism. The universalising of citizenship did not entirely imply the destruction of its originally ancient republican substance. For one thing, it opened up, as we have seen, a greater possibility of provincial individuals participating in the central political life of Rome itself. For another, the sheer diversity of peoples within the Roman empire encouraged an at least *de facto* federalism that was later to become more explicit within the religiously homogenised sway of Byzantium (and later of Islam) which rendered it more possible.²⁰⁵ Local regimes and laws remained in force, either in official subordination to Roman cults and laws, or in terms of a *de facto* toleration. And even though Clifford Ando stresses the oppressive character of ‘making Romans’, he also notes how, precisely under the empire, the individual grants of citizenship to local officials allowed them to adopt more democratic local structures.²⁰⁶ Additionally, they now received the power themselves to grant citizenship, increasing the plural, subsidiary and corporatist character of the Roman sway.

And while it is valid to question the convenience of Greeks praising Roman rule, it is surely harder than Ando implies to dismiss the contrast made by Dionysius of Halicarnassus and

²⁰¹ Ando, ‘Introduction’; Pagden, ‘Roman Citizenship’.

²⁰² Ando, ‘Introduction’, 19.

²⁰³ Lucia Cechette, ‘Introduction. Greek and Roman Citizenship’, 16-7.

²⁰⁴ Clifford Ando, ‘Making Romans: Citizens, Subjects and Subjectivity in Republican Empire’, in *Cosmopolitanism and Empire*, ed. Myles Lavan *et al* (Oxford: OUP, 2016), 169-85.

²⁰⁵ Garth Fowden, *Empire to Commonwealth: Consequences of Monotheism in Late Antiquity* (Princeton NJ: Princeton UP, 1993).

²⁰⁶ Ando, ‘Making Romans’.

others when he contrasts the Romans making citizens of the conquered with their slaughter, ruination and enslavement by other, more typical aggressors. In the case of the Greek cities themselves, their self-government was sustained alongside the rule of Roman law.²⁰⁷

In all these ways, the dual loyalty to native soil and to Rome celebrated by Cicero in the case of Italy was more universally extended. But as with Cicero, it was insisted that loyalty to the new fatherland of Rome had priority (*Laws* II.ii. 4-5). To this degree, citizens of other places (insofar as they possessed civic structures) remained citizens of those places in a participatory sense, while acquiring - albeit solely *as* individuals under the empire - the possibility of being also participant citizens of Rome. Imperial citizenship did not simply override a republican one, even if the *Roman* republican one had always been as much about contractual subjection to law as mutually involved self-government.

5. City, Soul and Cosmos in Cicero

In order to make full sense of Cicero, we have to make sense not only of the divide between Greece and Rome, but also their complex entanglements.

Cicero himself in his *Republic* pointed to this shared history. He imported Greek concepts yet interpreted them in ways that are often alien to the context in which the ideas were formed. Greek philosophy emerged to serve a particular purpose and belonged to a distinct political and cultural setting. Philosophy was conceived of as truth-quest, certainly, but this was not strongly differentiated from a search for flourishing, for *eudaimonia*, and this ideal state was closely connected with life in the *polis*. A serious question can then be raised as to whether what the Greeks regarded as philosophy could be translated out of a Greek context at all.

So, part of the central problem of Cicero's life and writings is whether philosophy can 'become Roman'. Whilst philosophy had already spread far afield, it had so far done so alongside Greek civilisation and its enclaves, and not truly apart from it. A Roman could 'do philosophy' in the same way that he could learn and converse in Greek, but could philosophy exist outside of the conventional *polis*?²⁰⁸

Cicero was accordingly caught between his several influences and projects. He was at once seeking to Hellenize the Roman Republic and at the same time trying to reinforce Rome's

²⁰⁷ Ando, 'Making Romans'; Cechetti, 'Introduction. Greek and Roman Citizenship', 19.

²⁰⁸ Andrew Erskine, *The Hellenistic Stoa: Political Thought and Action* (Bristol: Bristol Classical Press, 2011).

moral, traditional foundations by adapting Greek learning to the ends of Roman rule. Likewise, we find him caught not just between Greece and Rome, but also Platonism and Stoicism, realism and ‘naturalism’, piety and scepticism, elitism and populism.

In his *Republic*, Cicero brings all these apparent contradictions together in the opening sequence of his dialogue, centred on the person of Scipio Africanus, and the object of the Greek astrolabe (I.15-22). A natural eclipse is invoked as at once cause/reflection/allegory of or for the political turmoil of the time and serves to tie together the origins of the Republic (with Romulus’ apotheosis as the god Quirinus) with the present crisis (and the Republic’s possible demise, I.25). The discussion proceeds with a measured critique by Scipio of the superstitious terror of many Romans towards the solar phenomenon, and he points to a series of examples of largely Greek figures who had explained similar events, and successfully calmed the mob through the use of their reason and rhetoric.

A strange mix of ‘naturalism’ and Platonism is in evidence when Scipio describes the universe as ‘a home and fatherland which the gods have given us the privilege of sharing with them’, and for this reason he suggests that the study of ‘local’ affairs in our earthly and human spheres must be balanced by an equal concern with occurrences in the heavens (I.31-2). This seems somewhat contrary to a Platonic approach that puts the earth and the heavens in tension, with human fallibility and frailty understood as a pedagogical exercise whereby we seek to imitate the changeless perfection of the metaphysical skies. Instead, a Stoic ‘flattening’ arises in Cicero, whereby the gods ‘share’ with us in a kind of universal commonwealth.

The great emphasis that Cicero will here go on to put on the common life and unity of the human commonwealth nonetheless echoes the transcendent moral universalism recommended in *De Officiis*. For Cicero, Roman rule was understood as stemming from the unity of truth rooted in both personal and public integrity and fidelity, watched over by patrons who guard their clients: ‘and so our government could more accurately be called a protectorate (*patrocinium*) of the world than a dominion (*imperium*)’ (*De Officiis* II. 27; 26-28). Given Plato’s own bringing together of divine, animal and human, as compared to Aristotle’s stricter separation of the three, we can see that Cicero’s emphasis on unity and universalism is in this respect not by any means alien to the Platonic legacy.

In fact, we can regard Cicero as a reversal of Aristotle in some respects. Where Aristotle imposed a sharp distinction between the contemplated heavens and the respective lives of the

city and of mobile, physical nature, Cicero removed these boundaries. And whilst Aristotle limited the political and moral community to adult male humans and to the Greek institution of the city, Cicero suggested that there is a single universal moral and political community that exists by nature and is everywhere discoverable by reason (*De Officiis* III.23-31).

Yet within this universalism, Cicero was poised between a focus on the individual and a focus on the community, or, one might say, between ‘subjectivism’ and ‘citizenship’. He envisaged a universe wholly comprehensible and discoverable by human reason, and yet one in which meaning and morality are defined by a reflexive and internal self-integrity, almost a case of ‘to thine own self be true’.

Thus, in *De Officiis* he argued not only that each person has a different nature to which they must adhere, but even that what may be right for one person is wrong for another, depending on their nature. *Decorum* is nothing more than ‘uniform consistency in the course of our life as a whole and all its individual actions’ and ‘this uniform consistency one could not maintain by copying the personal traits of others and eliminating one’s own’ (I.111-2). He deployed the example of Cato the Younger, who chose to take his own life rather than surrender to Caesar, whilst simultaneously defending the actions of those senators who chose to return in peace in the hopes of continuing to strive for the Republic. Cato had been ‘endowed by nature with an austerity beyond belief’ and he ‘strengthened it by unswerving consistency’.

But the two perspectives, universal and individualist, are not as distanced from each other as may seem at first glance. Since, for Cicero, the universe is a single ‘homeland’, with the difference between the earth and the heavens one of degree, there is little sense of Plato’s concept of the world as shadow or image of a higher reality (*Republic* I.19-22). Rather, Cicero adopted an explicitly Pythagorean and ‘Italian’ reading of Plato and of the cosmos, and saw the universe as composed of a single comprehensible ‘language’, a sacred geometry (*Tusculan Disputations*, I. 39-41, 61-2; IV.2-3).²⁰⁹ So rather than Plato’s relational and participatory sense of ontology, we find a reading of the world as univocally linguistic and

²⁰⁹ On Roman Pythagoreanism, see Arnaldo Momigliano, ‘The Theological Efforts of the Roman Upper Classes in the First Century BC’, *Classical Philology* 79.3 (July 1984): 201.

mathematical, fully legible and numerable within its own immanent terms (*Republic* VI.15-17).

This ‘Pythagorean realism’ sought to establish words as having a stable meaning, yet risked descent into sophistry because these meanings are self-generated, albeit at a higher level of reflection, and sustained as true by a form of self-reference which concerns a self-consistent survival within a world of flux and inconsistency, even if (on a Stoic model) this self-reference ultimately coincides with and echoes the self-reference of the cosmic totality. For the point is that, in terms of the individual, something purely natural is touched upon by Cicero, for whom extreme subjectivity nonetheless coincides with the ultimate objectivity of the cosmic totality itself. That is to say, with universal principles of harmony, proportion and symmetry that are akin to sheerly immanentized and more measurably fixed Platonic forms.²¹⁰

The emphasis on the nature of reality as mathematical and legible, and of an ultimately natural and individual conformation to this reality, suggests a form of subverted citizenship that far less requires directly reciprocal relationships. Sheer sociability, or gregariousness, more than individual insufficiency, is the ultimate cause of civic existence (*Republic* I.39-41), yet with regard to political unity under justice, the extrinsic bond of law is more fundamental (48-9). The unity of the commonwealth arises then not necessarily from a direct exchange of thoughts and words as for Plato and Aristotle, but rather inheres in a shared natural integrity and set of definitions that nonetheless require to be rhetorically instilled.

The greater emphasis on power in the Roman political context makes itself known here: the Roman Republic as envisioned by Cicero draws its legitimacy not from the adherence of all citizens to a single immediately shared common interactive experience of co-constituting citizenship, but rather from a common and strictly immanent rational ‘word’ that involves, in Cicero’s case, a fusing of philosophy with rhetoric.²¹¹ This can be seen as in keeping with the general Stoic approach to language, which thought of meaning in terms of an achievement of

²¹⁰ Cicero explicitly endorsed Platonic forms only in *De Oratore* (7-10) which is later than the *Republic* and *Laws*. There he speaks of a guiding form for eloquence, but even here the ontological status of these forms is not certain: he may mean Stoic *a priori* universals in the mind, or else, with his academic scepticism, he thinks this ontological status can be left vague, even if the Forms have some sort of reality to which practice should be responsive. See Ingo Gildenhard, ‘Of Cicero’s Plato: fictions, Forms, foundations,’ in *Aristotle, Plato and Pythagoreanism in the First Century BC*, ed. Malcolm Schofield (Cambridge: CUP, 2013), 225-75.

²¹¹ John Dugan, ‘Cicero’s Rhetorical Theory’ and Malcolm Schofield, ‘Writing Philosophy,’ in *The Cambridge Companion to Cicero*, ed. Catherine Steel (Cambridge: CUP, 2013), respectively 25-40 and 73-87.

signifying force within a chain that was ultimately determined at a cosmic level, rather than as something that attains to an immediate external and spatial reference.²¹²

Such an immanentizing, naturalistic and power-orientated approach places Cicero within the Stoic tradition in many other ways. The Stoics in general shunned, with their trademark indifference, political thought, in contrast to the Neoplatonists who had a more active political vision.²¹³ This can be ascribed to Stoicism's quietistic logic, whereby the individual seeks a total and totally private rule of reason over the passions to most closely resemble the unchanging cosmic *logos* operating in the midst of the chaos of worldly affairs.

Cicero's political Stoicism is also evident in his concern for the stability of property (and by implication the propertied classes) as being at the heart of a just political order. Every person has a set of duties, closely tied to property and family which he saw as constituting the political as a true commonwealth. Yet in his understanding of duty, Cicero was at once at his most and his least Stoic. Effectively, the Stoic vision of the soul was expanded into a total vision of political and social organisation by Cicero, in which the undisturbed psychic harmony was realised for society as a whole through the integrity and rigour of a set of public and private offices. This projection relied somewhat on the specifically Platonic parallelism of the order of the soul to that of the city. And not only in Cicero's vision of the ideal city as an image of the soul is a Platonic element at work, but also in his understanding of soul and city as 'mixed constitutions', whereby the ideal form of both is a matter of the full expression, articulation and integration of three hierarchically related elements: as regards the soul, of force or self-regard, appetite and reason, and as regards the city, of oligarchy, democracy and monarchy.

The paradox at the heart of the Roman Republic, which manifests itself in the case of Cicero in the Stoic/Platonic tension, is laid out in his account of what constitutes a 'commonwealth', as at once a common property, but more fundamentally, a common good (*Republic* I.34, III. 43-5). According to this combination, the web of duties, of suffrage, clientage, enslaved, military and contractual bonds constitute a republic in as much as they all ultimately mediate the good. It is this concept and passage that Augustine will criticise in the *Civitas Dei* on the

²¹² See Michael Frede, 'Principles of Stoic Grammar' in John M. Rist, ed., *The Stoics* (London: Athlone, 1971), 73-114, and A.A. Long, 'Language and Thought in Stoicism' in A. A. Long, ed., *Problems in Stoicism* (London: Athlone Press, 1971), 73-74; C.E.W. Steel, *Cicero, Rhetoric and Empire* (Oxford: OUP, 2001); Kathryn Tempest, *Politics and Persuasion in Ancient Rome* (London: Bloomsbury, 2014).

²¹³ Schofield, *The Stoic Idea of the City*, Dominic O'Meara, *Platonopolis: Platonic Political Philosophy in Late Antiquity* (New York: Oxford University Press, 2005): The theurgic Neoplatonists after Iamblichus tended to think that active political involvement was a necessary complement to the theoretical life.

basis that Rome in reality lacked a common good towards which all could strive.²¹⁴ For this reason, Cicero's grand political vision seems to fold in on itself, and its ultimate contradictions arise perhaps from its insufficient Platonism, such that he is unable to properly articulate a transcendent and absolute justice and goodness that his vision seems to require.

6. Cicero, the Republic and Caesarism.

More fully to understand these Roman and Ciceronian tensions over citizenship and the character of the Roman city, one must explore further its mixed constitution, its greater monarchism as compared to Greece and the eventually emergent tension between republicanism and Caesarism.²¹⁵ We will see how this tension connects, though does not exactly coincide, with the tension between Stoicism and Platonism in Cicero's writings.

The latter tension amounts to an exceeding of Aristotle in opposite directions: on the one hand, an immanent 'flattening' (to both the self-contained cosmos and the self-contained individual), on the other, a transcendent 'heightening' whereby, on a more Platonic model, politics and citizenship are again more cosmically inclusive and all is ultimately referred to participation in transcendence. As we saw in the case of Plato, the first characteristic can be somewhat linked to empire, and the second somewhat to monarchy.

In the course of his life, Cicero sought to uphold Roman civic traditions with the same valour as Socrates sought to cleave to the eternal truth, if with far greater pragmatism. Rome had possessed in her early years a semi-electoral monarchy and a mixed constitution and Cicero was not shy of praising the early Roman Kingdom, attributing its fall not to the weakness of the monarchic constitution, but to the character flaws that emerged in the Tarquins (*Republic* II.26-32). In effect, Cicero suggested that they actively and consciously sought to be absolute rulers within an already republican system, in the deepest sense.

As something potential to all humans, for Rome and for Cicero republican citizenship had a democratic bias, yet as something exercisable in different qualitative degrees it also had an aristocratic and even a monarchic one. Augustus therefore became '*princeps*' (first citizen), besides being elevated to *princeps senatus* and *pontifex maximus*, and he held the supreme

²¹⁴ Augustine of Hippo, *The City of God against the Pagans*, trans. R. W. Dyson (Cambridge: CUP, 1998), IV, 5.

²¹⁵ See Steel, *Cicero, Rhetoric and Empire*.

tribunicia potestas: the power of a tribune who could put legislation before the Roman people or veto a law proposed by the Senate.²¹⁶

Besides upholding this monarchic/republican view of citizenship, Cicero also shared a common Roman understanding of customary law as existing prior to written law.²¹⁷ He departed from much Greek philosophy in arguing that the city is formed not first from necessity or lack, but from a positive desire for communal existence. The contrast with Aristotle here is instructive. Although the Stagirite saw politics as the properly human activity, providing us with our true higher life (*bios*), he also believed that citizenship was an emergent property that arose only after the animal realm of necessity (mere life, *zoe*) had already gathered us into a social body.²¹⁸ The Stoics, by comparison, thought that prior to a deliberative politics, people lived in a state of individualist anarchy. Their sense of a ‘pure nature’ was stronger, but also their sense of a coincidence of the social with the political and of the political as positively constructing the social as such.

But Cicero implies something different from both, and something perhaps more Platonic, if we bear in mind the primordial cosmic role of guardianship and the legendary Egyptian antiquity of monarchy in Plato. For Cicero, in some sense, true humans are always already citizens, since Rome traces imperceptibly backwards into mythical foundations in a primordial time. It is for this reason that his political philosophy appeals not to normative ideals, but to Roman history (a mixture of fact and legend) which acts for him, especially in its foundations, like a revelation of the inherent human truth.

Yet a complication arises out of this Ciceronian perspective. If we are always already, as Romans, in an ancestry traceable back to a primordial age, citizens, then the tensions that Plato and Aristotle saw as emerging subsequent to the founding of the city are actually epistemically prior: the very founding of the city is coterminous with its contradictions of the city and its dialectical relationship with faction and civil war (*stasis*).

These tensions have their source for Cicero in the concept of *equitas*: a requirement that every citizen have not only his physical needs fulfilled, but also his desire for respect, status

²¹⁶ Karl Galinski, *Augustus: Introduction to the Life of an Emperor* (Cambridge: CUP, 2012), 78-9, 83-4. Michael Koortbojian, *The Divinization of Caesar and Augustus: Precedence, Consequences, Implications* (Cambridge: CUP, 2013), 50-55

²¹⁷ Pierre Grimal, *Cicéron* (Paris: Texto, 2012), 259-77.

²¹⁸ Giorgio Agamben, *Homo Sacer: Sovereign Power and Bare Life*, trans. Daniel Heller Roazen (Stanford CA: Stanford UP, 1998).

and honours in relation to humans and gods, and that these be met in ways that do not put him at odds with his neighbour (*Topics*, 90).²¹⁹ The Roman merging of *oikos* and *polis* here continued to have vast implications for him: the city is taken to be coincident not so much with the termination of conflict, as with its constant mediation, and the conflict concerns as much the disputed physical and economic as it does disputed spiritual dignity. Lurking within this outlook is both a potential individualism and also its opposite: a potential collectivism whereby the physical and economic concerns come to assume political full political pertinence.

Against this background, Cicero discussed in the *Republic* how each of the possible three regimes creates irreconcilable problems because of their lack of equitable dignity where wealth and power is hoarded at the top in the case of aristocracy or monarchy, and the equal offence done against the *dignitas* of leading men with their natural superior virtue, when they are robbed of all priority, in the case of democracy (53-60). In recommending the mixed regime, Cicero was not merely arguing for a synthesis at the end of a long road of shifting regimes in the wake of Polybius but was also pointing to Roman exceptionalism insofar as she possessed a mixed constitution from the time of her foundation. By starting out as a mixed regime Rome staked a claim to an original justice, that, however rough and imperfect, established for Cicero a sustainable superiority to every other city ever known.

Thus while, on the one hand, Cicero's Rome possessed from the outset a 'Stoic' tendency to fragmentation and conflict, capable only of a formal, legal and monetary mediation, on the other hand, it also possessed from its untraceable, and so natural origins, a 'Platonic' balance and unity. Specifically, in the wake of Polybius, this included a more emphatically monarchic moment than in the case of Aristotle. Since he mediates the transcendent, a monarch can more readily transcend the subordinate degrees and seek to integrate the physical and economic concerns of the plebeians with the more spiritual and honour-seeking ones of the aristocrats.

All the same, Cicero's understanding of citizenship as merging the economic and political opened up modes of citizenship that Plato and Athens at most anticipated. Direct participation in the assembly was no longer the gold standard: the citizen now had an immediate political stake by way of property and even participated in the dignity of the leading men as a kind of

²¹⁹ *Cicero's Topica*, trans. Tobias Reinhardt (New York: Oxford University Press, 2007). Equity involves piety towards the god above, sanctity (*sanctitas*) in relation to the shades below (*manes*) and justice or equity in a more specific sense towards human beings on earth.

spectator. Attaining citizenship was now indeed understood as acquiring rights (*adipisci ius Quiritium*), especially of marriage (*connubium*) and appeal (*provocatio*) (*Republic* II.53-4).²²⁰ Cicero cited Scipio as at least positing the possibility that a just city must admit everyone to citizenship by dint of sheer equal legal belonging, as the basis of the *vinculum*, rather than on account of merit (*Republic* I.48-9.).

In this respect, Pierre Grimal suggests that for Cicero politics is a kind of performance and game, in which the dignity of every part of society must be not only tangibly upheld, but also spectacularly manifested.²²¹ Just as the Roman city was constituted by an affective bond rather than by pure necessity, so it was maintained much as *connubium*, by constantly repeated displays of affection, recognitions of worth and a perpetual but subtle negotiation of boundaries. This ‘sentimental’ vision is inherently linked to the Roman pursuit of the ultimate goal of *otium*, a pastoral condition of leisured peace and harmonious tranquillity.

However, citizenship, the sufficient giving of honours, the proper dignity of the citizen, the ideal of *otium* and the need for equity were eventually rendered more difficult of achievement by the sheer size, power, wealth and militarisation of Rome. It was in part to resolve this crisis of mediation and distribution that the Caesarian moment emerged. Since the giving of triumphs to all but the sole *Imperator* ceases, a more modest and measured distribution of honours could now arise.

This development can be considered unavoidable to the degree that the deepest desires of the Republic, the very things that made it a republic, were also what caused it to periodically descend into chaos, and to plunge it into *stasis*, *bellum civile*. Cicero himself could not fully resolve the Roman tension between the desire for *dignitas* and the need for *equitas* and his vision of an eternal mixed constitution ultimately failed in practice.

What was the reason for this failure? One can argue that it is because it was insufficiently Platonic. Just because, in the case of Cicero’s Rome, historical legend displaced ideal normativity, there was no clear philosophical equivalence to the religious reference to normative transcendence which prevents the absolutizing of anything finite, and indeed the religious horizon remained itself too pre-Socratically intra-cosmic. Therefore, it is not surprising that eventually the monarch, in the shape of the emperor, should be deified and

²²⁰ Livy, *History* 4.1-6; Jed W. Atkins, *Cicero on Politics and the Limits of Reason: The Republic and Laws* (Cambridge: CUP, 2013), 126 and 120-94

²²¹ Grimal, *Cicéron*, 259-77; Catherine Steel, *Reading Cicero: Genre and Performance in Late Republican Rome* (London: Duckworth, 2005), 83-114.

should appropriate real transcendent height to his own immanent status. Given this development, there is also no equivalent distinction in Cicero, as with Plato, of the highest power of psychic reason or political authority from a mere sophistic highest force, in terms of a guidance of reason and the rule by the realm of the Forms. Just for this reason, Caesarism itself was ambivalently poised between a ‘Platonic’ harmonisation allowing a greater distribution of dignified roles and sufficient resources, and a ‘sophistic’ exercise of sheer autocracy, corrupting and half-obliterating the republican legacy.

In fact, specifically Platonic versions of a Roman monarchic empire were indeed articulated within the Platonic tradition from Philo’s *megalopolis* through to the Neoplatonists of Alexandria and Rome itself.²²² Cicero and Philo shared a conception of a universal moral and political order as being fundamentally psychic, and in Cicero’s case the notion of ‘right’ concerns a customary and pre-legal dimension that had to do with mutual recognition of the dignified ‘personhood’ of each citizen with respect to every other.²²³ For this conception, a certain pre-political and natural legitimacy of personal ownership is directly linked to the idea that the Republic is the collective ‘property of the people’ or ‘shared thing’ (*res populi*) by virtue of their association (*Republic* I.48).

This understanding is far from a modern sense of foundational subjective ‘rights’, yet at the same time in Cicero’s writings it could sometimes slide more, under Stoicising influence, in that direction, towards the isolated protection by each of ‘their own’ (as later assaulted by Augustine) such that reciprocally acknowledged ownership appeared to overwhelm the priority of the common good. Thus, in *De Officiis* Cicero declared that it is the very *proprium* of the *civitas* ‘to guarantee to every man the free and undisturbed control of his own particular property (*suae rei cuiusque custodia*).’ (II.78).

We can read in Cicero’s great and repeated emphasis on giving to each man in the Republic his proper dignity not merely an abstract republican sense of civic justice, but also his own immediate struggle to balance the egos of the members of the first triumvirate with the dignity of the Optimates and the people. To an almost unique degree Cicero himself lived out his own political philosophy and enacted its theoretical crisis.²²⁴

²²² O’Meara, *Platonopolis*.

²²³ Grimal, *Cicéron*, 261.

²²⁴ Grimal, *Cicéron*, 115-376; Tempest, *Politics and Persuasion*, 19-207.

Following the fall of the First Triumvirate and the assassination of Caesar, Cicero re-emerged as a political force in dramatic manner, and wrote *De Officiis* at around the same time. For one strange moment, like the centre of a storm, he seemed to bring his vision about, winning over Octavian, the Senate and the People (monarchy, oligarchy and democracy) to the cause of his Polybian mixed Republic, only to be murdered as a consequence of Octavian's betrayal through the forming of the Second Triumvirate.²²⁵

Given that, for Cicero, violence, if unlimited, seems to destroy the possibility of justice, how to prevent the desire for glory fuelling perpetual civil war? One possible solution is the Augustan one, which involved a monopolisation of glory at the centre. Yet this moment, however half-entertained by him, sat uneasily with Cicero's desire for the equitable if proportionally mixed distribution of offices and honours and he clearly denounced any aspiration to outright kingship (*De Officiis* III.83).²²⁶

However, if one can read Cicero 'Platonically', as at times not totally averse to the Caesarian moment, one can inversely read this moment itself Stoically', insofar as it acted as a final guarantee of a more formal individualist order through the monopolisation of force. Looked at critically, we could read the Augustan revolution as granting only a passive form of participation rather than Plato's active one, and of itself prefiguring the modern political subject (and the 'thin' form of citizenship operative in liberal democracies). With the disintegration of republican values, the web of duty and the universal need for justice and dignity devolve into something more like a Hobbesian state of nature, with each man in potential conflict with every other (*De Officiis* I.20-24). In this situation, the only way to provide a universal moral system, universal dignity and honours, is by a universal disarmament, and monopolisation of power, both literal and figurative, as Hobbes required. Though nobody is fully satisfied, the opportunity for gaining immoderate honour and immoderate power is now excluded by the emperor's 'virtuous monopoly' of all honour. Yet the central power of this 'dark Ciceronian state' remained somewhat restrained by constitutionality, now itself more tending towards a 'liberal' balance of powers, and more absolute property rights, somewhat anticipating the liberal monarchism of Montesquieu. As with honour, eminent ownership and ultimate patrimonial benefaction was now concentrated

²²⁵ Tempest, *Politics and Persuasion*, 173-207.

²²⁶ Grimal, *Cicéron*, 374-6 and 321-76.

in the hands of the ruler precisely in order that no individual could place himself above the lawful authority.²²⁷

7. The Experimental Theatre of Empire

We can only fully understand the emergence of Caesarism against the background of the previous history of Roman monarchy, which reveals once more an intense and peculiar oscillation between inside and outside, nature and artifice, as integral to the entirety of Roman mentality and practice.

The constitutional monarchy that originally resulted (according to Livy) from popular demands, was sustained, to a degree, as a permanent system.²²⁸ Yet there were peculiarities. In the Republican period, the Roman ‘king’ - the Consul (although there were two) - was in times of war granted military *imperium*, which gave him the powers of a true absolute ruler (immunity from prosecution, total dictatorial authority). But this was only to be held outside the city, not within it. Rather than exile following kingship in a ‘Greek’ manner, the consul became a ruler by leaving the city: another mode of diffusion of political contradiction. When he returned to the city he was crowned, but at this very moment his ‘kingship’ paradoxically ceased.²²⁹

The Romans regarded military life in just these odd and contrary terms, with war seen as ‘outside’ politics and law, and yet perpetually reintegrated into it in retrospect. Having reigned as a god, a bloody-handed Mars, the victorious general, the *Imperator*, must cast off his mantle, and submit to the senate, and to the law, and it is they who will determine if his actions were divine. Yet he was first hailed as *Imperator* on the field of battle by his troops, and in recognition of his divine nature, his *virtus*. The link between the oracular and war was equally clear, as it was the general who most of all tested the efficacy of oracular predictions and lived out their consequences.²³⁰

Insofar as the emperor became the supreme citizen, he was in this way also the supreme ‘experimenter’. For one could say that Rome advanced according to a kind of experimental

²²⁷ Paul Veyne, *Bread and Circuses*, 321-47.

²²⁸ Livy, *History* I, xvii-xviii.

²²⁹ Polybius, *Histories* VI.19-21; Andrew Linott, *The Constitution of the Roman Republic* (Oxford: OUP, 2004), 104ff.

²³⁰ Ando, *Matter of the Gods*, 7-14; Santangelo, *Divination, Prediction*.

dialectic, adapting its religious, ritual and political constitution to the emergent conditions, growing ever closer to a truth revealed by reason in nature (sometimes described as ‘natural law’, as by Gaius and Cicero: *Laws* II.10)²³¹ and attaining a moral perfection that at once participates in a universal morality, and becomes more perfect by becoming more universal.²³² If Athens was a theatre, Rome was also a laboratory and an operating table, just as its literal theatre tended notoriously to *Grand Guignol*. Thus, victory on the battlefield and at the strategic level were, in a Ciceronian logic, moral and rational vindications of the legitimacy and mission of the Roman Republic. The navigators of the Republic in the civilian realm were likewise augurs and experimental combatants, who had to adjust the constitution and the liturgy of the Republic in order to ensure victory both military and civic. The emphasis on victory reflected the double-edged boundary of the Republic, for unlike the Greek *polis* which often entered the battlefield in order to preserve an internal harmony, the Republic must for Cicero perpetually uphold the ‘good name’ of Rome and legitimate its constitution on the world stage through the pursuit of virtuous renown (*De Officiis* II.26-28; III.83).²³³

Clara Auvray-Assayas traces this ‘experimental’ dimension of Cicero to his reading of Socrates as ‘philosopher of the city’ rather than of nature.²³⁴ A rejection of a certain form of ontological certainty derived from nature may seem an odd starting point for establishing a case for Cicero as a proto-scientific proponent of natural law, but it follows quite coherently from his attachment to the sceptical school of Platonism of the second academy. Cicero claimed that we cannot know what is, only what is ‘probable’. Thus, in *De Officiis* he argued that ‘as other schools maintain that some things are certain, others uncertain, we, differing with them, say that some things are probable, others improbable’ (II.7). Auvray-Assayas suggests that Cicero privileged the city as the ideal realm for the study of the ‘probable’, as it stands between the divine and the natural worlds. In the city, the statesman can continually ‘test’ propositions about truth, human nature and the divine because he has the opportunity to put them into practice and will observe and indeed suffer or benefit from the results.²³⁵

²³¹ Ando, *Matter of the Gods*, 6; Atkins, *Cicero on Politics*, 165-9.

²³² See Clara Auvray-Assayas, *Cicéron: Figures du Savoir* (Paris, Les Belle Lettres, 2006), on Cicero’s proto-scientific views.

²³³ Stuart Elden, *The Birth of Territory* (Chicago IL: UCP, 2013), 82-96.

²³⁴ Auvray-Assayas, *Cicéron*, 80-86.

²³⁵ Auvray-Assayas, *Cicéron*, 141-4.

To extend the analogy, we can think of the citizen as being at once scientific observer and test-subject, the city as a laboratory of life, the constitution as a shifting set of variables and inputs. The city occupied the middle realm of *conveniens*, a Stoic concept of the world as an uncertain realm to be ceaselessly renegotiated (*De Officiis*, 1.144). This is most clearly conveyed in Book II of *De Officiis*, which treats of the theme of the expedient and the inexpedient (*utile* and *inutile*), but Cicero departs from Stoicism in seeing recourse to the expedient as a minimal concession, which remains Platonically in agreement with the highest possible good, so long as the expedient is directed towards it. He argues that if we are wise, we realise that the expedient and the good are always ultimately the same thing and only appear sometimes to be at odds (*De Officiis* 2.9). The realm of contemplation is here not so much abolished as radically reoriented, becoming (as we see in Scipio's dream in Book VI of the *Republic*) less a realm of knowledge, than a source of wonder. The divine is at once sublimely elevated beyond us, but also endlessly translated through experimental approximation into the realm of the graspable and the attainable, inspiring in the statesman a restless desire for greatness. Because the political has become a shifting approach to the 'real', the city is envisaged as something more radically constructed, and as a consequence the self as citizen becomes likewise a kind of artifice.

Yet for Cicero the Roman city remained akin to the Platonic city in being an image of the soul. However, the Roman soul was also more radically external than the Greek soul: *genius* had more to do with verbal reputation than did *pneuma*; it was something existing mainly in the eyes of others, mortal and immortal.²³⁶ The Roman consequently discovered his soul by a kind of experiment, ideally manifest in victory and civic honours. It must be given to him by friends and won back from foes, just as the legion as a whole, casts its *genius*, embodied by the Eagle, into the ranks of the enemy to ensure victory. Cicero accordingly spoke of the notion of a 'civic self' as one mode of the human *persona*, or 'character', which originally meant a theatrical mask (*De Officiis* I.107-21).²³⁷ Just as the Roman soul was more 'externalised', so the Roman more tended to embrace the idea that different selves can be picked up and cast away depending on context.

²³⁶ Auvray-Assayas, *Cicéron* 119-38.

²³⁷ Cicero distinguishes between universal, naturally diverse, role-specific and voluntarily chosen character, following the Stoic Panaetius.

How does the experimentality and theatricality of Rome concur with its greater givenness, as already discussed, both in terms of the primordial coincidence of city and people and of the always pre-given relational *vinculum*? In either case, there is a greater relation to time than in the case of Greece. As earlier suggested, on the one hand, everything for Rome is always already begun and given to us from the past; on the other, everything is always available for active re-shaping in the future. By comparison, as the myths of autochthony so vividly show, the Greek city was relatively more spatial: sprung by a preternatural process from the earth, fixed forever in its laws by a mythical legislator, or a king then forced into exile. The temporal and imperial city of Rome was by contrast at once more at one with natural temporal origins, and yet more of a continuous artificial construct, given that *physis* itself is defined by the mobile.

In both respects one can speak of a Platonic anticipation of Rome: of the primacy of time as recollection and prospect in Plato, of an appeal back to Egypt and to the cosmos against the spatial civic present, and also of a demand for poetic reshaping of the city by the wise. And of time as the moving image of eternity, whose participatory ordering encompasses both natural and human development.

Yet in another respect, Rome and Cicero are not fully up to the level of the Platonic anticipation: for without real transcendent guidance, Rome is split between the absolute command of a chthonic religious past, and the all-too open possibilities of the future. Again, without a clear appeal to participation in the Forms it cannot integrate its natural and past excess over Greek spatiality with its artificial and future excess over the same.

Thus, one can argue that it was doomed both to a rationalising naturalism, on the one hand, and to an increasingly arbitrary theatricality, on the other. The same alternative figures also manifest as an oscillation between *dignitas* as removed interiority, and dignity as the dutiful wearing of an appropriate personal mask in due circumstances. In both respects one can identify in Rome a proto-liberalism, which monarchy and empire at once sometimes qualified and yet at other times intensified.

8. Cicero and Liberalism

Given all of the foregoing, we now need to examine with more precision whether Cicero's account of Roman constitutionalism was truly Platonic and organic, or whether it tended already in a modern liberal direction of the pragmatic 'balancing of powers'.

The latter conclusion would seem to be favoured by the fact that he is almost uniquely implicated in the history of liberalism. For by reference to Cicero we can weave together more coherently the often apparently disparate threads of its history: from Machiavelli through Grotius, Hobbes and Locke to Montesquieu and Hume. Machiavelli and Grotius drew on Cicero to justify their political realism; Hobbes and Locke looked to him to justify the fundamental role of property rights; Montesquieu combined Cicero with Polybius to help form his idea of the separation of powers; Hume and others regarded Cicero as a champion of the dignity of the individual perspective and vocation, and as a proponent of epistemic scepticism who linked freedom not to an unattainable truth but to the useful and the decorous.²³⁸

More recently, Benjamin Straumann has argued that the Roman constitution in general, and Cicero's and Polybius' interpretation of it in particular, is the ultimate origin of the modern Lockean account of the constitution.²³⁹ He stresses Roman thought as 'constitutional' as opposed to the 'virtue-based' politics of Greek thought and practice. This view renders Cicero a theorist of the legal subject rather than the participating citizen.

For Straumann this means specifically that Cicero salvaged a new balance of forces between the One, the Few and the Many by looking less to the traditional primacy of virtue and more to the balance of powers, linked to an admission of the ultimately individual and self-interested basis of social action, in which virtue and unity are replaced by pre-political rights, supplemented with the operation of mutual sympathy.²⁴⁰

Straumann is alert to the risk of his own analysis, insofar as Cicero has been so heavily cited by a more authoritarian strand of liberalism that emphasises, after Hobbes, the necessity of a strong autocratic power suppressing the violent 'state of nature', and which takes, after Machiavelli and Giovanni Botero, a positive view of the supremely 'realist' statesman.

²³⁸ Neal Wood, *Cicero's Social and Political Thought* (Berkeley, CA: University of California Press, 1988), 2-10.

²³⁹ See Benjamin Straumann, *Crisis and Constitutionalism* (Oxford: OUP, 2016), 1-21, and his chapters on Cicero, 149-190 and his comparison of Greek and Roman constitutional thought, 129-237.

²⁴⁰ Straumann, *Crisis*, 159.

In particular, Cicero appears at several points both in his writings and his own career to have justified extra-legal ‘police action’ by executives in emergency contexts that look uncannily like the Schmittian ‘state of exception’.²⁴¹ Accordingly, Straumann seeks to re-orient Cicero’s ‘state of nature’ understanding of emergency powers away from a proto-Machiavellian and Hobbesian scenario towards a more Lockean and regular constitutional vision. For this perspective, the ‘external’ moments of brutal exigency and exception can be shifted from foundational positions towards an ‘internal’ balancing of powers, such that political foundations arrive only with this balancing, rather than from the outset with a sheerly natural brutality.²⁴²

But we have already seen reasons to doubt that Cicero was straightforwardly a proponent of a proto-liberal position. Did he not also, in his more Academic or Platonic mode open the way to the pre-liberal, corporatist global moral and economic order of Christendom? If he was often cited by the moderns, he was also frequently cited by Aquinas and many other scholastics. We need now to explore the corporatist dimension in Cicero’s political thought as a new development of antique articulation of citizenship and to see how this may cast further light on the tensions between his genuine civic republicanism and his seeming tendencies to inaugurate a liberal individualism that have already been considered.

9. Cicero’s Two Cities

We no longer possess the text of Zeno’s *Republic*, but as an idea it not only survived but crucially informed what became normatively modern notions of political order. In this city we are all expected to be equal in material circumstances and rights; morality is to be rationalised in a way that ignores traditional taboos and citizenship will be granted only to the virtuous who will rule over the *phauloi*.²⁴³ By making the moral order pre-political, Zeno’s Stoicism rendered the political equivalently sub-ethical, with the role of the *polis* becoming merely to regulate the relations of those who are already moral agents, and to restrain those who by the operation of the very natural law itself are incapable of full participation in virtue.

²⁴¹ See Agamben, *State of Exception*, 42-3.

²⁴² Straumann, *Crisis*, 186-7.

²⁴³ See Zeno in *The Hellenistic Philosophers, Volume I*, 423-37; Malcolm Schofield, ‘Cicero’s Plato,’ in Troels Engberg-Pedersen ed., *From Stoicism to Platonism* (Cambridge: CUP, 2017), 47-66 and Christopher Gill, ‘*Oikeosis* in Stoicism, Antiochus and Arius Didymus’, 100-119.

Zeno's extreme Stoic vision haunted later Stoics, who, as their philosophy reached greater mainstream respectability, sought in various ways to modify and qualify it. The universal rational and moral order came to be contrasted with the way in which each person possesses a uniquely particular and individual nature. In consequence, an equal application of a universal principle to all persons can still issue in totally different practical consequences and outcomes.²⁴⁴ The effect of this qualification is to disturb the virtuous/non-virtuous binary of Zeno, going so far as to suggest that each individual has a particular nature such that what is good for one person is bad for another. This development, which centred on Panaetius, besides Cicero, can suggest a liberal privatisation of morality and the reduction of the political to a rational framework required to preserve individual rights.

However, this stress on individual difference, in terms of its concreteness, can be read instead as a modified Platonic element, invoking the principle of the alloyed natures in the *Statesman*, whereby contrary dispositions are (figuratively and literally) 'wedded' to one another. In Plato's dialogues, and even in later Stoicism, we find the notion of complementary differences as being crucial to political harmony, rather than a simple appeal to a formal mediation that would treat differences of dispositions and roles as politically irrelevant or pernicious.²⁴⁵

Cicero in part took up this tradition, and allied it, in the wake of the Greek historian of Rome, Polybius, with the Roman constitution. Polybius saw in the Roman constitution a balance between various rivalrous factions that together preserved liberty and checked each other's excesses.²⁴⁶ As a Greek, he seems to have regarded Romans as 'noble savages' - their constitution emerging by happy chance and native virtue but producing through a kind of resultant organic harmony an ideal mixed constitution.²⁴⁷ He also appears to have been caught between a Peripatetic preference for the more rationally planned mixed constitution of Sparta, and a Stoic bias towards Rome as a constitution shaped by the forces of natural law (*Histories* 6.43-60).

Many of Cicero's central contentions can be seen as an attempt to adjust this classical account of the Roman political project. He fused divergent Pythagorean, Platonic and Stoic strains to construe the 'organic' development of the Roman constitution as a providential

²⁴⁴ See Cicero, *De Officiis* 1.107-108, and Cicero's derivation of his framework from Panaetius, 1.9.

²⁴⁵ Straumann, *Crisis*, 193-4.

²⁴⁶ Polybius, *Histories*, trans. Robin Waterfield (Oxford: OUP, 2010), 6.11-18.

²⁴⁷ Andrew Erskine, 'Polybius and Barbarian Rome,' *Mediterraneo Antico* 3, 1 (2000): 165-82.

process in which Rome is guided by nature and divine reason through a process of nonetheless unconscious experimentation and adaptation. This account both adopted and qualified Polybius's vision of a constitution shaped by natural law more than by human reason. Nevertheless, Cicero also considered that in his own day the new helmsmen of the Roman state must now endeavour to render this a conscious process, in order to arrive at a perfected harmony with the cosmic order, imitating the life of the gods: 'For there is really no other occupation in which human virtue approaches more closely the august function of the gods than that of founding new States or preserving those already in existence' (*Republic* 1.12.).

Straumann correctly notes this fusion of Greek political philosophy and Roman history, both in the case of Polybius' naturalistic account and of Cicero's more conscious reformism but reads into it a modern constitutionalism based on checks and balances. Although he says that Cicero's order is 'not as obviously the result of constitutional conflict', he declares that it is nevertheless the 'outcome of *social* conflict' [my italics] – which might seem to render the agonistic element still more fundamental.²⁴⁸

However, the missing element in Straumann's reading is the overwhelming influence of Plato and Platonism on both authors. Polybius admits that his entire historical analysis of the emergence and cycle of regimes is in fact a simplified version of Plato's historical categories. His account of the regimes corresponds closely with those of Plato, although is also clearly influenced by Aristotle's regime-analysis and by his recommendation of the mixed constitution in his *Politics*.²⁴⁹

Straumann is not unaware of these complications, but seeks to deal with them largely in terms of a hybridity between Greek and Roman political philosophy, which he thinks can be distinguished in terms of virtue polity versus constitutionalism.²⁵⁰ He derives his account of Platonic political thought almost entirely from the *Republic*, and misreads the *Laws* as representing a narrowing of citizenship and a rejection of the pre-political.²⁵¹ By contrast, Polybius said that 'it would be unfair to admit [Plato's *Republic*] into the discussion' and that it cannot be so admitted 'unless or until it proves that it can act in the real world'.²⁵²

²⁴⁸ Straumann, *Crisis*, 152.

²⁴⁹ See Plato, *Republic*, 369b-375e, 543a-568b and Aristotle, *Politics*, 1293b-1294b.

²⁵⁰ Straumann, *Crisis*, 191-237.

²⁵¹ Straumann, *Crisis*, 206-208.

²⁵² Polybius, *Histories* 6.47.

How is it that Polybius presents his own analytical historical structures as an elaboration of Plato, and yet excludes Plato's own apparently favoured regime? This is readily answered once we understand that Plato and Polybius alike understood the historical and the philosophical as operating at differing levels of analysis. That is to say, that the *Kallipolis* is a tool for thinking about the nature of justice, abstracted from the circumstances of history; it is not a study of the underlying principles of history which accompany it.

The apparent contradiction between Plato and Polybius seems to lie in the natural unity that the former identifies with justice, versus the agonistic relationship between the parts of the 'mixed regime' of the latter. However, the three parts can be read as working in a dynamic harmony, and even the principle of correction (Straumann's 'checks and balances') readily fits with the corrective role of the guardian class in Plato, and the role that *thumos* plays in the tripartite soul.

The differences between Platonic versus Polybian and Ciceronian political thought can be even further broken down if we take into account the contrast between Plato's *Republic* and *Laws*. In the *Laws* the three classes are far less strictly divided, with many temporary offices and posts decided by various forms of election, and the unity is of a dynamic and cyclical nature, as with the mixed constitution of Polybius. Likewise, Plato presents here an involved account of natural justice, with moral character formed by a balance of pain and pleasure incurred through the operation of natural and historical exigencies.²⁵³

It follows that the two driving forces of necessity and sociability identified by Straumann as prototypical of the various liberal states of nature could be understood instead in Platonic terms, which involve at once a more variegated and situated realism and yet also more genuine ideality. The difference with Polybius and Cicero to an extent concerns the application of Plato's own ideas of natural justice and historical forces to a novel context, that of the Roman constitution.

As we have seen, the Roman *civitas* was like a Greek *polis* in many respects, but it broke with the constraints and assumption of immediacy inherent to the Greek city-state. Rome manifested a more temporally and spatially mediated corporatist politics which Roman Stoicism was able specifically to articulate, thereby revealing its own less individualist and more Platonic aspect. Such a politics was to a degree latent in Plato's critique of the Greek

city-state in terms of his focus upon different roles within the city and attention to sub-associations. Yet the theory of *corpora* was of specifically Stoic provenance, revealing that not even Stoicism can be taken as unambiguously ‘proto-liberal’. This theory gradually merged and in part developed in parallel with Rome’s own legal traditions.

Stoic philosophy in general recognised three kinds of ‘body’: a unitary body like the human form or a statue, an ‘assembled’ body composed of separable parts like a building, and a group of individual bodies that, though physically separated, are considered a real and not just nominal unity, like a flock of sheep.²⁵⁴ In Roman law, the first kind was not considered to be legally divisible, unlike the second, whilst the third class, despite having no physical existence, could be treated as legally a single body, even though not only separable but already physically separated and dispersed. Crucially, following Rome’s own animistic traditions, each unitary object of the first class was regarded as having an individual *spiritus*, the assemblages of the second class were not, but the groups of the third class were considered to have a group *spiritus* as well as individual ones.

This background throws an entirely different light on the tangled knot of Cicero’s *res publica* and his theories about property. George Patterson has plausibly argued that one can relate the three kinds of Stoic *corpora* to the Roman legal categories of proprietorship, partnership and corporation.²⁵⁵ Viewed in these terms, it becomes clearer what kinds of individual and common ownership Cicero has in mind, and those which he does not.

In this context, Straumann’s postulated Roman constitutionalism, which alienates polity from soul, and virtue from law, risks projecting backwards the modern idea of the polity as a ‘state’ separate from the community and grounded on a contractual partnership, intended to guarantee the security of individual proprietors. Cicero rather identified the polity as a *corpora* of the third kind, analogous to later medieval ideas of the corporation (*Republic* 3.37). The one possible arrangement that allows the collective ownership to be a single form of ownership with an infusing *spiritus*, rendering it comparable to a soul-informed human body, is the third type of *corpora*. Only if the individual components are themselves fully discrete bodies of the first kind can they together form a body of the third, as we see in Scipio’s account in Book III (43-45) of Cicero’s *Republic* of the nature of the *res publica*.

²⁵⁴ Jeffrey L. Patterson, ‘The Development of The Concept of Corporation from Earliest Roman Times to A.D. 476,’ *The Accounting Historians Journal* 10, 1 (Spring 1983): 87-98.

²⁵⁵ Patterson, ‘Corporation,’ 90-2.

The second Stoic body therefore, the artificial one, is not considered by Cicero to be of such political relevance, as it would need to be if he was clearly a proto-contractualist.

Far from unambiguously proposing a pre-political system of natural rights, Cicero instead identified the microcosmic justice of the human soul (embodied by the extended *corpus* of private property and the household) with the macrocosmic justice of the commonwealth, which is a greater *corpus*. Which was given priority in Cicero is unambiguous; as he made clear in *De Officiis* 3.31, even private property can be seized in case of necessity for the sake of the common good. Most importantly though, Cicero rejected altogether the liberal antagonism between the justice of the individual and that of the state and followed Plato in identifying them as one: ‘This, then, ought to be the chief end of all men, to make the interest of each individual and of the whole body politic identical. For, if the individual appropriates to selfish ends what should be devoted to the common good, all human fellowship will be destroyed’ (*De Officiis* 3.26).

The character of the *res publica* is illuminated more fully in the *De Officiis* through the extended formula of the *totum corpus rei publicae*. This semantic redoubling involves a qualification: there is both a ‘public thing’ and a ‘public body’ combined, in a passage where he cites two of Plato’s rules. First, to keep the good of the people so clearly in view that regardless of their own interests they will make their every action conform to that; secondly, to care for the welfare of the whole body politic over against sectional interests. Cicero is explicit in identifying *ius* with Platonic justice as unity, and not with pre-political ‘constitutional norms’.

Moreover, the whole purpose of the discourse on property in *De Officiis* is to establish that private property ownership is not primarily a right, but a duty. Each citizen has his share of property because each man has his duties to the republic which is the common property of all. Even the Stoic switch to a ‘cosmopolitan’ perspective still rendered politics ultimate and sustained the political as prior to property rights.²⁵⁶ Thus Cicero declares in *De Officiis* 1.21b: ‘there is, however, no such thing as private ownership established by nature’. Concomitantly, the Stoic world-scope for Cicero was the city-empire and not an international order of independent states, any more than it was an international order of private individuals.²⁵⁷

²⁵⁶ Jeffery Zavadil, ‘Bodies Politic and Bodies Cosmic: The Roman Stoic Theory of the ‘Two Cities’, in A Musolff and J. Zinken, eds, *Metaphor and Discourse* (London: Palgrave Macmillan, 2009), 219-32.

²⁵⁷ Zavadil, ‘Bodies Politic’, 219.

Cicero's *totum corpus rei publicae* is a political order whose bounds are universal and whose model is eternal.

It was this aspect of Cicero's vision that allowed it to be taken up by Augustine and to become an influence upon the medieval world view, where his ideals of civic duty form one important component of the corporate, ecclesiastical, monastic, chivalric and Christian civic republican ethics and politics.²⁵⁸

Yet, while Cicero's texts do not always support Straumann's reading, his work is given to a number of contradictions that risk degeneration from the corporate ideal of the *totum corpus rei publicae* to being after all a *corpus* of the second, artificial variety, a mere partnership. In his more Platonic register, Cicero locates the exercise of citizen dignity within a universal and divine moral hierarchy and an overarching providential purpose in which it participates. Yet like Polybius he was also influenced by the immanent tendencies of Stoic metaphysics, which, as we have seen, more than Platonism regarded the soul and the city as things comprehensible by a humanly-accessible rational calculation.²⁵⁹

Stoicism accordingly encouraged a sense of the cosmic totality and the temporal process as determined by a non-teleological *logos* identical with a personal fate. In this way, it did not integrate the individual in a transcendent and purposive order with which the person could resonate.²⁶⁰ The individual rather links resignedly to the cosmic whole through interior withdrawal, while as to his exteriority, as we have seen, this is increasingly considered in terms of a sheer idiosyncrasy of character. The harmonisation of these differences, so essential to social order, was thought of within Stoicism more pragmatically than within the Platonic tradition, for which it imitated the blending amongst the Forms themselves.

The central tension of Stoic politics which emerges is the question as to whether any politically pertinent whole really *is* a whole, a true *corpus*, or if in fact it has produced an unstable harmony. This is later underwritten by a politics of mere mechanical calculation and prediction, resigning the city to a fatalistic natural law; a construal of the political whole after all as merely a partnership, and not as a true *res publica*.²⁶¹ In terms of this isolation and the primary Stoic ethics of interiority, one has a deontological emphasis on absolute obligations,

²⁵⁸ See Aquinas, ST I-II, Q 46, 57, 61 & 67.

²⁵⁹ Atkins, *Cicero on Politics*, 117-88.

²⁶⁰ See Josiah B. Gould, 'The Stoic Conception of Fate', *Journal of the History of Ideas* 35, 1 (Jan./Mar. 1974): 17-32.

²⁶¹ See Schofield, *The Stoic Idea of the City*, 101-103.

less teleologically regarded than with Aristotle. But in terms of the idea of differences of outwards character or ‘personhood’ there is a certain drift towards a kind of proto-utilitarian emphasis upon the ‘sympathetic’ co-operation of disparate tendencies and forces.²⁶²

In this way, political harmony in Cicero could be regarded as a real participation in divine transcendence, but it could also be seen as a mere vitiation of individual primitive accumulation, resulting in conflict after the lapse of the Golden Age.

All this confirms that Cicero is the godfather of two very different systems of constitutional, ethical and political thought. The first is embodied by Augustine, who develops the Platonic and corporatist potentials in Cicero to argue for a global politics of non-domination, that would ultimately underwrite medieval Christendom.²⁶³ But for the late Renaissance Protestant jurist, Hugo Grotius, Ciceronian principles would be used to justify violent colonialism based on original seizure as supposedly granting property entitlement.²⁶⁴ Shortly afterwards, Thomas Hobbes re-conceived the corporate body as the entirely artificial *Leviathan*, whose absolute arbitrary powers were required to safeguard original seizures at home as well as abroad.²⁶⁵

Indeed, insofar as there is a tension between a ‘Roman corporatism’ and a ‘Roman proto-liberalism’ in Cicero, it is less one between Plato and Locke than between Plato and Hobbes. Despite Straumann’s attempt harshly to distinguish Locke and Hobbes, and align Cicero with the former, it is exactly a violent pre-political ‘state of nature’ that Cicero seems at times to indicate. One interpretation, following Polybius’ ‘primitive monarchy’, is to read Cicero as implicitly calling for a placid state managed by a strongman monopolising force and guaranteeing the property rights of his subjects. This Caesarian element (with which Cicero the statesman flirted in practice)²⁶⁶ was then in turn balanced by Republican elements, now reworked in Stoic and Polybian terms of a balance of forces between ruler and patricians, amongst the patricians themselves and between them and different social classes.

²⁶² See Robert Urquhart, ‘Adam Smith’s problems: individuality and the paradox of sympathy’, *Adam Smith Review, Volume 5: Essays Commemorating the 250th Anniversary of the Theory of Moral Sentiments* (2010): 181-196.

²⁶³ See Andrew Willard Jones, *Before Church and State: A Study of Social Order in the Sacramental Kingdom of St Louis IX* (Steubenville OH: Emmaus Academic, 2017).

²⁶⁴ See Tarik Kochi, ‘Conflicting Lineages of International Law: Cicero, Hugo Grotius and Adam Smith on Global Property Relations’, *Jurisprudence* 8:2 (2017): 257-86; Richard Tuck, *Philosophy and Government 1572-1651* (Cambridge: CUP, 1993), 154-201.

²⁶⁵ Hobbes, *Leviathan*, ed. Richard Tuck (Cambridge: CUP, 1991), 9.

²⁶⁶ See especially Cicero, *Pro Milone*, and Adolph F. Pauli’s account ‘Letters of Caesar and Cicero to Each Other’, *The Classical World* 51, 5 (Feb 1958): 128-32.

9. Conclusion: Beyond Plato and Cicero, Beyond Athens and Rome

A further ambiguity in Cicero is whether his vision of the mixed constitution inclines him straightforwardly against the Caesarian ‘populists’ of his own era, and if so in precisely what manner?

His buttressing of the Republican constitutional order is open to a monarchic potential:

‘When a considerable war is undertaken, and discord is likely to ensue among the citizens, let a single supreme magistrate be appointed, who shall unite in his own person the authority of both consuls, if the senate so decrees, for six months only’ (*Laws* 3.8-9). Cicero, following Polybius, imagines the intermittent dominance of the monarchic function as a feature of his ideal constitutional order. Crucially, this is a departure from a strict constitutional formalism, as it does not represent merely an area in which the executive exercises total power, but the wielding of exceptional power for a duration. Although this duration is limited, its allowance assumes a cyclical dynamism that well reflects Platonic and Stoic ideas about cosmology, politics and history, but does not easily mesh with modern day liberal constitutionalism.

One could object at this point that such dynamism proved nonetheless open to capture by the early modern Grotian and Hobbesian account of an ordered use of force as both exceptional and foundationally normative. So long as the internal stability is maintained, violence can be freely and pragmatically applied, and norms of justice fade into the overriding needs of the state. This, however, is not necessarily how Cicero saw the matter. For him the supreme magistrate embodies all three parts of the regime: he is appointed by the senate, who in turn rule on behalf of the people, while he takes on the executive functions of the two consuls. Following Plato, we can imagine a class of rulers or in certain cases an individual ruler, who in their own person(s) embody not one part of the republic, and therefore of justice, but its entirety.

As Cicero notes, the whole problem of the rule of law is that if justice is seen as identical to law it becomes arbitrary and sophistic, whilst if we acknowledge a ‘natural law’ we then fall into the problem of human fallibility and disagreements about the nature of the good (*Laws* 1. 50-51). This problem of defining justice can be read as provisionally ‘resolved’ by regarding

the entire city as a pedagogic enterprise and philosophic quest for the Good, following Plato. However, it can also be more emphatically resolved, in a proto-liberal fashion, by reconceiving of law as a sub-ethical discipline, focused primarily on the mutually convenient defence of property rights, where property itself was not originally established on clearly ethical terms.²⁶⁷

And yet Cicero proclaims that ‘it is not true, as certain people maintain, that the bonds of union in human society were instituted in order to provide for the needs of daily life... Every duty, therefore, that tends effectively to maintain and safeguard human society should be given the preference over that duty which arises from speculation and science alone’ (*De Officiis* 1.158). Furthermore, there can exist no distinction between the right and the expedient, and no conflict between the moral duties of the polity and those of the individual (*De Officiis* 1.159, 3).

In other words, for Cicero there exists primarily a hierarchy of natural duties: our first duty is to the gods; our second, to country; our third, to parents; and so on, in a descending scale. Understanding this, we can see his account of property in a new light: it is not primarily that rights must not be infringed by the polity, but rather that the ever-greater identification of the good of citizen and city, and of property itself all fall within the scope of duty: it is the responsibilities, the duties, of the citizen that are protected, along with accompanying legitimate property-ownership.

This model cannot be readily slotted into a politics acceptable to a modern-day Rawlsian. The ambiguity nonetheless remains as to whether the alignment of citizen, duties, polity and property is a kind of quasi-utilitarian, liberal calculation, and whether the identification of right and expedient cannot only be alternatively read in terms of cynical expediency, foregrounding both private and national security and justifying foundational and continuous rule by emergency.

Yet it is clear that what was central to Cicero’s politics was not, as Straumann suggests, ‘constitutional norms’, but rather a class of constitutional *guardians*: the *νομοφύλακες*, invoked by Cicero with the Greek word (*Laws* 3.46). The same term, coming from Athens, is used of the guardians not of Plato’s *Republic*, but rather of his *Laws* (966b). For there, law was granted a pedagogic role and this was sustained by Cicero when he declared that the

²⁶⁷ Straumann, *Crisis*, 184-8.

Roman guardians should not only '[keep] watch over the text of the law' (the limit of this role in Cicero's time) but also imitate Athens in which 'they observed men's acts and recalled them to obedience to the laws' (*Laws* 3.46).

The vital role of a guardian class was recommended by Plato, and further re-imagined by Cicero, but neither ever succeeded in putting it into practice. In Cicero's case, a gulf between the actual imperial city and the ideal cosmic city could not really be bridged. In a too circular fashion the cosmic norms, when taken in a corporatist idiom, could only be derived from the contingency of Roman history, society and tradition. Alternatively, when taken in a more purely Stoic, proto-liberal idiom, the local particularity and even sacrality of that tradition tended to be suppressed, in favour of a more formal universal order, such that the cosmos loses its political aspect and sinks into a natural vacuity, nurturing primary violence and exception. Only with reference to an eternal order could a stable reference point be established, but this too seemed to collapse back either into the pantheist impersonal naturalism of Stoicism, or else into the reflectivity of Roman civil religion, which saw in the cosmic order merely a mirror of its own regularity and power.

Cicero was explicit in presenting a kind of Platonic imperial theology, which perhaps comes the nearest to a Roman resolution of these dilemmas. As he narrated it in the famous 'Dream of Scipio', his idea of a class of law guardians is related here to the Plato's theurgic notion in his own *Republic* and *Laws* of guardians as living *daemons* (*Republic* 6.13). But it required Augustine in theory, and then the Church in practice, to take up and make final sense of the more Platonic potential of the Ciceronian constitutional project.

In effect, this new monarchic and imperial qualification of the mixed constitution of the ancient *polis*, involving both a democratization and a cosmopolization of virtue, could only be truly realised by the Christian religion, which was able to rethink participation, both metaphysical and political, in a more popular form, by its higher evaluation of love, mercy and forgiveness as attitudes and practices that can be cultivated by all. Equally, this religion was able to subordinate even monarchy to a spiritual hierarchy pursuing reconciliatory social purposes in excess of the merely judicial and coercive.

Chapter Five: From Livy to Augustine: Decoding Civic Origins

1. Introduction

The ancient city had sought to be a mode of immortality for its citizens: it aspired to eternity and for this reason was entirely suffused with continuous religious practice.²⁶⁸ Both Greek and Roman political projects were driven by a coherent logic whereby the citizen desired above all glory in the eyes of his fellow citizen, which at once drove its economic, political, military and cultural activity, whilst drawing the citizens necessarily together. Yet as the Greeks understood well, citizenship of this kind possessed a dialectical logic whereby citizenship required a negative as well as positive definition, and the moral horizons of the city must be drawn close about it. The very mechanism which drew the citizen to a moral life - the judgement of his fellows - alienated him from a more universal moral order, and so he suffered a moral deterioration when he departed the walls of the city, or when he hid himself from the gaze of his companions in the privacy of his home. Moreover, as Aristotle and Cicero realised, the very pursuit of glory could all too easily be perverted into vaunting ambition, both individual and collective, that sought nothing but domination and repute at any price.²⁶⁹ The more strongly the *polis* was insisted upon, the greater the heights of virtuous conduct that became possible, though also the greater the possibility of distortion became. Meanwhile, the more weakly the *polis* was defined, the more the citizen had to fall back upon a private moral consistency (issuing eventually in Stoicism) and the more limited was the virtue that could be obtained collectively.

Not only did the exiled citizen suffer morally but also spiritually: when he departed the bounds of the city he no longer supped on the fruits of immortality. Outside the collective memory that kept his name alive and the recognition of his often-ambivalent moral excellence that might promise him a place amongst the gods, he would, as Aristotle said of the man without political community, become a beast and perhaps less than a beast (*Politics* 1253a1-18). The problems of combining citizenship with human universality had not been resolved.

But it will now be argued that Christianity, and especially Augustine, carried out just such a resolution. In the present chapter we will consider Augustine's relationship to Rome in terms

²⁶⁸ Fustel de Coulanges, *Ancient City*.

²⁶⁹ Atkins, *Roman Political Thought*, 87. Atkins notes that Sallust had similar qualms.

of his account of its foundations, showing how his critique in some ways intensifies one already carried out by the pagan historian Livy. This will then be contrasted with his account of the angelic foundations of the City of God. In the final chapter we will consider Augustine's new and Christian account of citizenship

2. Augustine's Attitude to Rome

From the New Testament onwards, early Christians supposed that Rome had a providential role to play. This was significantly double-edged, rendering Rome at once an incubator of a salvific destiny, merciful delayer of the fearful end-times, and the vehicle of the anti-Christ, a body that would be brutally judged, divided and punished by divine providence. Tertullian notably identified Rome as the 'slayer' of the Anti-Christ, by sustaining a provisional quasi-order, rather than as the Anti-Christ himself.²⁷⁰ For all his revisionism, Augustine to a degree sustained this exegesis. By the same token, he continued to link order as such with the international order provided by empire (*CD XX.19*).

Paul had declared that 'our citizenship is in heaven, and it is from there that we are expecting a Saviour, the Lord Jesus Christ. He will transform the body of our humiliation that it may be conformed to the body of his glory, by the power that also enables him to make all things subject to himself' (Phil. 3.20-21). Already this suggested a somehow alternative Christian citizenship and city. But it was not until Constantine that the idea of a polity defined, organised and ruled by Christian principles became a serious possibility, and it was Eusebius who was the strongest proponent of an Empire positively defined as an instrument of divine providence.²⁷¹ He proclaimed Constantine to be God's regent on earth, who by raising up the 'victorious sign' of the cross across the Empire and founding a Christian Rome in Constantinople, had consecrated the entire Roman imperial project. All the theological significance that pagans once attached to the Emperor and Christians conspicuously did not,

²⁷⁰ Tertullian, *Apology* 32.i: 'For we know that the great force which threatens the whole world, the end of the age itself with its menace of hideous suffering, is delayed by the respite which the Roman empire means for us...and when we pray for its postponement are helping forward the continuance of Rome.' Tertullian's 'restrainer' is from 2 Thess. 2.6-7; Carl Schmitt: *The Nomos of the Earth in the International Law of the Ius Publicum Europaeum* (New York: Telos, 2003), 59-90.

²⁷¹ Eusebius, *The History of the Church*, trans. E.G.M. Williamson and Andrew Louth (London: Penguin, 1998); *Oration in Praise of Constantine*, trans. H.A. Drake (Berkeley CA: University of California Press, 1978).

was now affirmed in a new sense, with the single Emperor ruling over a united empire presented as a reflected image of God's reign as king of the heavens.

Eusebius's overly-apologetic account is often contrasted unfavourably with Augustine's *City of God*.²⁷² Yet it was Augustine who, confronted with the collapse of the Empire in the west, wrote, as a Christian, what can ironically be regarded as the single greatest work of Roman civil theology. For he made a different sense of Rome's legendary and historical past, employing a profound narrative logic to justify and guide a new Roman order in the future.

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Augustine began by speaking of the organisation of pagan Rome, taking the various historic, poetic and philosophical justifications to their logical conclusions, and thus dialectically revealing their fatal flaws, separating what was good from what was bad, and locating where inferior goods had been placed above superior. As he redeployed the elements of the pagan city into a new metaphysical and theo-political structure, he turned from the records of the historical city to the theological claims of paganism, beginning with Varro's threefold divisions of theology into 'mythical', 'civic' and 'natural' (*CD VI-VII*). From there he proceeded to discuss the nature of the angels which marks the start of his direct discussion on the nature of the city of God, which concludes with an account of creation and its long aftermath (*CD IX-XX*).

We can see here a certain parallel to Plato's narrative structure in the *Republic* which commenced with the origins of the city, then turned to the question of the poets, and proceeded from there to the contemplation of the good itself, concluding with a cosmological/anthropological account of both the origin and destination of the human soul.

At the core of Plato's revisionary treatment of the city and citizenship lay a displacing of civic 'poetic' religion. The same thing remained at the core of Augustine's Christian revision. But where Plato left much of the pagan origin narrative in place and merely altered the attributes of the gods, Augustine framed such narratives by an altogether different one and sought to reject the cult of the gods altogether. Where Plato re-thought polytheistic cult in

²⁷² Augustine, *The City of God Against the Pagans*, trans. R. W. Dyson (Cambridge, CUP, 1998), used for all in-text references.

²⁷³ Michel Serres, *Rome: The First Book of Foundations*, trans. Randolph Burks (London: Bloomsbury, 2015) 1-5.

terms of philosophy, Augustine offered a new ‘Christian philosophy’ that was also an entirely new and newly universal cultus.

As we shall see, this is not a stepping back from the primacy of citizenship for humanity, but a new resolving of the ancient tension between cultic citizenship and philosophical universality. Beyond Stoicism, Augustine showed how Christianity offered a truly universal citizenship that retained, albeit in a new way, the positioned locality and specificity of shared cult that was endemic to antique notions of what it was to share in civic governance.

Before Augustine, Plutarch in his *Lives* had made a series of moral and political comparisons between major Greek and Roman figures that already pointed to the issue of origins and renewals. In stressing the limitations of these law makers, he vindicated Plato’s view in the *Laws* that a class of truly wise legislators capable of perpetually interpreting and re-enacting good laws is crucial (*Lives* 39-97).

But just as the fixed law becomes corrupted in the course of history, so also good character is eroded by the passage of time and circumstance. Augustine was therefore grappling with a central conceptual and practical barrier that had already been recognised: the location of the city in time. However, he newly regarded this as more than the generic problem of political decadence and corruption by suggesting that the entire religious foundation of the ancient city misconstrued the relation of time to eternity by spatialising and absolutizing merely temporal realities.

Yet he did so, as we will gradually see in this and the following chapter, not by denying the city in favour of an apolitical construal of time and eternity, but by newly linking the city to both, rather than primarily to space. In this way, he avoided the Stoic isolation of the individual in solitary direct connection to the cosmos, which threatened the primacy of political existence. For Augustine, as a Christian, this existence had become more imperative, insofar as it is impossible to love God without loving one’s neighbour in this life and the next.

It is in this context that we must consider his famous critique of Cicero’s definition of a republic after Scipio: ‘Where there is no true justice, then there can be no association of men “united in fellowship by common agreement as to what is right”’, and therefore no people in the proper sense at all. ‘And if there is no people’ Augustine concludes, then ‘there is no “property of a people”’ (in the sense of a ‘commonwealth’) ‘but only a multitude of some kind, not worthy of the name of a people’ (*CD* XIX, 21).

Liberal and ‘realist’ readings of Augustine, most classically that of Robert Markus, take him to be questioning Cicero’s definition, because he goes on to suggest that one can have a people without justice but simply bound together by any old ‘object of their love’ to form some sort of *societas* or other, perhaps just based upon pragmatic mutual convenience and toleration.²⁷⁴ The postliberal critics like Rowan Williams, John Milbank, Oliver O’Donovan and Robert Dodaro have suggested instead that he is rather arguing that Rome has failed to live up to the definition, or to achieve a real ‘politics of virtue’, a true republicanism, that Augustine by no means abandons.²⁷⁵ A third minority of commentators suggests that Augustine scarcely modifies Cicero at all at the level of political theory and commitment to republican ideals.²⁷⁶

The truth is somewhat more complex than this third group suggests.²⁷⁷ Certainly, Augustine adopted the Ciceronian views that civil rule in principle differs from the governance of slaves, that the prudent man has a duty to contribute to public service (*CD XIX. 2*), and that the customary law should be in keeping with natural law in order to be just (*CD XIX. 4, 15*).²⁷⁸ He also broadly endorsed the legitimate variety of the republic alongside the ideal normativity of mixed constitution, involving a musical harmony of the classes, after Scipio (*CD II.21*), while sustaining the Ciceronian (and Platonic) emphasis on the virtue of the individual ruler (for example, Moses and Theodosius) as more crucial than any constitutional framework (*CD V.26; XVIII.11*).

His even-handedness with relation to republican and monarchic virtues could also be seen as reflecting Cicero’s hesitation between republic and empire: for Augustine the virtues of an aristocratic few like Cato are one positive reason for Rome’s power and prestige (which is

²⁷⁴ See Herbert A. Deane, *The Political and Social Ideas of St Augustine* (New York: Columbia UP, 1963); Markus, *Saeculum*; Eric Gregory, *Politics and the Order of Love: An Augustinian Ethic of Democratic Citizenship* (Chicago: Chicago UP, 2008); Miles Hollingworth, *The Pilgrim City: St Augustine of Hippo and His Innovation in Political Thought* (Edinburgh: T. and T. Clark, 2010).

²⁷⁵ Rowan Williams, ‘Politics and the Soul: A Reading of the City of God,’ *Milltown Studies* 19/20 (1987): 55-72; Milbank, *Theology and Social Theory*, 391-5, 402-17; Oliver O’Donovan, ‘The Political Thought of City of God 19’ eds. O and J.L. O’Donovan, in *Bonds of Imperfection* (Grand Rapids MI: Eerdmans, 2004), 48-72.

²⁷⁶ For example, Volkmar Hand, *Augustin und das klassisch-römische Selbstverständnis* (Hamburg: Hamburger Philologische Studien, 1970), discussed in Robert Dodaro, *Christ and the Just Society in the Thought of Augustine* (Cambridge: CUP, 2004), 11-13.

²⁷⁷ See G.J.P. O’Daly, ‘Thinking Through History: Augustine’s Method in the *City of God* and its Ciceronian Dimension,’ in *History, Apocalypse and the Secular Imagination: New Essays on Augustine’s City of God*, ed. Mark Vessey *et al* (Bowling Green OH: Philosophy Documentation Center, 1999), 45-57 and Dodaro, *Christ and the Just Society*, 6-26.

²⁷⁸ Additionally, Augustine, *Of True Religion*, XXXI, 8; *Confessions*, II. iv. 9; *Expositions of the Psalms*. LVII.1; *Sermon*, LXXXI. 2; *The Trinity*, XIV, xv., 21: See also Deane, *The Political and Social Ideas of St Augustine*, 78-115 and Paul J. Cornish, ‘Augustine’s Contribution to the Republican Tradition’ in *Peer Reviewed Articles* 10 (2010) at https://scholarworks.gvsu.edu/pls_articles/10

willed by God), while on the other hand the republican oligarchs were more guilty of abusing and excluding the plebeians, and the age of primitive monarchy was the age of a pursuit of glory and honour, relatively to be preferred to the pursuit of outright domination, which is unrestrained even by the opinion of others (*CD* II.18; III.10,17; V.12-13, 19).

This Ciceronian hesitation in Augustine extends to his perhaps unrealistic imagining that the ancient virtue of a small, relatively confined city could have been combined, without violence, with a universal reach that had in reality only been achieved by empire (*CD* V.17). Such a utopian back-projection on Augustine's part had three components, as Hervé Inglebert has pointed out.²⁷⁹ First, Augustine thought that the benefits of Roman law were so evident to all that it could have been voluntarily accepted without conquest. Secondly, he also thought that a concomitant Roman citizenship could have been earlier extended to all: whereas, in reality, the later universal appeal of Roman law and citizenship presumed the violent Roman destruction of other cities and of tribal self-government. Thirdly, he also imagined that this double appeal would have been always so strong as to persuade other client territories into fiscal support of the Roman plebeians, whom Augustine falsely assumed (following contemporary Roman historiography) to have been earlier entirely landless, although he correctly supposed that the rewarding of the plebs had been both one motive for, and a consequence of, foreign conquest.

On this basis, Augustine distinguished between just and defensive wars that Rome had had to fight and illegitimate wars of aggrandisement and usurpation (*CD* II. 10). Yet he never doubted the providential benefit of the universal extension of the Roman civic ideal, nor that Roman plebeians were entitled to a special treatment that would not be too much at the expense of the privilege of Roman aristocrats. In his letters, he protests against the enslavement of people within the Roman empire in the outright name of 'Roman liberty'.²⁸⁰ As Inglebert puts it, 'Augustine disapproved of Roman imperialism, but not the Roman Empire'.²⁸¹ He also suggests that Augustine's dream of a combination of republican government with imperial administration is peculiar to someone on the western margins, whereas the centre was more outrightly republican and the eastern margin more monarchic by inclination (in the tradition of the later Greek tyrants). Yet here Cicero's equestrian origins

²⁷⁹ Inglebert, 'Christian Reflections', 99-112.

²⁸⁰ Augustine, Letter 10, to Alypius in *Political Writings*, ed. E.M. Atkins and R.J. Dodaro (Cambridge: CUP, 2001), 43-47.

²⁸¹ Inglebert, 'Christian Reflections', 110.

had pointed him towards a not altogether dissimilar oscillation and idealism. And despite the seeming unlikelihood of Augustine's synthesising aspirations, they foreshadowed in some ways the looser imperial and ecclesial confederations of the Christian Middle Ages.

Moreover, Augustine's identification of the more ethically neutral 'social' can be understood as simply an interpretation of the Ciceronian 'multitude' as in reality always more than some sort of mere aggregation. As Rowan Williams argued, there is no sign whatsoever that Augustine thinks that a legitimate earthly city deserves to stand if it is less than just, or less than a republic, as opposed to a system of outright oppression. His levelling of polities with 'bands of robbers' (*CD* IV.4) is only supposed to show that the pagan polity or republic was not fully such, as being not fully just without the 'true religion' which is also complete justice.

Nor is there any sign that any participation in civic life is valid if it is less than an exercise in citizenship. On the contrary, his case against Cicero is simply that Rome had failed to achieve full republican participation. At the core of this critique are the accusation that Cicero already saw justice in too 'liberal' terms of the individual having a right to 'his own' (*CD* II.20) and that Cicero thought of immanent fate as being in competition with human free will, denying the governance of the cosmos by conscious providence (*CD* V.9). At a metaphysical level, this repeats the political tension between the private and the common. But for Augustine, there is ultimately no such tension: the referral of history to the governance of the one true God and of politics to the ultimate eternal peace of Jerusalem means that we must understand perfect justice in terms of a loving and peaceful harmony. Without this referral, Cicero's republic is resigned to permanent conflict and tension (between the private and the public, citizen and stranger, ruler and ruled, reason and the passions). It is therefore not a true commonwealth, not a true city containing true citizens.

3. Augustine's Roman Re-Founding

For Augustine, this metaphysical blindness on Cicero's part has ultimately to do with the way in which, like all pagan philosophers, he was still captivated by the structures of polytheistic religion. Augustine accordingly sought to discover the secret founding logic of Rome, the hollow heart of civil religion and pagan mystery religion which prevents the referral of

temporary to eternal goods, thereby absolutizing them and their possessions and rendering full distributive justice impossible.

Augustine commences with the origin of Rome, and continually returns to this question throughout. In the latter half, he turns to the City of God and *its* commencement, beginning with the origin of the angels and of their city, the heavenly Jerusalem.

He begins his critique of Rome's origins as part of his discussion of the theological controversies attending Rome's sack by the Visigoths in 410 AD and links this event with Virgil's account of Rome emerging from the sack of Troy: 'Virgil, then, speaks thus of the gods: he says that they were vanquished and commended to a man so that, though vanquished, they might somehow escape. Is it not madness, therefore, to suppose that Rome could wisely have been entrusted to such protectors, and that she would not have been sacked had she not lost them?' (*CD* I.3). For Virgil, Rome began as a city in exile, pre-existing its foundation by Romulus, existing already under the aegis of the household gods of Troy that Aeneas smuggled out of the city as the providential promise of a New Troy destined to rule the world. He plays with the ironies of Rome's pre-existence when he has Aeneas camp amidst the hills of Rome, portrayed as a pastoral, pre-civic realm, inhabited by local spirits, set apart as the site where Hercules retrieves his stolen cattle from a cunning shepherd who had hidden them in a cave, having dragged them backwards to conceal their tracks, a story also narrated by Livy in the first book of his *History of Rome*.²⁸² Aeneas did not in fact found Rome at all, but the city of Alba which always cast a shadow over Rome's identity, as Augustine noted (*CD* III.14).

Virgil's irony shows us, as we have already seen in the case of Cicero, that the Romans were not incapable of their own self-critique. Augustine is not just offering a Christian critique of Rome, but also continuing this Roman tradition.

The Precedent of Livy

As Michel Serres showed, another forerunner in this respect was Livy.²⁸³ He wrote his own book-length gloss on this writer's treatment of the history of early Rome, in such a way as

²⁸² Virgil, *Aeneid*, 8.184, Livy, *History* vii, 3-7.

²⁸³ Serres, *Rome*, 9-11, 31.

effectively to render Livy's implicit critique of Rome more explicitly approximative to Augustine's own. Serres did not mention this but must surely have been aware of it.

His account in his interpretation of Livy of a privative and cyclical sacrificial logic accords with Augustine's own critique of 'that ritual and service which the Greeks call *latreia*' (sacrifice) (*CD*, VI, Preface). Like Augustine, Serres invoked Varro's and (effectively) Livy's division of myth, civic history (legendary or real) and nature that corresponds to Varro's mythic, civil and natural divisions of theology. The mythical or 'fabulous' is for Serres' coding the 'white' - a realm of radical semiotic interchangeability in which 'divine' elements can stand for any other, an infinite kaleidoscope of symbolic interchange, capable of 'making sense' of anything and everything, according to a kind of divine and daemonic logic which perpetually curves back on itself.²⁸⁴ It is coded white after the city of *Alba Longa*, which Serres diagnosed as being the 'repressed other' City that remains inside Rome: the 'timeless' city of archaic myth, violently repressed and concealed by the Roman founding legends which Livy somewhat suspiciously records (*History* I.iii).

Livy's text can accordingly be read as a closed circle which perpetually locates Rome in its ever-repeated origins. Romulus is only justified as founder because he repeated the founding pre-civic cultic gesture of Evander: 'to other Gods he sacrificed after the Alban custom, but used the Greek for Hercules, according to the institution of Evander' (*History* I.vii). This rite is especially apposite, as it entails Hercules being forgiven for murder due to his divine status; already Romulus was translating himself into godhood in order to justify his fratricidal crime. Every gesture or act is thronged with symbols and pious self-exculpations: Romulus 'called the people together and gave them the rule of law' after the Greek manner, so that they would become a single 'body politic', but this is insufficient for a 'rustic people' who must be persuaded by 'emblems of authority' (*History* I.viii.1-3).

The circular rationale of Livy's text is that every origin is retrospectively rendered an anticipation of Rome's universal *imperium*, and Rome's subsequent history and contemporary glory are explained through the pre-destination of its peculiar origins, which Fustel de Coulanges plausibly argued also makes secular historical sense. The multiplicity of Rome's origins renders them inescapable, leaving only the deep logic of power and ritually mediated violence as a point of stability and coherence between them, including the origin of sacral marriage in the rape of the Sabine women. Thus, Augustine could write: 'What

²⁸⁴ Serres, *Rome*, 23-40.

marriage rites were these, what incitements to war, what ties of kinship, affinity, fellowship or divinity! And finally, what a civic life, under the tutelage of so many gods!' (CD III.13).

The ancient Greek cities had sought directly to relate themselves to myth, with stories of divine founders and of autochthony. Before Plato, they did not conceal their complicity with divine violence, but openly celebrated it. By comparison, Rome was more aware of its contingent human origins and its break with myth, and yet, also, rather more sought to suppress the violence of these origins through concealment. At the same time, one can validly say that this very concealment bespoke a certain new shame and ambiguity concerning founding brutality. In this way, an originating disguise of origins was itself in a sense a beginning of later self-suspicion.

Augustine registered just this by noting both that Rome, unlike Greece, did not allow actors, who represent the obscene deeds of the gods, to be citizens, and that the Romans borrowed their laws from the Greek Solon, rather than receiving them from divine founders. In either case, he suggests, their sense of human decency outran their sense of acceptable religiosity (CD II.9,13,14,16).

The only way initially to escape from myth was to speak another language, that of historical legend, corresponding to Varro's 'civil religion'. In the language of legend, a single element of 'black', for Serres' coding, is set amidst the white. He selects 'black' because it invokes the cave that concealed by a ruse Hercules' stolen cattle and the interiors of all the later hidden victims after which Rome was founded. One could add to this list something recorded by Augustine: the pyre that consumed the records of the secret oracles commanding Numa's laws by order of the senate: what they disclosed was deemed too horrific for public advertisement or preservation (CD VII.34).

The black is irreducible: it cannot be anything other than what it is, because it is unknowable, and as such unexchangeable, like a single, unrepeatable and impenetrable event. Thus, the black is folded back on itself also, but invisibly so, unlike the white. The exchangeability of the white elements renders them 'linguistic' and 'logical', in a Greek idiom, and gives them the capacity to render everything by infinite re-combinations and divisions. The black, by contrast, is all *object*, and so when introduced into the white origin, creates singular connections with the white elements. If the white elements are divine, then the black element is mortal, but when put into relation to myth, becomes quasi-divine and therefore both daemonic and heroic. Its mediating and ethically ambivalent character can be related to the

way in which Augustine understands the functioning of what he sees as the diabolically demonic within Roman logic.

It was also, for Serres, the rogue element within a mathematical set that is greater than the set itself, even though it is contained within it: the rational aberration that reason does not want to acknowledge. In this way, he linked the Girardian theme of scapegoating to the problematics of set-theoretical violations of the excluded middle: to sustain its rule both in theory and practice, reason must reduce a natural and peaceful (if paradoxical) escape over the civic-rational borders to a violent expulsion, and then suppress the fact of this exclusion: thereby concealing both its own violence and its own substitution of a totalising quasi-peace, for an infinite peace without borders, which is clearly just what Augustine most wanted to celebrate.²⁸⁵

The hidden founding victim was thereby also for Serres, after Girard, the dark secret of Western rationality. For this reason, if the Romans were less mythical, they were also less rational than the Greeks, in their superstitious obsession with the dark legendary impenetrability of the sheerly contingent, the sheer obscurity of the singular event. Yet as with the half-admitted shame of concealment, this very obsession was already on the cusp of a rational grasp of the paradoxes lurking at the margins of reason itself and of human claims to rational self-control. These were just what Augustine began to unmask.

For Serres' essentially Bergsonian perspective, this also related to the greater Roman awareness of time - whose aporias of interfused moments of past, present and future appear also to escape the laws of identity, as Augustine reflected upon in the *Confessions*. Once again, prior to Augustine, this is a half-suppressed awareness: the at once semiotic and eventful tracks of the cattle appear to lead only forwards to the future, 'leading out' the City, as in the resonant title of Livy's book: *Ab Urbe Condita*. Yet really, they point always backwards - since the always already openness of the present moment to the future (as released by Augustine) has been suppressed - to a reiteration of the founding gesture of violence and violent concealment, which Rome was doomed to repeat: locked always back into the darkness of the cave, even when it appeared to be emerging into the glorious light. In this Rome was doomed to see the present, as Bergson warned, as an interred past: the *tout fait*.²⁸⁶

²⁸⁵ Serres, *Rome*, 117-190.

²⁸⁶ Henri Bergson, *An Introduction to Metaphysics*, trans. T. E. Hulme (London: Palgrave-MacMillan, 2008).

And yet the Romans' very sense of the present moment as always folding back upon itself, thereby negatively breaking with the laws of substantive containment and self-identity, in a dark and haunted fashion, implicitly suggests a potential to see the primacy of the other aspect of presence as of itself unfinished, as opening towards the future. But in order to realise this, one has to cease to imagine that the present can only emerge (from the black cave, as it were) by suppressing and sacrificing the past as 'other'. An alternative non-violent logic would open continuously towards the future by letting the past remain as a stimulation of future meaning.²⁸⁷ All the same, Rome, by newly seeing violence as a contingent human foundation and by suppressing its instance, had negatively opened up the possibility of our human realisation of the sheer contingency of the logic of violent foundation and imitation.

Gradually, we will be able to indicate how Augustine's civic reflection brought together Plato's suspicion of mythical violence, Livy's glimmering of a suspicion of legendary violence and the biblical exposure of both. His new sense of an eternal city that exists on earth more in time than space can be intrinsically linked to his new sense of the *aporia* of temporal presence and his understanding of this in terms of a musical and liturgical participation in the eternal, which always goes back to a still open and typological (Hebrew and pagan) past in order to re-think the mystery of a never-present present as the ceaseless open striving towards the future eschaton.²⁸⁸

But for the pagan Romans, the ambiguous black element already acted like a 'transformer' capable of redirecting the narrative of myth from its circular fluctuations towards a more linear, historical and dialectic logic by way of the mediation of legend. Serres understood this 'dialectic' process as a 'parasitic' logic in which violence is folded back into itself but remains operative outside itself, serving a narrative game that empowers the one who successfully wields it. Because one legendary black element is 'immovable', the mutable world of the mythical white must move and adjust in relation to it.

Following Livy, Serres traced this sacrificial logic throughout the founding Roman legends: in the murder of Remus by Romulus, Cacus by Hercules, and in the suppression of Alba by Rome. Since the black element cannot be exchanged for another, its movement is not 'innocent'. Rather than the equal exchange and the conservation of energy at work in the

²⁸⁷ Serres, *Rome*, 31.

²⁸⁸ See John Milbank, 'The Confession of Time in Augustine', *Maynooth Philosophical Papers* 10 (2020): 5-56.

white mythic world of circulation (however shamelessly violent), the black element always has its finger on the scales, tipping them arbitrarily in its own sullen direction.

Sometimes this is manifest for the Romans against their own interests, as in the case of the figure of Brennus, the Gallic leader who successfully invaded Rome and in response to Roman complaints about his demanding gold using the Gallic weights/measures, threw his sword on the scales with the words '*Vae Victus!*' - woe to the conquered. According to the Roman black logic their gold should trump Gallic measures, but for the cunning and already Romanised Gaul the darkness of the sword trumps even gold (Livy *History* I.v.14). The very logic of a dark extension by which Rome expands through capture, as noted by Fustel and many others, can be inverted and turned against her, while yet sustaining her sway differently and even in perpetuity, as history was to prove. The black element remains through this process a rule giver, never a rule taker: its forceful imposition always interrupts gift or contractual exchange by the sacrifice of the rival other in an extension of the inner sacrificial rivalry that founded and repeatedly refounded Rome itself (CD X.19, Livy *History* 1.v. 5-vi.2).

But Serres' account of Rome's sacrificial legendarium was not complete until he introduced the other half to the logic of war: the logic of hospitality. What makes historical legend to be legend rather than metahistorical myth is not violence - endemic enough to mythic logic - but, as we have seen, a kind of meta-violence whereby violence is concealed and deployed in such a way as to turn even apparent defeat into victory.

This trickery is manifest in the rape of the Sabine women, whom the Romans had invited, along with the Sabine men, to games in honour of Neptune (Livy *History* I.ix.2-15). Taking advantage of the separation of women, they abduct them and retrospectively legitimate this seizure by marrying them. This puts the Sabine men into the double bind of either having to attack the Romans, in which case they will be defeated (as the Romans assume, in terms of their own destiny) or accept the sanctification of rapine. Moreover, for reasons we have seen, once they have accepted intermarriage between the cities, they have accepted civic alliance in general: in practice a subsumption into Rome.²⁸⁹

In the event, the outcome of the Sabine military attack proved inconclusive, but the Sabine women themselves made peace between the two peoples. It would seem as if Rome was so

²⁸⁹ Serres, *Rome*, 117-27.

coded as to turn any ambiguity to her own advantage: though not without internal sacrificial cost. Already, with inversion, black violence trumped gold because the Sabine men crushed to death the vestal virgin Tarpeia with the gold armbands for which she had been prepared to betray her city. The loaded dice involved always a turn of sacrifice, but the very loading could be turned against Rome ultimately - and yet after all not so, insofar as the conquest of Rome often sought not to destroy but to sustain her logic on behalf of the barbaric victors.

In this story, Rome turns the 'parasitic' guest or *hostis* into *hostis* in the sense of enemy. Yet this inversion is brought about by a power that is itself more ultimately parasitic: Rome appeared to be the ultimate host because from the outset it was the ultimate guest: Rome was Aeneas and the Trojans of Alba as much as it was Romulus and the Romans establishing the new city of Rome as a refuge for several peoples.

This logic also inheres in sacrifice. What sets the sacrificial victim apart is his 'black' status: the sacrifice must by its nature be an offering, a sheer one-way gift like that of immediate hospitality. Because the black element is irreplaceable, it is not simply given, but given up. For this dimension of the black legendary logic, therefore, the black element is not the conquering sacrificer, but rather the black box or tomb of the sacrificed dead victim: Remus rather than Romulus. Yet Remus was almost as equally sacred to Rome as the deified Romulus, or defeated Alba. It was its inert condition of possibility, as Augustine critically notes in saying that Rome inverted the significance of the biblical Cain and Abel story, which seeks to found the divine city not on the sacral character of the victim as sacrificed, but as innocent and wrongly murdered (*CD X.4*).

Even though the chances of combat, as between Romulus and Remus, seem equal, in fact each of the brothers secretly assumed, by benefit of prophecy, that he enjoyed an advantage which would give him the victory. Thus he only pretended to be prepared to sacrifice himself: both sides think to cheat the other by making it appear they may be the one self-sacrificing, when they have assumed that the other will be the victim from the outset, to conceal the irreplaceable black beneath the fluctuating white and to advance in this way, by the irruption of random but concealed certainty, from the free-floating signification of myth that offers eternal equal chances through legend that cancels them, to history that is built upon irreversible facts in time.

Thereby, Livy, as Serres realised, had half-decoded Roman history as involving not just the difference between fact and fancy, but always the difference between concealed fact lurking behind founding fact and sign, and the actually transparent though unreal signs of myth.

Not only did he freely admit the ethnically variegated origins of Rome; he was quite willing to see Romulus' deification as a fraud undertaken to calm the masses (*History* I. xvi.2-8). His emphasis on the necessity and yet compromised character of such gestures of might and superstition paralleled Augustus' own ambiguous constitutional role. Thus, in relation to the election and rule of Numa, Livy both praised and criticised the Senatorial class who upheld liberty, but could not capture popular support and martial honour, and also praised and criticised the monarchy that had populist appeal and military success but neglected liberty, law and peace (*History* I. xviii-xxi). Just this critical balance was later repeated by Augustine. And this double sense of incompleteness can surely be linked to Livy's semi-exposure of the Roman *legendarium*.

With Livy (as with Cicero) we find already some of the same critiques (albeit in far milder form) that Augustine levels at Rome and its mythology. The crimes of its heroes really are treated as crimes: Livy records that Horatius murdered his sister for mourning the death of her betrothed at the hour of his victory saying: 'So perish every Roman woman who mourns a foe' (*History* I.xxvi.1-5). His prioritising of patriotism over family was not, however, according to Livy's record, anciently praised in Spartan fashion, but rather caused a conflict for the Romans, who condemned the 'horrid deed' by someone who was nonetheless a saviour of the state. He was, moreover, not merely punished for murder, but for treason, as in taking it upon himself to punish his sister he had committed an act of *lèse-majesté*. Livy also has the raped Lucretia's relatives make humane arguments for her to refrain from killing herself that closely resemble Augustine's own: 'they tell her that it is the mind that sins, not the body; and that where purpose has been wanting there is no guilt' (I. Lviii.8-9). The authority of family and polity, the crimes of murder and treason, fidelity to husband, brother and republic are all at play in these instances and are as ever massaged by ritual. Livy presented such matters frankly, as dilemmas in which rival legitimate moral claims clearly clash, and where even loyalty to the republic is not an unambiguous absolute.

Augustine, Trojan exile and Roman Refuge

A sacrificial logic of trickery, of the kind diagnosed by Serres, can pertain also to the interactions between gods and between gods and humans. This is seen in the case of the Trojan war and its epilogue in the *Aeneid*, in which Juno was cheated of her absolute revenge against Troy by the creation of Rome. Venus, her enemy, has sacrificially traded a temporary revenge by her divine enemies against a single city, for its descendants being given universal *imperium*. In her striving against the ‘black magic’ of sacrifice, Juno proves as impotent as any mortal. Thus, Rome’s pre-foundation was linked to a ruse (a sublime counter-ruse to the Trojan horse), just as all her later offerings of her sons as victims in wars more seriously sacrifices her enemies, for the sake of her eternal survival. It is significant here that Aeneas lacked both the valour of Achilles and the cunning of Odysseus, but was rather the hero as king-priest, exemplifying *pietas*, including a magical ability to invoke heavenly assistance.²⁹⁰

This kind of mythological circumstance was well noted by Augustine in his critique of not only the supposed righteousness, but also the powerlessness of the pagan gods, who are for him demons, manipulating the forgotten divinisation of heroes (for Augustine’s semi-euhemerism: *CD VII.18*) and subject to the calculus of violence and deceit. The Romans’ deceits from the outset were in reality outwitted by providence’s deployment of their trickery towards its own ends of universal benefit.

Augustine initially divided the pagan legacy in accord with Varro’s distinction between poetic, civil and natural theologies and gods (*CD IV.12, VI.6*) and appeared to ascribe all that is good about it entirely to the philosophical mode of pagan piety, which is in turn only really exemplified by the Platonists (*CD VIII.5*). This was to praise Rome insofar as it managed to achieve inklings of a true ‘natural religion’, following Varro’s tripartite division, but attempting, beyond Varro’s admitted mixtures, to purge natural and civil religion of their poetic-mythical corruption.

Nonetheless, Augustine did not so entirely disparage the legacy of the pagan civic within Rome, nor even the mythical, as might at first appear to be the case. Like Plato in the case of Homer, he subtly reshaped the Virgilian narrative to his own ends.

Virgil’s narrative, and his moral account in general, including his understanding of fate, was somewhat closer to Plato’s ideals and further removed from the cruelty and randomness often

²⁹⁰ Fustel, *Ancient City*, 134-8.

at work in Homer. He created an ironic distance from the bloodshed of war and cultivated a sense of its every aspect being watched, recalled and marked by a perfect divine justice. Like Livy (who insisted that Aeneas had always opposed the Trojan capture of Helen: *History* I.1), he conveyed the traditional Roman association of Aeneas with hospitality and with attempted refuge (*Aeneid* VII. 212-48). For Virgil, Aeneas was a foretype of Augustus, the peacemaker seeking to escape the embroilment of war, to be contrasted, like Numa for Livy, with the bloodier, more rivalrous figures of Roman history.

This thematic was at once sustained and criticised by Augustine. He also associated the figure of Aeneas with hospitality and refuge, linking Aeneas and his son Ascanius to the more just city of Alba, ‘the white’ (*CD* III.14), while pouring some scorn on Aeneas’s supposed virtues: weeping over one’s enemy is all very well, but better not to have slaughtered him in the first place. There are no adequate Roman foretypes of the true man of peace, who is not Augustus, but Christ, only some oracles, including supposedly the voice of Virgil himself in his Fourth Eclogue (*CD* X.27). All the same, Aeneas’s city of Alba, of the attempted peaceful settlement of exiles, despite the hostility of locals, is implicitly contrasted by Augustine with Rome, the city founded by vagabonds and stained by rivalrous sacrifice. Alba is said to be ‘more truly Rome’s mother’ than the guilty Troy (*CD* III.14).

As to the asylum offered by Romulus in Rome the ‘black’ city, scholars debate the exact meaning of Augustine’s account of the Roman *asylum*: was it a merciful protection of the outcast or a disgraceful offering of sanctuary to the guilty?²⁹¹ But insofar as Augustine sees this as a foretype of the pagan Barbarian protection out of awe of Christian sanctuaries and Christian lives during the sack of Rome (*CD* I.34), it seems likely that it was both: a foretype, as with Old Testament examples, at once anticipates the perfect type to come and negates its import in its more deluded literal aspects.

The Parallel Histories of Rome and Jerusalem

Besides such invocation of Roman historical examples as providential foreshadowings, Augustine regularly cites instances of Roman self-critique from Sallust, Seneca (*CD* VI.10)

²⁹¹ Philippe Brussiger, ‘City of the Outcast and City of the Elect: The Romulean Asylum in Augustine’s *City of God* and Servius’s *Commentaries on Virgil*,’ in Allan Fitzgerald, Mark Vessey and Karla Pollman, eds, *History, Apocalyptic and the Secular Imagination: New Essays on Augustine’s City of God* (Bowling Green OH: Philosophy Documentation Centre, 1999), 75-104.

and others, in order to make his own points. We could convict him of disingenuous polemic here, along the lines of ‘even the Romans didn’t really think so highly of themselves’, but something more subtle is at work.

Just as Plato proposed a revised ‘text’ - or rather poetic speech - of Homer for his ideal city, so Augustine proposed a revised city of humankind, including a revised history of Rome. He was not simply deconstructing Roman history, but also creating for her a new semi-salvific history that recentred the God of Abraham as the concealed parallel locus of her story, displacing the Greco-Roman pantheon. Just as with the Hebrews, whose Jerusalem is declared to be one part of the earthly city, and only ‘an image of the heavenly city’, ‘by symbolising something other than itself’ (*CD XV.2*), so Roman greatness was allowed by God to pursue his hidden purpose in history (*CD IV.23*) and Rome’s defeats were allowed instructively to chastise Rome (just as God periodically chastised the Hebrews in the Old Testament) for their service to the ‘unclean spirits’ that they worshipped (*CD V.21*).

Thus, we see in Books Five, Seventeen and Eighteen that the growth of Israel and the dominion of Rome develop in parallel and finally run together (*CD XVIII.1-2*) when Israel falls under Rome’s domination and the law enters a new period of captivity (*CD XVIII. 45-46*). All this, according to Augustine, reveals God’s hidden providential hand at work in history. The apparent defeat of God’s chosen people really marks the completion of the promise to Israel in the final and most perfect revelation of the law as embodied by Christ (*CD XVIII.45-46*).

In the same way, Rome, having formerly been allowed dominion, and been spared the consequences of its accompanying lust for domination for the sake of the coming of Christ has, with the joining of these two channels of history, taken on some of the symbolic truth of Israel. Just as Jerusalem was still a part of the earthly city, even though it was allegorically the promise of the heavenly city to arrive in time with Christ, so conversely Rome, although it is the continuation of the fallen, perverse city of Cain and Babylon, was always to a lesser degree a city of promise in terms of its offering of refuge, citizenship and legal justice. Even its early pursuit of glory and renown was not only more admirable than its later pursuit of outright domination, but also prophesied the Christian priority of our gracious glorification by God over our own delusions of having achieved ‘virtue’ as self-control.²⁹² With the

²⁹² See John Milbank, *Beyond Secular Order* (Oxford: Wiley-Blackwell, 2013), 228-36.

merging of Jerusalem and Rome, this symbolic foreshadowing is intensified and in the case of both earthly cities elevated into actual participatory ‘pilgrimage’ of the celestial Jerusalem.

One mistake would be to imagine that the two cities on earth are simply Rome and Jerusalem/The Church. Yet Augustine explicitly says that the term ‘city’ is used ‘allegorically’ (CD XV.1). Another mistake would be to imagine that therefore the allegory is just about good and bad people. To the contrary, Augustine means ‘allegory’ in the patristic sense of pointing towards Christ, and he regards the symbolic register of lived existence as still more real than its literal level by virtue of this indication: thus, the Church was already present in the true sacrifice and martyrdom of Abel (CD XVIII.51). Ultimately, when the allegory is fulfilled in Christ, the true Jerusalem genuinely takes root on earth, with Christ as its literal king and founder (CD XVII.4), so that ‘the Church even now is the kingdom of Christ and the kingdom of heaven’ (CD XX.9).

Understood in this way, for Augustine in one sense both Jerusalem and Rome belonged to the same earthly city, while in another, the political-liturgical life of ancient Israel uniquely prophesied Christ and yet the political-liturgical life of Rome also did so, albeit in a far weaker positive and predominantly negative degree. There is therefore no Augustinian abandonment of the Christian sense of the providential destiny of Rome, rooted in the New Testament itself, only a significant mutation: ‘God revealed in the wealth and fame of the Roman empire how powerful are civic virtues even without true religion; to make it clear that with the addition of this human beings become citizens of the other city, whose king is truth, whose law is love and whose limit is eternity’.²⁹³

For this mutation, Rome remains the cursed Babylon and yet not without parallel to the way in which, for the always Pauline Augustine, the Hebrew law, which cannot save, nonetheless retains its validity in ethical, including generally paradigmatic political terms, as an integral part of the new Christian order, whose prime character is transition towards the eschaton. So, the sack of Rome is not to be seen as the defeat of a Christian city, but rather the recurrence of the moral price paid for the *libido dominandi* (CD XVIII.52) that persists within the Roman spirit. Just as an equivalently backsliding ancient Israel was allowed to fall to its enemies so that the law might live even when its dominion died, similarly the Church, the City of God on pilgrimage, is for now yoked to the fate of Rome. Even should Rome perish,

²⁹³ Augustine, Letter 138 to Marcellinus in *Political Writings*, 41.

not only can the spirit of the gospel thereby all the more survive, but also the law and justice of Rome insofar as they were in keeping with the gospel and the natural law.

5. The City of the Angels

As we have seen, for Augustine, in a novel but biblical fashion, it is citizenship that is most universal and divine. No longer is the human city but partially just, it is also but partially a city at all (since the civic coincides with unlimited heavenly harmony and peace) both because of our finitude and because of our fallenness. Several of the Church Fathers, including later Boethius, ascribed the creation of human beings to the need to replace the missing citizens of Jerusalem after the lapse of some of the angels: ‘because the Creator did not wish the number of the angels to remain diminished, that is of that heavenly city whose citizens the angels are, he formed man out of the earth’.²⁹⁴ In the case of Augustine, part of the purpose of the redemption of humankind was to supply this lacking angelic number, so that ‘the heavenly Jerusalem, our mother and the republic of God, shall not be defrauded of her full quota of citizens’.²⁹⁵ For such an outlook, it is no longer, as for the pagans (in different ways), that human beings are called out of their natural birth into the city, but that they are born and baptised more emphatically from the outset as citizens;²⁹⁶ raised by grace from their beginnings to a now angelic vocation.

The Romans, as we have seen, seemed to move towards a moral universalism, both in aspects of their practical institutions and traditions, and their intellectual development. However, Augustine teased out the unreality of the unitive aspects of the Roman state: the mythology that bound Rome’s past to its future, and the civil theology that bound Rome’s citizens to its gods, were distorted, falsified by the demonic and the magical. The problem was that the *vinculum*, the magic thread connecting the Roman people, did not lead out of the maze, but back to the minotaur. The Romans, like all pagans, were mired both in ‘love of self’ (*CD* XIV.28) and in perpetual shame at their loss of rule over self, or mind over body, consequent

²⁹⁴ Boethius, *On the Catholic Faith* §§ 70-80.

²⁹⁵ Augustine, *Enchiridion: On Faith, Hope and Love*, trans. Albert Outler (London: SCM, 1955) 29.

²⁹⁶ See Augustine Thompson OP, *Cities of God: The Religion of the Italian Communes* (University Park PA: Penn State University Press, 2005).

upon the denial of our being ruled through a sharing in the rule of the one true God (*CD* XIV.14-19).

Augustine approaches the third of Varro's religious categories, that of 'natural' or 'physical' theology, in terms of the theology of the philosophers, which in the case of Platonism he largely celebrates, but in some respects criticises. The aspect of his critique which most relates to religion is his assault on the pagan alliance with the daemonic, the mediating spirits and gods through which Platonists believed that we approach the singular divine principle, often through theurgic rituals and contemplative practices.

Augustine's argument was that a demonic, transactional, sacrificial and suppressive logic hopelessly corrupts the otherwise worthy vision of Platonism, especially from a social point of view. His critique here was crucially as much liturgical as it was metaphysical. As he made clear (*CD* X.5), what distinguishes the sacrifices given to the true God from those given to the pagan gods is the principle of necessity. God does not need our sacrifices, so sacrifices to God are gift and sign; there is no possible 'exchange' of flesh that might pay the debt of sin. The only true sacrifice that can be offered is a 'contrite heart'; the means to salvation and the fact of salvation being intertwined, like the returning prodigal son, such that all that we can give to God for the sake of our sins is what he has given us, namely ourselves.

So, whilst pagan sacrifice was premised on an intendedly win-win magical logic whereby one side deceives the other, who is simply ruined (as Serres well divulged), the Christian sacrifice is infinite and super-abundant; it is not consumed even as it gives, breaking apart the 'parasitic' logic of sacrifice which was inherently linked to the bondage of debt and the agonism of a debt economy. Thus, the history of Rome was full not only of endless sacrificial expedients and superstitious promptings, but also of the contradictions introduced by multiple and contradictory indebtedness, as we see in Livy's account (*History* II.xx) of the debt-bondage crisis sparked by the war with the Volscians. The moneylenders justly demanded their debts repaid, and the veterans with no less justice demanded to be excused, as these debts were accrued because they were in the field fighting for Rome.

Augustine offered, nonetheless, his own mode of theurgy: his Christian liturgical purification of the soul and of Roman history and religion.²⁹⁷ The reason why he engaged at such length with this seemingly alien topic was not simply to do with a polemic concerning the

²⁹⁷ See Jason B. Parnell, *The Theurgic Turn in Christian Thought: Iamblichus, Origen, Augustine and the Eucharist* (Phd Diss., University of Michigan, 2009), 209-255.

operations of providence, although that is certainly important. It rather had to do with his retention of one aspect of Roman religious sensibility, even though it converged with a parallel root in the Christian and Jewish traditions. Augustine thought, precisely as a Roman, that we can only be saved as a city and as citizens, even though this view is equally Hebraic and biblical.²⁹⁸ One can even say that his own theology was at once mythic, civic and natural, but that he brought these categories into a new harmony and alignment beyond their reciprocal pagan tension.

Cicero had described the world as ‘a home and fatherland which the gods have given us the privilege of sharing with them’ (*Rep.* I.xiii.19) and Augustine took this vision, purified and sublimated it. Whilst the origins of the City of Man seem multiple, repetitive, cyclical, violent and untraceable (like the cattle tracks in Virgil and Livy), the origin of the City of God is singular and eternal. Like the soul that learns by illuminated recollection in the *Confessions*, human political community recalls the original city, which is neither human nor temporal; it is instead the angelic city that was formed on the first day of creation, with the separation of the light and the darkness.

Yet this very division also brought time into being by creating the first day, which for Augustine stretches from Adam to the flood. Augustine divided all of time according to the seven ‘days’, starting with this first day, continuing to our present age, the sixth, and concluding with the seventh day of creation, the eternal sabbath where the souls of the saints dwell perpetually (*CD* XI.30-31) and which has no evening other than the eighth day, when soul and body shall rest with God (*CD* XXII.30).

As Augustine points out (*CD* XII.25), the Christian angels play a role not unlike that of the daemons in the Myth of Er: they do not create, but rather husband creation; nor does Augustine remove from the angels their role as divine mediators and channels of worship. Only the *latreia* is removed, which he renders as *servitus*: literally service or slavery. We are not alien from the angels as we are from the god-daemons, but the opposite: they are our fellow citizens. As he puts it, in retention of the Greek Christian theme of deification, God ‘makes his worshippers gods’ (*CD* X.1), and he cites Plotinus as arguing for the shared nature of divine and mortal souls (*CD* X.2).

²⁹⁸ Johannes van Oort rightly sees that the religious polemic is not to do with ‘lack of structure’ but is an integral aspect of Augustine’s *political* argument: see his *Jerusalem and Babylon: A Study of Augustine’s City of God* (Leiden: Brill, 2013), 108.

The gods cease to be our masters, our parasites, as are those who divide. They become instead, as angels, our elder siblings, our fellow citizens, our friends, jointly participating in eternity, albeit through different modes of temporal extension. So, by purifying ourselves of the original stain of sin through the sacrifice of the mass, we again become fellow citizens with the angels, and thus become gods. For Plato, the mode of life described in the *Kallipolis* echoed on earth the great procession of divinities ‘orbiting’ the perfect good, and so likewise for Augustine the life of the angels corresponds to this ideal. They are not born but made; they are unchanging and perfectly unified; they are ordered into a hierarchy, but equally share in God; they are the original citizens of the eternal Jerusalem.

By contrast, the divisions between the pagan gods are exactly what reveals them to be fallen angels, and Augustine deploys a classically Platonic critique of the warped and distorted divine hierarchies in Greco-Roman theology. Fortune, Augustine said, would seem to rule Zeus, rather as Plato shows the over-ruling power of love and necessity in the *Symposium* (195c) and the *Sophist* (259b).

By maintaining the angelic role however, as the positively daemonic (‘by using the word “angel” we might have avoided the offence given by the word “demon”’, *CD IX.19, 23*),²⁹⁹ Augustine maintains in effect the best aspect of pagan religion, which he most sees present in Platonism: liturgical *cultus*, *religio* and *pietas* in all their aspects are also sustained in the *Civitas Dei*.³⁰⁰ The religious devotion of child to parent, citizen to citizen, subject to monarch, are all continued, and as sacred (*CD. X.1*).

What is ‘removed’, or rather reserved to God in a way that transforms and re-orientes all other ‘horizontal’ modes of religion, is sacrifice/service itself. Instead of the intermittent human black, we have the now inscrutably blazing all-white of the One (a perfected Platonic non-violent mythic, trumping the fallen legendary), now including Dyadic difference and yet without conflict in the Trinity, which, through incarnation and passion occupied, like a saving but suffering arrow-shot, the black position only to release its contingency from tyranny.

Thus, Augustine says that there is a collective *cogito* of Jerusalem, spoken of as a single hypostasis, which like the individual soul echoes the Trinity as the triad of being,

²⁹⁹ Augustine is deliberately using the offensive word ‘demons’ for the pagan spirits, rather than ‘angels’. He notes that now (already in his day) ‘demon’ usually has a negative connotation.

³⁰⁰ Eric Peterson showed that, in the Patristic era, liturgical and political categories were fused by angelological ones: ‘The Book on the Angels’, in *Theological Tractates*, trans. Michael J. Hollerich (Stanford CA: Stanford UP, 2011), 106-142.

understanding and willing that is also the *copula* of love: ‘It has its form by subsisting in him; its enlightenment by contemplating him; its joy by abiding in him. It is; it sees; it loves’ (CD XI.24). He adds that the division of education within the earthly city into physics, logic and ethics echoes this social and psychological Trinitarian identity and is inherently linked to the further triad of aptitude, art and application (CD.XI.25).

It is therefore clear that for Augustine the harmonising of existential unity with apprehended and lived difference is now, at last, a reflection of the most ultimate truth. Our relational life in space and progressive life in time shares in the specifically social life of the saints in Jerusalem, and that in turn participates in the relational dynamic life of God. Beyond Plato yet perfecting his vision, the Dyadic is now as ultimate as the Unity, along with their mediation. In consequence, even God has been ‘politicised’.

It is this political God who concernedly sacrifices himself, such that everything is encompassed by the logic of his sacrifice. Thereby, the partiality of a sacrifice that prevents exchange whilst covertly reversing its own apparently generous and unilateral gesture (the pre-foundation and foundation of Rome) is replaced by a sacrifice so complete that it is in some sense without loss, a sacrifice that does not divide but unites, a sword that saves, a cross that gives birth to new life (CD X.6). What is more, for Christianity and for Augustine, God, through the Incarnation, becomes at once and uniquely the ultimate citizen, civic founder and king (CD XVII.4), who judges us as father and brother, and rescues us as father, brother and fellow citizen: ‘The *Principium*, then, having assumed soul and flesh, purifies both the soul and flesh of those who believe in him’ (CD X.24). Indeed Porphyry (unlike Iamblichus) thought that theurgy was needed only to purify the body, while the soul was purified by contemplation.³⁰¹ But Augustine sees the entire human person as requiring the medicine of the eucharist.

Augustine’s most crucial quarrel with the Platonists, and especially with Porphyry, concerned the question of mediation. Essentially, he argued that, without a full doctrine of creation, Platonists still imagine that God and the gods are remote. By contrast, Augustine strikingly insists that God, just because he is totally ‘outside’ our reality, can also be present to us with absolute immediacy, invoking the Platonic concept, originally from the *Parmenides*, of the ‘sudden’ intrusion of the divine upon the wise in a moment snatched out of time in ‘a briefest flicker of lightning illuminating the darkness’ (CD IX.16). Therefore, Augustine did not

³⁰¹ Porphyry, *Sentences* 33.

regard the Incarnation as a total exception, but rather as the hyperbolic fulfilling of this immediacy (*CD IX.15*), just as he had a very strong doctrine of the sustaining of the Incarnation in the body of the Church, most of all manifested in the *Expositions on the Psalms*. It is God himself who most intimately communicates himself to us and his angelic messengers convey his very own presence in various degrees.

They are not, like the pagan daemons, inadequate substitutes for the unreachable divine distance. As such, argues Augustine, the daemons cannot be fully good, because they represent not just a weakening but a distortion of the divine goodness, as they are already involved with the inherent perversity of fallen matter and do not enjoy direct access to the divine mind (*CD IX.16.22*). For this reason, they do not unambiguously lead us upwards to the divine, but are greedy and self-interested, happy to leave or confirm us in our bodily delusions. It is therefore intolerable that the city of Rome still worships amoral or depraved gods, who do not conform to the Platonic image of divinity. These gods must rather be ambivalent Platonic daemons, whose worship is bound to corrupt the citizenry.

Yet even here, Augustine perceives a certain natural alliance between the metaphysical aspirations of Platonism and the civic aspirations of Rome. As we saw, he stresses that Greece allowed actors to be citizens, where Rome forbade it, as if out of half-admitted shame at their ritual depictions of divine debauchery, even though these had their origins in the temple. Similarly, Rome rather more ascribed its laws to human as opposed to divine origins, as if it already sought to be better than the gods, albeit through its Stoic divinisation of nature. Only Christianity fulfils the Platonic impulse by purging the demonic sphere and abolishing the theatre of shame altogether. In the way that for Plato the city was ‘the true tragedy’, now for Augustine Christian citizens perform in the *theatrum mundi* and the exemplary citizen Paul, with the martyrs, is notably spoken of in terms of the language of ‘spectacle’ (*CD XIV.9*).

This is possible for two reasons. First, Christians now reconceive the Platonic *nous*, or the sphere of purely intellectual beings, as the eschatological end that is the City of Jerusalem: ‘the daughter of Zion...the most glorious City of God...the city which knows and worships the one God. She is proclaimed by the holy angels, who invite us into their fellowship and desire us to become fellow-citizens of her with them’ (*CD X.25*).³⁰² Secondly, they see that

³⁰² We have already noted ancient cities were thought literally to possess collective minds. In the same spirit Augustine declared ‘In the heavenly city then, there will be freedom of will. It will be one and the same freedom of all and indivisible in the separate individuals’ (*CD XX.30*).

the one way to this end is via Christ the true mediator. God is naturally close to us in an immediate mediation of his immediacy, but since we are fallen, he must cross the gulf of rupture and identify with us an incarnate victim on the Cross and in the perpetuation of this sacrifice in the eucharist and the Church (*CD X.24*). The angels do not wish us ‘to sacrifice to them, but to become a sacrifice to God with them’ (*CD X.25*).

Christ reigns in Jerusalem where there is no longer any need for the four natural cardinal virtues which we still require on earth, since they are virtues of resistance and control and there is nothing there any longer to be resisted. Only love prevails there, beyond the lapse even of the two other theological virtues of faith and hope (*CD XIX.4*). But the gulf between the earthly city and Jerusalem cannot, for Augustine, be crossed by our striving: Christ’s Incarnation and suffering shows rather that the true trace of charity in a lapsed reality is kenotic mercy, whose positively contagious impulse was now sensed and followed even by pagan barbarians when they reached the gates of Rome (*CD I.34*). Christ was the only true and universal sacrifice and yet ‘we ourselves are that whole sacrifice’ because Augustine posited an extreme identity between Christ and the Church (*CD X.6*). Yet these ‘true sacrifices are acts of compassion’ and what raises us into eternal citizenship is the exercise of forbearance, forgiveness and care (*cura: CD XIX.14,16*).

Therefore, through his ultimate ‘theurgic’ descent, Christ overcomes the problematic gulf that for fallen humanity seems to divide the eternal from worldly citizenship, disguising the greater civic character of heaven itself. By entering into our city to be rejected by it, God discloses, beyond finite pagan political imaginings, that heaven itself is a city and is able to re-inaugurate the temporal path of this heavenly city upon earth.

It is, for Augustine, above all a city where citizenship is constituted by musical praise of the true God, by worship offered in, with and through Christ in his body, the Church, the *totus Christi*. He considered David’s psalmic music inherently political, involving ‘the mystical representation of a great thing. For the rational and measured arrangement of diverse sounds in concordant variety suggests the compact unity of a well-ordered city’ (*CD XVII.14*). In the *Confessions*, Augustine had concluded that the only answer to the enigma of time was Christ’s living of time as musical praise of the Father and thus he resolves confessionally his own private anxieties and philosophical perplexities by embracing his position in the

collective living out of Christological time by the Church.³⁰³ For this reason the last two books of this work, as Hans Von Balthasar argued, appear to transit towards the matter of the *City of God*: eternal Jerusalem and the Church's temporal participation in her reality.³⁰⁴ It is as if the living out of the problem of time, of memory, presence and expectation, was now a collective concern.

For Augustine, this temporal praise of the eternal transfigures all civic life, since only the offering of what is due to the Supreme Good can be a just and generous worship, free of all sacrificial calculus and idolatrous absolutizing of the finite, and thereby the ground of possibility for all inter-human justice and reconciliation (*CD XVIII.54; XIX.22*).³⁰⁵

6. Conclusion

In this way, we begin to see how Augustine moves beyond the pagan *aporia* of citizenship and citizen-morality without a universal basis, on the one hand, and universal ethics removed from civic belonging (the 'Stoic option'), on the other. Instead, he has more perfectly conceived (in the wake of Plato, Neoplatonism, and Rome itself) of a new cosmic citizenship, which is also that of a city travelling through time as Israel and then the Church. This time-travelling city can survive every sacrificial loss and death because in reality it lives by these things. And this mode of life-through-death, rather than a spatialising trickery, is now seen to be what echoes and participates in the divine order.

The pagan city, as Roman history and authors had begun to diagnose, was commenced as the sacrifice of myth to history, and of eternity to time, under the aegis of the rivalry of the gods themselves. If Plato successfully criticised and renewed myth, then, as we have seen, some of the best Roman authors, and supremely Augustine, criticised and renewed legend as the link between myth and history. With Augustine, a true story of human civic origins can at last be told, because he invokes an alternative, recovered pre-lapsarian origin that was never about merely 'staying' and repeating an original violence, a celestial origin that was recommenced in time by the Incarnation. The pagan legendary origins suppressed the violence of sacrificial

³⁰³ See Milbank, 'The Confession of Time'.

³⁰⁴ Hans Urs von Balthasar, *De L'Integration. Aspects d'une théologie de l'histoire* (Paris: Desclée de Brouwer, 1970), trans. Hélène de Bourboulan, 13-54.

³⁰⁵ See Williams, 'Politics and the Soul'; Milbank, *Theology and Social Theory*, 414.

deceit, whereas Augustine was able fully to decode this in terms of an alternative origin of non-rivalrous mutuality.³⁰⁶

This non-rivalry is possible in the alternative human city that is the City of God only because the City encompasses also the angelic and escapes the pagan founding rivalry between the divine and the human, heavenly and earthly. Such rivalry had ensured that either the City lays a claim to divinisation that condemns our natural birth (as in *Kallipolis*) or alternatively, as for the Stoic tendency, earthly civic life precludes our participation in a natural *cosmopolis* that is external to the real possibility of earthly citizenship, handing worldly politics over to a more individualist and formal-utilitarian-sympathetic order.

By ending these rivalries, Augustine not only salvaged and perfected the pagan view that the highest humanity coincides with citizenship but also overcame the oppositions between the civic and the proto-liberal, the corporatist and the individualist, albeit to the primary advantage of the former respective pair of alternatives. For now, it is every fully unique person, created in the image of God, who is also thereby a member of the eternal civic community. What this means in finer contextual, conceptual and practical detail, we will consider in the final chapter.

³⁰⁶ Milbank, *Theology and Social Theory*, 391-402.

Chapter Six: Augustine and Citizenship Beyond the City

1. Introduction

The Christian Church was able to constitute a universal citizenship in a way that the Roman Republic ultimately failed to do. *Oikos* and *Polis* were more effectively blended than by pagan Rome in a structure that was both civic, as people were members by choice and will, but also fully familial, as all joined the Church by adoption into the Body of Christ. This body was fully political precisely because it was liturgical; it sought to make a community in the image of an idealised image of the soul, a perfected body that communicates the highest good.³⁰⁷

Augustine most fully articulated this new Christian fulfilment of the antique city and citizenship. In this chapter I will move from general Patristic accounts of the latter, to Augustine's own account of citizenship and of the city and from there to his real understanding of 'the two cities', the relationship of the heavenly to the earthly city as both republic and empire. In conclusion, I will briefly consider Augustine's anticipations of medieval politics.

2. Christianity and Citizenship

Many Christian texts responded to the legacy of the Antonine constitution of 212.³⁰⁸ It was commonly regarded as playing a providential role in salvation history. As the Roman empire was seen as rendering possible a universal Christian mission, so the extension of citizenship was seen as a figurative foreshadowing of the enrolling of all redeemed human beings within the citizenship of heaven. As with all *figurae*, this could be a matter of negative as well as positive contrast, but after Constantine especially, the latter aspect naturally came more to prevail.

It was emphasised that Paul had been a Roman citizen, and for Augustine's disciple Orosius this was thought to be true of all the apostles, with Paul and Peter the new and true founders of Rome, their non-rivalry being contrasted with Romulus and Remus. Orosius additionally

³⁰⁷ Peter Brown, *Power and Persuasion in Late Antiquity: Towards a Christian Empire* (Madison WS: University of Wisconsin Press, 1992), 152-58.

³⁰⁸ Inglebert, 'Christian Reflections' And Chapter Four, Section 3 above.

believed, like many in the Greek and Syrian East, that Christ himself had been a Roman citizen (in reality he would have had the status of a *peregrinus*). More commonly, reference was made to the circumstances of Christ's birth in connection with Augustus's census recorded in Luke's birth narrative, viewed as either having been for taxation alone or also for citizenship recognition.³⁰⁹ Again, this was regarded typologically, and with both negative and positive stresses: as an albeit too limited act of political inclusion that nonetheless foreshadows a far greater divine inclusion, at once political and cosmic in character.

In the case of both Eusebius in the East and Orosius in the West, the positive harmonisation of Roman and heavenly citizenship went along with an assumption that the destinies of Rome and the Church were so intertwined that the Roman empire was destined to increase along with Christianity.³¹⁰ The Roman emperor in actuality took on all the characteristics of the Greek *Basileus*, a sacral prince who sacrifices on behalf of the body politic: a master of the science of rhetoric and a *strategos* entrusted with the military affairs of a free citizenry, expected to achieve regular victory over barbarian civilisations.³¹¹ And Christ himself was regarded in one aspect as the supreme *imperator*.³¹² Even when Rome fell, the now Christianised Empire continued in Constantinople for another thousand years, and with it the dominance of the Eusebian outlook. Much of it was also assimilated in the West, as the historical theologies of both Orosius and later Otto Freising serve to prove.³¹³

It is clear that Augustine partially, in the face of growing imperial crisis, drew back from any such presumptive conclusion and remained agnostic about the destiny of human political arrangements: the pilgrim city on earth could live (or not) with any of them (*CD XIX-XX*). And yet the incorporation of Rome into the heart of the sacred story is rooted in the New Testament: not only is there the link of the nativity to the census and the recording of Paul's appeal to Caesar (again viewed either negatively as contestation or positively as recognition of imperial authority), there is also Christ's injunction to pay the imperial taxes, his submission unto death to Roman law, Paul's injunction to obey Roman laws and the representation of Rome as the new anti-city of Babylon in Revelation.

³⁰⁹ Orosius, *Seven Books of History Against the Pagans*, 6. 22. 6-8.

³¹⁰ Andrew Louth, 'Introduction' to Eusebius, *The History of the Church from Christ to Constantine*, trans. G. A. Williamson (London: Penguin, 1989), ix-xxxv; Orosius, *Seven Books of History*.

³¹¹ Peter Leithart, *Defending Constantine* (Downers Grove IL: IVF, 2010), 233-54.

³¹² See Eric Peterson, 'Christ as *Imperator*', in *Theological Tractates*, 143-50.

³¹³ Orosius, *Seven Books of History*; Otto of Freising, *The Two Cities: A Chronicle of Universal History to the Year 1146 AD* (New York: Columbia UP., 2002); Fustel de Coulanges, *Le gouvernement de Charlemagne* (Paris: Éditions Croisées, 2020).

It is perhaps too easy to suppose that the latter simply represents an alternative and purely negative current with regard to the Roman empire: it can be read more as a protest against its current decadence. Similarly, as Peter Leithart has argued, it seems too simple merely to suppose that originally anti-imperial (and supposedly pacifist and anarchist) stances towards secular authority conveniently gave way to pro-Imperial ones with the conversion of Constantine. In reality, as we have seen, it is much more evident that from the outset there was ambivalence about Rome (whose overrule had, after all, been accepted by the Jews) and that relatively negative or positive emphases come to the fore in response to circumstance.

The greatest evidence of the truth of this interpretation is the outlook of Origen: he is regularly cited as evidence for pacifist and anarchistic early Christian stances, and yet Eusebius was only extending his teacher's celebration of Rome's providential destiny.³¹⁴ For both master and pupil, as for so many pagans, Jews and Christians at this period, there was a natural link between monotheism and universal empire.³¹⁵ Origen's hesitations about Christian involvement in Roman litigation and fighting would appear to have been primarily about cultic involvement with polytheism, combined with a sense of Christian life as anticipating and witnessing to eschatological peace (a dimension that never disappears).

3. Augustine, the City and Citizenship

Contrary to what is sometimes suggested, there is no real reason to suppose that Augustine entirely rejected, as opposed to strongly qualified, the figurative association of universal monarchy with the arrival of monotheism. He celebrated the reign of the Christian emperor Theodosius and put most weight politically upon the requirement of good character, stressing especially the character of the person at the top. It can validly be assumed, in terms of prevailing mentalities, that such an acceptance of the importance of kingship went along with his commitment to and practice of episcopacy within the Church and his acceptance of the primacy of the See of Peter. Similarly, while Augustine did not suppose Christ to have been a Roman citizen or provide such strongly figurative readings of the Lukan census or Paul's citizenship, we have seen in the previous chapter how he did, indeed, like other Christian

³¹⁴ Leithart, *Defending Constantine*, 255-82.

³¹⁵ Fowden, *Empire to Commonwealth*.

authors, imagine that Roman citizenship and the sway of Roman law were providential boons: both his writing and episcopal practice bear this out.

This observation opens the way to a final question about Augustine's attitude in general towards the antique city and citizenship, and in particular towards the Roman city and Roman citizenship.

A still dominant line of interpretation, as already mentioned, reads him as rejecting both and as pointing political thought in a liberal-realist direction: politics is secularised; religion is internalised and is now primarily to do with individuals and their eternal destiny.³¹⁶ In a sinful world, little practical consensus can be hoped for and the political is about compromise between inevitably competing wills. On this view, Augustine is taken as exacerbating the Roman tendency to view citizenship in purely contractual terms as subjection to the rule of law. It implies, as Hannah Arendt supposed, that he rejects altogether the antique republican *polis* experiment of shared self-rule, relatively independent of 'economic' concerns.³¹⁷

On the other hand, an alternative exegetical tradition has sometimes blamed Augustine for a later supposed 'political Augustinianism', involving a totally 'integral' approach to politics, making no essential separation between this-worldly and religious matters. This perspective would seem to be considerably at variance with the 'proto-liberal' reading, except perhaps with regard to Augustine's supposed pessimism and stress upon the discipline of recalcitrant souls.³¹⁸

And yet, the extraordinary thing is that when we actually read Augustine's texts, there is patently very little justification for the first rendering of his thought and only for the second with qualifications.

This is most obvious if we begin with the occasioning of the writing of the *Civitas Dei* which we see in Augustine's correspondence. He is trying to rebut a double charge: first, that Christianity weakens the virtues required for citizenship, and second that conversion to Christianity has caused the gods of Rome to abandon the city of Rome.

³¹⁶ Deane, *The Political and Social Ideas of St Augustine*; Markus, *Saeculum*; Gregory, *Politics and the Order of Love*; Hollingworth, *The Pilgrim City*.

³¹⁷ Hannah Arendt, *The Human Condition* (Chicago: Chicago UP, 1958), 14, 28-30.

³¹⁸ H-X Arquillière, *L'Augustinisme Politique* (Paris: Vrin, 1999). For an up-to-date discussion of the conflicting positions, critical of the liberal-realist interpretation, see Edmund Waldstein, *The City of God: An Introduction*, at <https://thejosias.com> 2017/08/28.

Thus, at the very least, Augustine is not saying that either worldly citizenship or the earthly city is of no importance for Christianity. To the contrary, he argues to Marcellinus and then in the *City of God* that Christianity produces better citizens of Rome than did paganism (*CD* II.25).³¹⁹ Similarly, he argues that the true God can better protect the city of Rome than did the false ones who were really demons: ‘if all...were to hear and embrace the Christian precepts of justice and moral virtue, then would the commonwealth (*respublica*) adorn its lands with happiness in this present life and ascend to the summit of life eternal, there to reign in eternal blessedness’ (*CD* II.19).

The fact that he also thinks that there is another citizenship and city of more ultimate importance does not alter these exegetical facts: to the contrary, the nub of Augustine’s specifically polemical and apologetic case is that it is only if one recognises this superior city that one can adequately secure the earthly one; only if one is already a citizen of heaven can we be adequate citizens here on earth.

Part of the problem of interpretation here has to do with the pervasive assumption that the *Civitas Dei* is a confused text: either it is seen as primarily about politics with lengthy distractions, or else as a theological history that is but incidentally to do with politics.³²⁰

However, this assumption neglects two things: first, Augustine’s Roman and biblical recasting of politics as primarily to do with time rather than space. Secondly, his revisionary attention to the religious dimension of the political. We have seen how fundamental this was in the ancient city, and if pagan political writers like Cicero relatively neglected the gods’ civic role, then this was largely because they took it for granted. Therefore, Augustine’s questioning of this role represents political theorising at a more fundamental level, involving a politico-religious revisionism that can only be compared to that of Plato, rather than to the more limited enquiries of Aristotle and Cicero. But the point of this revision, as his rhetoric would suggest, is not to question the *polis* along with *polis*-religion, but to propose (again, like Plato) a different *polis*-religion that will more adequately sustain and realise civic existence, here and hereafter.

Citizenship

³¹⁹ Augustine, Letters 136, 138, from and to Marcellinus, in *Political Writings*, 28-43.

³²⁰ For the first view, see Deane, *The Political and Social Ideas*; for the second, see Henri de Lubac, ‘Political Augustinianism in *Theological Fragments* (San Francisco: Ignatius, 1989), 235-86.

With respect to citizenship, as we have seen, Augustine clearly agrees with the republican tradition, and with Cicero in his more republican mode, that character has primacy over law and constitution in building up a strong city. He faced the proto-Machiavellian charge that Christianity weakens the virtues of strength and loyalty that the strong city requires. But his initial line of defence was not at all that the strength and security of the earthly city is a matter of indifference to Christians, but that in actuality the pagan virtues are just not civic or political enough.

Indeed, for Augustine, more radically, as we have seen, the very notion of ‘virtue’ too much involves an assertion of strength in deploying reason to quell the passions, whose perversion was wrongly assumed by pagans to be ineradicable (*CD* 19.4).³²¹ Both in self and city, this implies a resignation to a permanently unruly element always on the verge of rebellion. He is clearly aware that in the civic dimension this encourages an ever-further extension of unjustifiable conquest to throw sops to plebeian discontent, instead of treating the plebs properly at home. Moreover, he has a Platonic sense that without a sufficient public advertence to the supreme good, the assertion of rational virtue is all too likely to reduce to a sophistic self-assertion of mere glory and repute, both individually and collectively.

By contrast, the Christian transvaluation of virtue renders it no longer a matter primarily of resistance or suppression, but of the transformative power of love in response to others and to the supreme other, God.³²² Within this perspective, one can hope for wholly good desires springing ‘from below’, whether of the soul or the city. The relation of Platonic *eros* to transcendence is here accentuated in terms of a more receptive grace and self-sacrificially relational *agape*. Augustine argues that the Christian metaphysical horizon of ‘ontological peace’, as John Milbank puts it, opens out an unlimited prospect of civil peace and security that was not present before.³²³ There are no longer any inevitable internal enemies, nor external ones in terms of incorrigible barbarisms or not completely assimilable alien cults. And obviously peace is strength: even wars are only for the sake of an eventual peace, as Augustine repeatedly insists (*CD* XIX.12).

In this context, he argues that the peculiarly Christian virtues of mercy, care, forbearance and readiness to be reconciled are not evidence of weakness but are linked to a patient

³²¹ Milbank, *Theology and Social Theory*, 413-7.

³²² Letter 155 to Macedonius: ‘In that place [heaven] there will be no moderate restraining of the passions, because we will not feel them being aroused...Moreover, even in this life there is no virtue save in loving what ought to be loved’, *Political Writings*, 96.

³²³ Milbank, *Theology and Social Theory*, 382-442.

preparedness to build up a total, unassailable strength without any intrinsic limit. It is just here that Augustine is frequently misread on all sides. There is a tendency to suppose that in one register he recommends peaceability, but then as a matter of realist concession he insists that in certain contexts coercion is unavoidable. Yet one can alternatively suggest that for Augustine both forbearance and tempered punishment belong to a continuum of tactic (a kind of sacral pragmatism) that assumes faith in and hope for the arrival of the ultimate reality of fully harmonious peace.

Thus, he does not moralistically recommend being peaceful as a matter of private probity, and then reluctantly and realistically qualify this injunction by saying that it cannot always be sustained. To the contrary, forbearance and tempered punishment alike are related to these theological, New Testament virtues insofar as they are a matter of eschatological expectation. Mercy allows an interval for repentance, but so does moderate punishment and relatively restrained warfare, which should always be instructive and is only justified as such.

This politics of mercy and of personal care regards the advocacy of Christ to the Father in the Trinity as being repeated and relayed through our dual citizenship within this world. As citizens of the diabolical worldly city, we cannot be rescued, even in terms of that city's own 'natural' norms, except through the constant intercessory pleadings of the City of God. So, in his letters to Nectarius and Marcellinus Augustine distinguished between the defender and the intercessor. The defender, like the accuser, tries to spin the argument: in order to win, he plays the mimetic game of rivalry. The intercessor, by contrast, agrees on the guilt, yet seeks to relieve the punishment.³²⁴ In this way a more genuine justice becomes possible as the hope for reconciliation.

Augustine thereby distinguished between the strictness of the secular arm which punishes and the mercy of the ecclesiastical intercessors. The sentence of guilt performs a meagre justice, unlikely to engender repentance or to forestall revenge, but the suspension of punishment promotes the good and escapes a mimetic repetition of violence.

In the context of dealing with pagan rioters, Augustine adopts this double, but integrated approach.³²⁵ Their property is to be removed as a mark of their crime and recognition of their sinfulness, of which they should be afraid: they cannot simply be pardoned without redress,

³²⁴ Augustine, Letters 90, 91, 103 and 104 from and to Nectarius; 133 and 139 to Marcellinus, in *Political Writings*, 1-22, 61-3, 66-9.

³²⁵ Letters 90, 91, 103, 104, from and to Nectarius.

as Augustine's pagan correspondent Nectarius pleads. On the other hand, their due capital sentence should be suspended, in imitation of the mercy exercised by the perfectly good man (Christ) who commanded to the adulteress, 'go and sin no more'. Yet this outward mercy instigates an inner punishment of self-accusation, inaugurating an inner purgatory that drives the offender to repentance.

No longer able to externalise wrongdoings in the unending debt economy of sin, each person is driven to relieve their debts by sharing in (assuming and repeating) the sacrifice of Christ (*The Trinity*, IV. 2-14). This process is, for Augustine, not just manifest at the individual level, but also through the operations of social agents and classes, in an overall 'economising' of political rule which is now merged with the caring role of Church as household. The secular arm which punishes inspires fear in the wicked, who cannot for now be restrained by virtue, thereby to a degree allowing solid and reliable citizens to live in peace. Yet in order that the wicked may be reconciled, the Church goes further and acts, not indeed to overturn the sentence of guilt, but to alleviate the punishment, thereby inwardly inoculating the sinner against the external reality of mimetic contagion.

This new interval of patience between guilt and punishment is produced by Christ's crucifixion, because he had no guilt and yet was punished. As an inverted consequence, our guilt need not automatically result in the counter-violence of punishment, but can, instead, be assuaged by mercy. Every act of mercy towards a guilty man becomes thereby a participating repetition of the divine sacrifice: 'He undeservingly suffered [in order that] we might pay the debt owed, if He, too, was able to bear it unowed on our account (*De Musica* VI.18-19).'

This specifically Christian logic nevertheless, one could argue, extends more generously the civic and religious mores of Ancient Rome, which had parallels elsewhere in the ancient world. The indebted *cliente* citizen could traditionally escape slavery and destitution if he could attach himself to a patron, who would settle his debts, by a kind of alchemical transmutation in which the worldly obligation of financial debt was exchanged for the spiritual debt of honour, underwritten by obligation to the gods.³²⁶

Augustine's Christian gloss takes this hyperbolically further. The debt of love and of worship demanded by the true God more absolutely trumps the debt of sin owed to the devil, our inevitable death, since God infinitely cancels even this infinite debt by choosing to freely to

³²⁶ Veayne, *Bread and Circuses*; Phebe Lowell Bowditch, *Horace and the Gift Economy of Patronage* (Los Angeles: California UP, 2001).

die our human death even though, as God, he was ‘not able to die’ (*The Trinity* IV.13, 17). Thereby we receive again the infinite in its positivity as grace. Benignly robbed of our finite seizures of ownership we receive entirely that which we can, however, never own, since it is boundless. To own is to divide, and in receiving all, we all of us lose all selfish ownership, all rivalrous possession. A different city is inaugurated.

Viewed this way, one can better understand how the morality of tactics, and of an infinitised economy, is also an ethics of specifically political tactics. The more patient Christian citizen, slow to anger, is ultimately helping to build up a much more stable polity: something to which Augustine adduces immediate evidence.³²⁷ This also explains why for him the border between persuasion and coercion does not fall neatly between the ecclesial and the secular arm, even if there is an important relative difference. To the contrary, the ethical and political tactics are also salvific tactics: Augustine was no Marcionite, and so the Christian exists always on the cusp between the Old Testament enforceable moral and political law and the Gospel law of charity and reconciliation. The necessary rule of the city of this world coincides to a degree with the persisting religious validity of Old Testament law, just as for him the Hebrew Jerusalem, as we saw, was a part (albeit a special part) of the earthly city. After all, it was the Jews’ submission to the one true God that enabled their earthly success to the degree that they did not apostasise (*CD* XVIII.27.45). For Augustine, such a promise still holds good in his own time, as in the past (*CD* V.15), also for Rome, even if it is of infinitely lesser consequence than the promise of eternal salvation.³²⁸

Such a sense of the primacy of tactics in relation to faith in an ultimately real peace is shown in Augustine’s reading of Christ’s injunction to turn the other cheek.³²⁹ This appears to be an example of sacrificial and symbolic action entirely in excess of the tactical: something always allied to a kind of warfare, albeit spiritual (*CD* V.23). But not on Augustine’s reading: for him it is notable that more specifically we are enjoined (in Matthew’s version rather than Luke’s) to offer our left cheek if the right cheek has already been struck (Matt. 5.39). This therefore must mean, not that if abused in one respect we should offer up more of ourselves

³²⁷ Letter 138 to Marcellinus in *Political Writings*, 30-43.

³²⁸ Clifford Ando (*Matter of the Gods*, 175) would seem to be wrong to say that Augustine no longer ‘saw God as favouring Christian Emperors merely because they were Christian,’ citing *CD* 3.18 and 5.24-26. In fact, the latter passage merely says that Christian emperors should not rule in the hope of securing divine favours but in order to rule justly and secure eternal salvation. Yet Augustine adduces evidence that Theodosius and others have indeed enjoyed providential success.

³²⁹ Augustine, *Our Lord’s Sermon on the Mount*, I. xix; Epistle 138, 36-7.

for further abuse, but rather that if what most matters for us has been attacked then we should offer up also what matters less, just as Paul for this reason appealed to his Roman citizenship when he was persecuted. To do so is to indicate to the assailant an order of priorities. For Augustine this meant, allegorically, that if matters to do with the heavenly city are under assault, then one should renounce those to do with the earthly to indicate their far lesser value. Paul was not therefore trying to hide his Christianity under the protective cloak of his Romanness but was sacrificing the latter to the former.

In this case, then, tactics required passive renunciation. Yet the point of the latter is instruction: in other instances, instruction might involve a degree of active coercion in order to hold open an interval for persuasion to take effect. In either case, violence is now a hinge: whether voluntarily undergone or inflicted. The only point of either its endurance or its imposition is its ultimate fading away. But just as Christ could not escape the Cross, so for now we have to continue to reckon with violence as sin and death.

Punishment is thus also seen as transition. Although measures of coercion, including war, remain for Augustine necessary, if thoroughly imperfect and ambivalent, means for suppressing sin and subordinating sinners, they are never justified in ultimately punitive terms. Instead, they are seen as in themselves the continuation of sin as its inevitable consequence, and only turning in their counter-violence away from sin if they are ultimately self-negating. That is to say, if they are aimed in the end at reducing coercion overall, bringing about individual healing, economically corrective justice and social peace. The employment of authority of this kind is understood by Augustine not as a privilege enjoyed by the righteous, but rather a terrible burden that awaits its relief in:

that heavenly home in where the duty of commanding mortal men, will no longer be necessary, because there will no longer be a necessary duty of caring for the welfare of those who now enjoy the happiness of immortality. Until that home is reached, however, fathers have a duty to exercise their mastery which is greater than that of slaves to endure their servitude' (*CD XIX.16*).

Punishment only ceases to be a sin when it is eternal: but Augustine's endorsement of everlasting hell arguably conflicts with his overall metaphysics of punishment, by denying its transitional and purgative character, just as his admission that it is a state of eternal civil war or *stasis* (because the unjust can only suffer if they now know that they are unjust and yet

cannot overcome their unjust willing: *CD XIX.28*), reintroduces after all an eternal and infinite dualism of ontological violence alongside ontological peace.

Nevertheless, Augustine considered that the mistake of previous pagan citizens was to have treated violence and its inhibition as an ultimate horizon. For that reason, they have failed to be fully just: the only possible measure of complete justice is when everything is given its due in its right place, all accept this, and therefore there is perfect peace (*CD XIX.24-7*). Not to subordinate all action to this ultimate end, even though it is not fully achievable in this world, has to be to substitute something else for justice.

For this reason, the citizens of Jerusalem on pilgrimage through this world and the earthly city are nonetheless the latter's better citizens, because in worshipping directly the God of infinite peace and love they are not trying to appease lesser gods who are really selfish demons demanding sacrifices of blood to lessen their wrath. This, for Augustine, would be equivalent to absolutizing some finite goal such as the glory of Rome, when we cannot be sure that even Rome may not one day vanish. Astonishingly, Augustine says that if even pagan sacral images, like 'the holy things of Vesta' had been treated according to this logic of temporal use ordered towards infinite fruition, 'not to secure temporal goods but as symbols of the eternal', then they would have been unobjectionable (*CD III.18*).

One day, indeed, says Augustine (following 1 Corinthians 13), there will be no need for prudence, justice, fortitude and temperance, or even for faith and hope, because all will be charity. But that does not mean that for now charity displaces the need for the exercise of those cardinal virtues and the other two theological ones. This is because charity for Augustine is more a mutual state than an imperative, just as he indicates that the evils wrought by others impair one's own ability to be fully good (*CD XIX.27*), while the life of the saints is supremely social, with a universally social remit, extending from the *oikos* to the *cosmos* (*CD XIX. 3*).

Thus, entire charity has to be both prayed for and struggled for, at once through rhetoric and coercion. In a word, it must for now be *fought for*. The just struggle of Abel against Cain has replaced the unjust rivalry of Romulus and Remus. For this reason, Christians are not merely better citizens as more pliant and more reliable, but as more militant.

This is why Augustine does not merely contrast martyrdom with heroism, but views the martyr as the perfected hero, as Dodaro has argued.³³⁰ Pagan heroism for Augustine in effect substituted feats of arms and the glory of bravery for a more genuine facing up to death. Its activism was therefore a kind of evasion and courage in the face of the enemy rather than of death, which secretly continued to be viewed with trepidation. But Christianity for the first time frees human beings from the fear of death, both psychic and corporeal. This might, on a ‘Machiavellian’ reading, seem to betoken the redundancy of civic courage. Instead, Augustine views martyrdom as its ultimate exercise. For now, even death can be bravely received, in active defence of the true city and its earthly representation (*CD VIII.27*). The cult of the martyrs does not directly defend the earthly city, as the cult of the heroes was supposed to: and yet in sustaining their witness to the ultimate horizon of eternal peace it also serves to build up the justice of the earthly city and so does, after all, indirectly defend it in a more ultimate heroic fashion.

The City

When it comes to the other accusation which Augustine is trying to parry, that the gods have deserted the city because of the Christians, then he is no more denying the importance of the earthly republic than he is trying to downgrade the value of earthly republican citizenship. In proto-Renaissance fashion he openly celebrates and rejoices in human ingenuity, art and technology as divine gifts:

How astonishing are the achievements of human industry in devising clothing and shelter! What progress man has made in agriculture and navigation! With what variety are his achievements in pottery, painting and sculpture conceived and executed! What wonderful spectacles are displayed in the theatres...What ingenious methods do we find employed in capturing, killing or taming wild beasts!’ (*CD XXII.24*)

Certainly, it is true that he insists that the inscrutable providence of God may not preserve Rome in perpetuity, but he equally (and literally) insists that it is the demonic pagan gods who have been inherently fickle and would appear to have endlessly betrayed Rome and led her into disaster in the past. Their encouragement of rivalry, and unjustified external belligerence from the outset, has meant that the entire history of Rome hitherto has been

³³⁰ Dodaro, *Just Society*, 30-42, 57-71, 86-94.

bloody, divided and insecure. The original Roman kingdom successfully overlaid the petty evils of its half-bandit mongrel founders, and ultimately through the *Pax Romana* Augustus ended the inter-city violence of the ancient Mediterranean. But this older peace amongst citizens fostered the growth of power and luxury, which in turn led to struggles for glory both internal and external that continually ruined the intermittent calm (*CD III*).

If Rome is now more than ever threatened from without, then that is partly a coming to a head of ancient faults, and partly the consequence of a failure to live up to Christian ideals. By contrast, no city can really be protected except by the supreme God, whose power acts in this world directly and without (as we saw in the previous chapter) any need for demonic/angelic mediation in the sense of supplementary aid. It follows that the city should invoke directly the Triune and Incarnate God and comprehend itself, through its ever-increasing unity with the Church (the celestial city on pilgrimage), as a sacrificial offering to God by its attempt to live in justice, care and mercy. This very attempt will tend to strengthen the cohesion of even earthly politics.

4. What are the Two Cities?

It is perhaps significant that Augustine's book is *not* entitled, like that of Otto of Freising in the twelfth century, 'The Two Cities', but 'The City of God'. For there is a real sense in which, for Augustine, there is only one true city, Jerusalem, the city of the Angels, with human members added to make up the lost numbers of the fallen angelic spirits. By comparison, communities of mortals on the earth represent but various degrees of participation in this city. Even Babylon is not wholly demonic, because that is impossible according to Augustine's understanding of evil as privation, which must apply collectively as much as individually.

Therefore, one can argue that the Augustinian political picture is fundamentally Platonic. The key difference from Plato is the 'politicisation' of the *Nous*, or the realm of ideas, which had already been inaugurated by Philo. The Platonic Forms, insofar as they are created wisdom are, as it were, now themselves people and not just people but also citizens.³³¹ Of course this is due to biblical influence and Augustine stresses in the *Confessions* that what he *did not*

³³¹ Augustine consistently identifies Jerusalem with the hypostasised Sophia of the biblical Wisdom literature, e.g. in *Confessions* XII, XIII.

read about in the Platonists was not just ‘the way’ which is Christ, but also the eternal city, which is also the city to come, Jerusalem (*Confessions*, VII.21).

But it is important to remember that this biblical *topos* itself involves a projection onto the heavens of an extended earthly *polis*, Jerusalem, which had enjoyed various modes of mixed government and had existed in counterpoise to further-oriental empire: in both respects exhibiting some similarity to the cities of the Greeks. Conversely, we should also recall that the pagan gods were taken to be full participants in the Greek and Roman cities. It is anachronistic to over-impose a contrast between the pagan and Biblical sense of the relation of religion to politics, and still more to project back upon Augustine a much later western break with the civic ideal that was the outcome of later developments, theological and political.

For this reason, if there is really in one sense only one city and not two, in another sense the earthly city is really many.

As we have abundantly seen, Rome is not quite so damned, for Augustine, as the older empires and especially Babylon. It significantly participates in the eternal city and foreshadows its arrival in time. In part, indeed, by negative contrast (Romulus and Remus compared with Cain and Abel), but also in several positive respects: Roman glory and refuge, the Roman quest for universal peace and its respect for justice.

Augustine also to a degree perpetuated Tertullian’s critique of Greek philosophy, with its markedly Roman character, premised on a rejection of the latter’s abstraction, relativism and excessive bent for speculation. It fails, thereby, for Tertullian, to be sufficiently political, adequately able to serve the cause of producing virtuous citizens and a strong polity. The philosopher stands nowhere, alienates himself from tradition and *polis*, and simply ends up adopting a series of convenient masks (*Ad Nationes* II.4). Tertullian also significantly argued that Greek speculative philosophy is unfit for Empire: Rome’s vast material dominion and moral uprightness are the visible manifestation of, and justification for Rome’s more political mode of *theoria*: the sign that she is acting most in imitation of a sacred cosmic order.

This perspective was not, after all, straightforwardly anti-philosophical, since it is also found in Polybius and Cicero. In arguing against Greek ‘philosophy’ Tertullian was claiming that its

rationality was deficient, because it was too disconnected from politics and history. The same perspective was sustained by Augustine, albeit in a more Platonic key.³³²

Conversely, the ancient Jerusalem was for Augustine not simply and already the beginning of the City of God on pilgrimage in this world. The real beginning of the latter arrives with Christ, its first founder and first citizen. Only typologically does Jerusalem already foreshadow this city.

One can also infer a certain Augustinian respect for the Greek cities, insofar as Numa's wise legislation during the period of Rome's monarchy was linked by Cicero with his Pythagorean philosophy, shared by the Southern Italians with the Greeks, as Augustine records (*CD* III.10; VIII.2). Augustine's own thought is strongly marked by Pythagoreanism from his early period onwards.³³³ Equivalently and conversely, his strong celebration of the uniqueness of Platonism as a philosophy cannot have been separable from his awareness of its originally republican civic context, especially as the linkage is so strongly renewed by Cicero, to whose line Augustine so often cleaves, as we have seen.

Finally, Augustine's attitude to the nature of the Church is notoriously complex. It is certainly a real polity, with a real organisation, whose boundaries with the polity of the empire are not clear, as Augustine's record of his own episcopal practice renders apparent. It is said to be 'on pilgrimage' and so is composed in Roman terms of what were originally *peregrines* rather than citizens, just as the ecclesial unit of administration was the *parochia*, the terrain within the city traditionally reserved for strangers. All free men 'in the known world' were made citizens before Constantine, and after the imperial religion became the Christian religion after his accession, it was as if Rome itself had fused stability with peregrination and the friend with the stranger, in accordance with Biblical understanding. Nor was this fusion altogether alien to Rome's own supposed nomadic origins with Aeneas, and its own stronger than Greek emphasis on the civic continuity of kinship through time, that had led it to displace myth and philosophy with instructive legends of foundation.

Thus, on the one hand we have the *civitas Dei*, very much a *polis*, inhabited by citizens, but on the other it is presented as *peregrinatur in terra*, on pilgrimage through the world. The nature of the life both of this city and the earthly is *socialis*. These can be read as three tiers

³³² See Dariusz Karłowicz, *Socrates and Other Saints: Early Christian Understandings of Reason and Philosophy*, trans. Artur Sebastian Rosman (Eugene OR: Cascade, 2017), 67-73.

³³³ See Milbank, 'The Confession of Time'.

of belonging. First that of the *civitas*, the realm of the familiar *cives*; yet that realm is for now secondly *perigrinatur*, which means composed of foreigners or aliens in transit. Thirdly, we have the idea of the *socialis*, which indicates a friend or an ally, the *socius*.

None of these terms are politically innocent, still less when juxtaposed with questions of political and cultural diversity. Roman citizenship in the early Republic (long before the Antonine Constitution) was divided into three tiers: *Civites* who enjoyed the full rights of a Roman citizen, *Latini* who were allied Italian tribes granted limited rights, including the right to apply for citizenship, and finally *Socii*, effectively tribal vassals of Rome who received protection in return for taxes and military service. This system collapsed during the Social War in which the Italian tribes demanded and eventually received full citizenship, but the category of *Socii* continued outside Italy and formed a complex and diverse set of vassal and tributary relationships across the late Republic (*CD* 7.24).³³⁴

By contrast to the eventual Antonine universalisation of the *cives*, Augustine's novel conception of a new Roman-Christian citizenship somehow, it would appear, fuses full belonging with the transitory belonging of the *peregrinus* and the 'associated belonging' of the *socius*. Instead of just augmenting full belonging (and so rendering more absolute the boundary between insiders and outsiders, however vast that imperial boundary may be) Augustine much more radically questions the interior/exterior distinction by suggesting a primacy of 'transitory' existence both in time (the pilgrim) and in space (the associate). This positive and relational notion of transition can be seen as complementary to the notion of transition as redemptive 'hinge' already considered.

The significance of the *socius* is elaborated by Augustine in Book XIX, where, as we have seen, he argues that there never was a Roman commonwealth that met Scipio's description in Cicero's Republic: if the good is the good of the people there is no republic, because there is imperfect justice, and the Roman Republic serves demons and expands by unjust violence (*CD* XIX.21). Ultimately love of glory is insufficient to create justice. As he goes on to argue, only the city of God answers this definition because it is perfectly just through its will to perfect reconciliation via the exercise of forgiveness (*CD* XIX.24). It is perfectly a city by being perfectly a society, a community of friends. A genuine commonwealth requires justice and that in turn requires giving God his due which involves 'rightly ordered love': an entirely political new definition of virtue (*CD* XV.22), involving a rule by 'the counsel of charity'

³³⁴ A. N. Sherwin-White, *The Roman Citizenship* (Oxford: OUP, 1973), esp. 96-149.

which Augustine opposes to the politics of domination (*CD XV.7*), which is not really compatible with republicanism (as he implies, at once in keeping with and yet in criticism of Cicero). The ‘bond of concord’ (*concordia*) constitutes true justice and is the least likely to be broken.

The debased republic is relegated here to the category of mere society. It is simply an aggregated association, still Cicero’s ‘multitude’, although now more teleologically specified. While any human community whatsoever is now more primarily defined as a *societas* beyond the normal ‘political’ (spatial, finite and semi-exclusive of the household), bound together by its object of love which inherently transcends it, nonetheless the City of God in heaven and the Church on pilgrimage are ‘supremely social’ as Augustine explicitly says (*CD XIX.5*). The irreducible relationality of the social as association across any boundary is now tending for him to displace the ultimate monism of the individual citizen in direct relation to the individual city of which he is simply a component. Citizenship is thereby becoming more emphatically friendship and love beyond distributive justice, though in fulfilment of the latter. The *socius* is displacing the *cives* and yet being revealed as the more genuine *cives*.

On the other hand, the Church remains primarily a community of collective memory, confession and prophecy; still not altogether unlike ancient Israel, insofar as it now looks towards the second coming of the Messiah. In a certain way, the arrival of Christianity has displaced the primacy of the real with the primacy of the symbolic, a note much to the fore in Augustine’s insistence against the Donatists that sacramental validity does not depend upon the personal probity of the administrator.³³⁵

It is in this light that one should understand Augustine’s assertion that some apparently within the City of God do not eternally belong there, while inversely some apparently within the earthly city (outside the Church) really belong within it (*CD XVIII.49*). This should not be read as saying that the actual earthly communities are merely ciphers and that the real two cities are only constituted by individual allegiance.³³⁶ For this would belie the careful way in which Augustine traces specific lineages for both: from Cain and Abel respectively (*CD XV.1*). The point is much more that neither of the cities on earth is pure, that both cities represent various degrees of participation in the eternal city which is also the eternal realm of

³³⁵ Milbank, *Theology and Social Theory*, 406-7.

³³⁶ For criticisms see Williams, ‘Politics and the Soul’; Milbank, *Theology and Social Theory*, 382-442; and Jean Bethke Elshtain (despite its liberal realist reading), *Augustine and the Limits of Politics* (Notre Dame IN: Notre Dame UP, 1995).

created intelligence. Thus, individual members (and surely groups) within the two cities can be respectively more elevated or more debased than the general run of their communities. In consequence, even the Church is subject to degrees.

All of the above tends to the conclusion that there is no simple dualism for Augustine's political perspective. Insofar as a dualism is present, then, as already suggested, it is metaphysical and Platonic. There is one heavenly city and one earthly city, mediated by various degrees of ontological sharing. Insofar as the City of this World is one, then it seems to include the whole of humanity, as if it were a fallen version of the Stoic *cosmopolis*, understood as an aggregation of all naturally human individuals. But this is not the case, just insofar as Augustine literally thought of the entire human race as constituting one real, ultimately linked household and political community. He was able to do so because he thought that human beings, unlike other animals, were derived from one original human couple, Adam and Eve (*CD XIV.1; XVI.8*). It follows that human beings are one political community because they are one single kinship group. Augustine recommends exogamy in the present era (*CD XV.16-17*) precisely to *reinforce* this and not for the opposite reason: his thinking, in our terms, is neither tribal nor globalising, but 'pan local'.

One could regard this as an exacerbation of a Roman outlook, with its strong emphasis upon kinship. At the same time, this does not with Augustine help to foment an ultimate proto-modern individualism, built upon family-priority, as arguably is the case with Rome in general. He condemns the excessive Roman sense of property and propriety in such a way as to excoriate both ancient 'demonic' safeguarding of one's tribal own and a burgeoning sheer individual selfishness (*CD II.20*). And if, as Hannah Arendt argued, he exalted 'natality' in the sense of absolute beginnings (as with the creation of human beings, in contrast to doctrines of pre-existent souls)³³⁷ then this favoured as much baptismal re-birth as natural birth from human ancestors. In consequence, Augustine's notion of an *ordo amoris* mediates both (*CD XV.22*). We are to advance from our primary duty to love the nearest by kin to love the nearest, the neighbour, by proximity.³³⁸ This is one aspect of the order within love. The other aspect is that ordering which links through a further and wider relating all the more local practices of mutual charity and mercy. This ordering is precisely what constitutes the *ecclesia*: the City of God on pilgrimage.

³³⁷ Hannah Arendt, *Love and Saint Augustine* (Chicago IL: Chicago UP, 1998).

³³⁸ Augustine, *On Christian Teaching*, I.27-8.

5. Augustine Between Heaven, the Republic and the Empire

So far in this chapter we have seen that Augustine sought to save rather than question ancient ideals of the city and of citizenship which he thought had never been adequately realised, because they were predicated on a false religious base that Platonism had but partially rejected.

We have also seen that this continued exaltation of the ancient city is linked to a mutated Platonic vision: citizenship as politics conceived as participation is inherently linked to viewing all created existence as participation in the divine wisdom and the realm of the intelligences, which is also the heavenly city. It can be suggested that, in the long-term wake of Philo, he thereby further merged the two dimensions of participation by rendering the Greek metaphysical also Hebraically cosmo-political. Not only is the shared co-rule of citizens an expression of their shared participation in the Good: it is also an expression of their sharing in the eternal angelic citizenship and ultimately in the substantively personal relations of the Trinity

In effect, this is a hyperbolic extension of Plato's later politics of the Dyad. For the horizontal blending of unity and difference, wisdom and passion, the aristocratic and the plebeian, that is involved in citizenship and mixed government, is, as for Plato, a sharing in the horizontal dimension of participation amongst the Forms themselves. For Plato this was the 'interweaving' of the One and the Dyad; for Augustine it is the community of the angels in their manifold sharing in the divine Trinity.

But as we saw in the previous chapter, Augustine goes further still by understanding the heavenly Jerusalem as a participation in the eternal life of the Trinity, insofar as it is an interplay of Being, Intelligence and Will or Love and of Ability, Skill and Application. Citizenship as friendship is no longer just a collective assistance towards an individual's vision of the One, and *paideia* is no longer just a ladder of ascent to be finally kicked away. Instead, God himself is conceived as both the acme of mutual love and as the ultimate expression of dynamic art. He thereby transcends the contrast of soul and city, as of the One and the Dyad. The final equality of both pairs in God amounts to a novel 'politicisation' even of the ultimate: metaphysics as the theory of divine government.³³⁹ This more civic vision of

³³⁹ See Giorgio Agamben, *The Kingdom and the Glory*, trans. Lorenzo Chiesa (Stanford CA: Stanford UP, 2011).

the theological matches Augustine's claim that Christianity redeems, or even founds for the first time, the genuine city of which antiquity had dreamt.

How then, can one more precisely situate Augustine with respect to this ancient dream? We have seen that he broadly endorses inherited conventional notions of justice as distribution, giving each person their due, and of the normativity of mixed government, while also implying that Christianity ends the inherent tension between higher and lower in soul and city that had engendered in the past the Platonic/Polybian cycles of alternating regimes. From now on a cyclical history can give way to a linear and progressive or reforming one.³⁴⁰

So far from giving up this pagan form of virtue for lost, Augustine proposed its fundamental reorientation and the vision of a new kind of Christian polity in terms of a retention of virtue as pursuit of glory and yet a transvaluation of virtue (as already described) linked to the pursuit of the true eternal glory: 'The glory, honour and power, therefore, which the Romans desired for themselves, and which the good sought to attain by good arts, should not be sought after by means of virtue; rather, virtue should be sought by means of them' (*CD* V:12). The implication is clear and even shocking for commentators who suppose that Augustine is breaking with the civic ideal: Christians should actively seek the glory, honour and power of the true eternal city not through 'virtue' but by the 'good arts' that seek to participate in the eternal Good. Then alone a genuine virtue will be gained.

One can interpret this as a preference for Platonic imitative/participatory 'art' versus Stoic virtue as inwards retreat from passion and engagement. This is borne out by Augustine having earlier in this section quoted Virgil's *Aeneid* as saying that the Romans excel in the *political* arts the way in which the Greeks do in the plastic ones, and that these arts are 'to establish ways of peace, to spare the fallen and subdue the proud' (*Aeneid*, 6.847ff). Even though Augustine rates virtue above glory earlier in the same passage, in terms of the Pauline 'testimony of our own conscience' (a kind of self-honouring which witnesses to our glorification by God alone), this later subordination even of virtue to 'good arts' understood as the architectonic art of politics (as collective *poesis* rather than individual *praxis*) suggests that we only acquire a good conscience if we are pursuing, in relation to others, a combined sharing in the divine goodness: in other words, the social venture. And that, as we know from

³⁴⁰ See Gerhart B. Ladner, *The Idea of Reform* (Cambridge MA: Harvard UP, 1959).

elsewhere, is only possible for Augustine as the liturgical instigation (by the highest collective art) and reception of the divine glory: God's unearned 'praising' of human beings.

His discussion continues with a comparison of the virtue of Cato to that of Caesar. Seeing in Cato a prefiguration of the Christian account of political virtue, he cites Cato on what made Romans great: 'But it was other things than these [feats of arms] that made them great, which we do not have: diligence at home, a just rule abroad, and a free spirit in counsel, devoted neither to crime nor lust' (*CD* V.12). He praises Cato (as quoted by Sallust) yet suggests that though this speech aspires to true virtue it does not reflect the reality of Roman history. Even in the earliest times Sallust himself recorded that 'the patricians treated the common people as their slaves' (*CD* III.17). But Cato's ideal, if inadequate, is not thereby denied.

And as we have seen, even the early Roman pursuit of glory which inhibited their ideal of virtue (though not so badly as their later outright pursuit of *dominium*: *CD* V.12), is taken to be a typological anticipation of what was lacking in their pursuit of mere virtue, which prevented their virtue being complete. Human glory prefigures the divine manifestation of his glory as the bestowal of grace which should elicit from Christians a display of honouring at least as great as that with which the ancient Romans glorified their city (*CD* V).

If Augustine sustained, alongside a politics of virtue, also a commitment to mixed constitution, then he additionally continued to endorse, following Marcus Varro, an ideal pagan 'mixed life' for the individual citizen, combining tranquil contemplation with turbulent political involvement (as exemplified in the life of Cicero). This remains the case, even though for Augustine the imperative of balance was entirely overridden by the need to refer both theory and practice to the ultimate Good of infinite Trinitarian and heavenly peace (*CD* XIX.3). This will temper in future the dissipation of contemplation into solipsism and of political engagement into rivalry that ensues when they are not conjoined in their orientation towards the eternal city.

Traditionally civic, also, is Augustine's promotion of *paideia* as both education and reform. The shared task of ecclesial and secular polity is to produce better people, who are thereby regarded as being ideally citizens, rather than just law-abiding subjects. Along with his strikingly explicit excoriation of the notion that law is just about protecting persons and property, this strongly suggests that Augustine leans to the Platonic and republican, rather than Stoic and cosmopolitan aspect of the Ciceronian legacy. His entire recommendation and practice of a politics of mercy and of personal confession (generalising his own

autobiographical awareness)³⁴¹ implies not indifference to civic solidarity and justice, but rather their extension: there is no longer any inevitable resignation to some people and some passions lying outside civic or psychic order and amenable only to control by the military and by the psychological force of *thumos*. This is again why it is wrong to think of Augustine as blending monastic idealism with realist compromise: to the contrary, his switch away from the Eastern eremitic style involved introducing a measure of social realism into the contemplative life, while inversely his pastoral practices of eliciting confession and exercising mercy suggested a certain ‘monasticisation’ of the lay and the everyday.

As Dodaro has suggested, the integrating element here is once more the notion of transition.³⁴² Just because the earthly city is one, and we are all only on the way, yet are all in various degrees participating in the Good, everyone is subject to increasing initiation into the mystery of the divine unification with humanity achieved in the Incarnation and in the Church. The fact that this is indeed a mystery, as Dodaro emphasises, conveyed by enigmatic symbols, rebukes our pride and requires an intellectual patience which runs parallel to the patience of mercy. It slowly introduces us to a higher wisdom that only discloses itself to the right emotional mood of charity, or love.

There is consequently no warrant for reading Augustine in a liberal-realist fashion that ignores his essentially integral vision of human historical and social life, pivoted on the hinge between law and gospel, in the way that Dodaro has expounded.

It is nonetheless true that Augustine implicitly relativises law codes and explicitly sees law and custom more as a work of human freedom, so that providence works through our freedom to establish different norms in different ages and even from hour to hour, as he so strikingly declares in the *Confessions* (III.vii). Human insight into objective justice is now indeed seen by him in a more ‘liberal’, free manner that goes along with the new primacy he gives to the will, desire and love, without however separating them from intellect, teleology and truth.

It is also true that he recognises that, since we will never agree about everything that matters, then the order of the earthly city is constituted by a ‘compromise’ between competing wills

³⁴¹ Peter Denis Bathory, *Political Thought as Public Confession: The Social and Political Thought of Augustine of Hippo* (New Brunswick NJ: Transaction, 1981). This confessionalism is given a negative, Foucauldian reading by William Connelly in *The Augustinian Imperative* (New York: Rowman and Littlefield, 2002). But arguably this projects back upon Augustine the institutionalised degeneration of such a personalised politics.

³⁴² Dodaro, *Just Society*, 72-114, 147-81.

(*CD XIX.17*). This could suggest a recognition of a liberal formal order, free from any requirement of human agreement about the notion of the good. It could be read as recommending the modern notion that politics is about what to do when we disagree.

However, it is impossible to understand Augustine as recommending such ‘liberalism’ as normative, rather than as something we must often resort to and is indeed better than outright conflict. One can arguably see him as endorsing a necessary liberal ‘feature’ of politics, a need sometimes to agree to differ, without this being the whole story. And one can agree with Markus that this distinguished him from the more totalising intolerant features of later medieval Christendom, including the supposed ‘Political Augustinianism’ that informed the politics of papal absolutism.

Yet far more strikingly, Augustine seems to disinter the lurking liberalism not just of late but of all antiquity, especially if we bear in mind the esoteric link of the anciently familial with the modern individualistic as intimated (favourably) by Fustel. Perhaps most decisive here is the way in which Augustine denounced the failure of the ancient city to agree upon a shared philosophy, or agreement on the nature of the ‘true life’, in contrast to the agreement of the Scriptures (*CD XVIII.41*). What could be less liberal than this? It strongly suggests that Augustine saw such ‘tolerance’ as really resignation to fundamental conflict that risked surrender to rule by sophistic power. The political advantage of Christianity was not just that it offered a cult of worship of the One God, bypassing demonic mediation, but also that it offered a single shared fundamental philosophy at both a popular and elite level, however much more specific disputes might continue.

Nor is it the case that Augustine thought there was any level at which one might be just resigned to politics as mere formal compromise. For him this could only be an index of a degree of failure to exercise mercy and persuasion, or of everyone to confess their sins and their faith in the eternal peace. For in saying that there was no true justice in the pagan city because there was a failure to offer God his sacrificial due, Augustine is also saying that the city resigned to arbitrary compromise is not a just city and so not a city at all. And we have already abundantly seen that Augustine is not recommending, nor is even resigned to, the existence of mere ‘multitudes’ bound together by objects of love which are less than the ultimate. That would amount to a continuing existence of paganism, since he believed, with the pagans, that the cultic, the political and the psychic were all indissociable.

We have already seen that Augustine appears to endorse a kind of Ciceronian balance between Republic and Empire. His ideal of citizenship remained participatory and yet he also celebrated a more universal imperial citizenship, bringing non-Roman under the rule of Roman law. In Cicero's case this involved much ambiguity: with some tilting (even in his construal of the Republic at times) towards absolute central sovereignty and a concomitant emphasis upon law as a contractual bond of the individual with central enforcing authority. But we have also seen how the imperial context of itself pointed in a more proto-medieval, federal and corporatist direction, involving intermediary political communities and various inter-nested layers of citizenship, as Cicero himself sometimes celebrates.

Clearly Augustine favoured this more federal vision, which does not reduce citizenship as shared ruling to the shared submission of individuals to law, which we have seen to be always a danger, from Aristotle onwards.

As regards civic participation, Augustine's own episcopal political practice stressed the interpersonal and the direct rule of person over person as spoken of by Peter Brown: this was no egalitarianism, but rather an infusing of hierarchical relationships of Ciceronian justice, whether between parents and children, masters and slaves, elites and the people and the Roman capital and the provinces, with Christian mutual love and care (*CD XIX. 21*). He was heir of a new kind of Romanness, passed on by his mentor Ambrose, who was removed from his immense temporal power amidst Rome's elites to become a bishop, a member of a new kind of elite.

Like the tribunes of old, Ambrose was appointed by popular acclamation rather than imperial appointment. In this manner the bishop displayed a kind of political performativity once common to the politicians of the republic, but now alien or drained of significance in an era of dominance by a centralised and unreachable Imperial court.³⁴³ The bishop, by contrast, was constantly accessible, perpetually engaged in pedagogy, which remained the main currency of political legitimacy for educated Romans. Significant in this regard was the fact that Ambrose re-wrote Cicero's *On Duties* as *On the Duties of the Clergy*.³⁴⁴ And there he directly refers to Christianity as a liberative enterprise, as restoring citizenship to captives through the ransom of the Eucharist. Ambrose's own pen bore witness to the link between the

³⁴³ Peter Brown, *Society and the Holy in Late Antiquity* (London: Faber, 1982), 103-50.

³⁴⁴ Ambrose, *On the Duties of the Clergy*.

newly charismatic and the older inter-personal mode of the republican ethos - and we have already seen that the latter was just as cultic, in a pagan idiom.

Augustine was therefore already primed by his background and context to reconceive of Roman citizenship in theological terms and to think of Christian witness in the terms of the Roman city.

As regards the federative, Augustine explicitly advocated an international order of many non-bloated cities and even empires, somehow united by a higher imperial level of shared law and shared citizenship, as currently offered by Rome (*CD* III.10; IV.15). Several scholars have stressed how the *ius gentium* and international private law was first articulated within this imperial space which was to a degree already an international con-federated corporate domain.³⁴⁵

Moreover, the Church in general, through its parochial and diocesan structures, had begun to make federation far more real. We saw in Chapter Four how the extension of Roman citizenship tended to involve a capture of local cults and an obliteration, at least at an official level, of local tribal and civic structures.³⁴⁶ Universality, as we concluded, was in consequence not really cosmopolitan, but more achieved through a near impossible submission of everyone, both cultically and politically, to a single city, however much it now declared its exercise of *imperium* to be nominalised as a vast terrain and its *civitas* to exceed the bounds of its *urbs* within specific *termini*. To the degree that Roman power was inherently religious and local there was a limit to the conversion of the city into an empire. But with the advent of Christianity, the shared cult is now something far more transcendent, even if still mediated by Rome. It becomes thereby possible to have many co-equal episcopal centres and a local ecclesially-driven politics not compromised by their connections to defeated local gods and militarily captured local cults.³⁴⁷

And so to reiterate, Augustine's mode of inclusive Christian citizenship both avoids the Stoic naturalisation of citizen into mere legal subject and the Antonine inclusivity that xenophobically excludes the alien, through his merging of the categories of citizen, sojourner and associate. His concern not to banish (banishment being always the reverse and

³⁴⁵ See Ando, Lee, Moatti and Pagden in *Citizenship and Empire*.

³⁴⁶ Pagden, *Citizenship and Empire*, 247.

³⁴⁷ Thus, Pierre Manent argues that Church saved the project of the Roman Empire, just as the Roman Empire had earlier saved and redeemed the city by universalising it: *Metamorphoses of the City*, 213-327.

constitutive shadow of the pagan city) is shown in his discussion of the figure of the *Kakon*, a lonely monster of pagan mythology. Augustine suggests that this being, even though

he had no wife with whom to give and receive caresses, no children to play with when little or to instruct him when a little bigger; and no friends with whom to enjoy converse [yet] in the solitude of his own cave, the floor of which, as Virgil describes it, ever reeked with the blood of recent butchery, he wished for nothing other than a peace in which no one should molest him...Also he desired to be at peace with his own body, and insofar as he had such peace, all was well with him. (*CD XIX.12*)

Even Cacus, therefore, manifests that ontological and teleological peace that we witness in all animal procreation and nurture. But still more significantly, Augustine goes on to claim that

had he been willing to make with other men the peace which he was ready enough to make in his own cave and with himself, he would not have been called wicked, nor a monster, nor a semi-Man. Or if it was the appearance of his body and his vomiting of smoke and flames that frightened away human companions, perhaps it was not the desire to do harm that made him so ferocious, but the necessity of preserving his own life. (*CD XIX.12*)

The pagan fear of the sub-human monster is here revealed as but a cruel phantom: Cacus's monstrosity is invented to justify his exclusion from a universal political life, the world of the social; he is made monstrous by his very exclusion, and in relation to himself is gentle.

The subtle point is that, on the one hand, isolation is a fantasy projected by the excluders: even the lone individual is an internal complex of related elements, a society seeking peace. On the other hand, this banishment of a fantasised individual from society reveals such a closed society to be itself too boundedly atomistic at a larger level: imperfectly social after all. It follows that only a society that remains open to a wider and wilder relating remains of itself a perfect foregrounding of the relational. The closed community is not, after all, really a community, and the citizen only within bounds is not fully a citizen.³⁴⁸

In this way Augustine singularly articulated the trope of the misunderstood monster. The Romans, already, as we have seen more than the Greeks, upheld the ideals of domestic life as a pattern for political life: this is most visible in Virgil's *Georgics*, in which cosmic harmony, domestic harmony and the political peace brought by Augustus are closely interwoven.

³⁴⁸ See Jean-Luc Nancy, *The Disavowed Community*, trans. Philip Armstrong (New York: Fordham UP, 2016)

However, they contrasted this ‘social’ life with a monstrous, excluded and self-absorbed exterior, and did so ever-increasingly in the post-Augustan era of the Principate. It is this that Augustine’s new ‘pan-social’ vision of citizenship brings into question.

In this manner, both the post-Constantinian reality and Augustine’s own ideas pointed towards what Garth Fowden has called ‘commonwealth empire’ as exemplified most by Byzantium, but to a degree by the Carolingian empire in the West and its successors.³⁴⁹ Such a mode of empire mixed central authority with much regional subsidiarity, just as it blended at the centre monarchic, aristocratic and democratic elements. The empire became more emphatically a republic thanks to the Christian irruption.

Within such a perspective, as anticipated by Augustine, citizenship has begun to be universalised as the bringing of everyone under an ultimate universal law, without always losing its key defining characteristic as a sharing in self-rule which necessarily requires a certain local delimitation or bordering. In this way Christianity offered a universally shared practice of political sharing that was neither collectively vacuous nor achieved at the price of necessary enmity between Rome and what lay in various degrees beyond Rome. Instead, the Christian city on the move through time and space was inherently expansive beyond those borders in terms of its aspirations to a universal care and peaceability. Certainly, it involved a specific cultic and so cultural identity around its specific mysteries, yet these were sufficiently mobile and deterritorialised as to be compatible with many different cultural incarnations and linkages. As Augustine had put it:

for as long as this Heavenly City is a pilgrim on earth, she summons citizens of all nations and every tongue, and brings together a society of pilgrims in which no attention is paid to any differences in the customs, laws and institutions by which earthly peace is achieved or maintained. She does not rescind or destroy these things, however. For whatever differences there are among the various nations, these all tend towards the same end of earthly peace. Thus she preserves and follows them, provided only that they do not impede the true religion by which we are taught that the one supreme and true God is to be worshipped. (*CD XIX. 17*)

Vital to this spatial mobility was the primacy of time as emphasised by Augustine: boundaries can be crossed and territories linked because humans are all of one *kind*, as

³⁴⁹ Fowden. *From Empire to Commonwealth*; Anthony Kaldellis, *The Byzantine Republic: People and Power in the New Rome* (Cambridge MA: Harvard UP, 2015); Fustel de Coulanges, *Le gouvernement de Charlemagne*.

Middle English put it: their political ordering is not primarily by a spatial centre, but by familial descent through marriage and a communicated sacramental ordering of merciful redemption. An order of birth, rebirth and holy passing which sanctified space in various ways records.

6. Conclusion: Augustinian Anticipations

In all these ways then, Augustine did not abandon, but extended and rendered fully coherent the ancient idea of citizenship. He did so by insisting on the link of horizontal with vertical participation and radicalising the Platonic vision of the eternal ultimacy of the horizontal, reconceiving this as itself supreme citizenship. In these terms, at once Trinitarian, Christological and sacramental, he was able at last to combine republican citizenship with a notion of empire universal enough to be all-inclusive, and yet specific enough to retain the core of the citizen ideal. However much the Middle Ages indeed lost his chastening sense that something in the earthly city remains outside the Christian purview, its integral approach to earthly government and eternal salvation remained in an essentially Augustinian trajectory.³⁵⁰

For the distinctive nature of vassalage in the Middle Ages was not the idea of tribute and manorial protectionism, nor even the unique technological and political circumstances that gave rise to the dominance of armoured cavalry and small fortifications across medieval Europe. Rather, Christians had already transformed master/slave and patronage relationships in the context of the Roman Empire into something more like feudal relationships.³⁵¹ Roman ideas of universal citizenship and civic trust were already being religiously modified into something like feudal oaths; political and military allegiance was already being reimagined in far more directly interpersonal terms of allegiance and gift-exchange than outright contract. Even the Empire, already far from monolithic, was being rethought of as a commonwealth of peoples which will develop into the idea of Christendom.³⁵²

³⁵⁰ See Andrew Willard Jones, *Before Church and State: A Study of Social Order in the Sacramental Kingdom of Louis IX* (Steubenville OH: Emmaus, 2017).

³⁵¹ Numa Denis Fustel de Coulanges, *Les Origines du Régime Féodal* [1874] (London: FV editions, 2020).

³⁵² Fowden, *Empire to Commonwealth*; Peter Brown, *The Rise of Western Christendom* (Oxford: Wiley-Blackwell, 2013).

Well before the fragmentation of the empire had fully taken hold, Augustine was advocating an idea of politics that is more like diplomacy, which is at once above the level of territorially-contained political life, and yet also engaged with the intimacies of the domestic realm. Likewise, a new kind of elite was forged in this period, as Peter Brown observes, united over vast distances by bonds of family and faith, and a shared pedagogic and moral life: an elite of natality and re-natality, of kinship both corporeal and psychic.³⁵³

This elite fulfilled in a new way Plato's ambitions for a kind of universal philosophical society, and it formed the pattern for elite life that would survive the fall of the Roman Empire and go on to form the basis of medieval aristocratic and ecclesiastical culture. The economic relations between peasants and lords had its anticipations in the military colonies of pagan Rome.

However, it was the reimagining of the master-servant relationship as we see exemplified in Augustine, as a social relationship, a mutual alliance based on *caritas* with voluntary service given to a servant leader, which would come to form the highest ideals of the medieval social order and make possible new forms of economic relation.

For Augustine, as a Christian, reversed the Aristotelian view that there are natural slaves: 'He did not intend that His rational creature, made in His own image, should have lordship (*dominium*) over any but irrational creatures - not man over man, but man over the beasts. Hence the first just men were established as shepherds of flocks rather than as kings of men' (*CD XIX. 15*). It follows that Augustine was as logical as Marx in seeing that the condemnation of slavery implies the equal condemnation of all that approximates to slavery. Any mode of hierarchy that is forcibly coercive and therefore unnatural (beyond the for him natural rule of men over women, parents over children and the wiser over the less wise) is the product of sin for Augustine, and this is likewise the root of all violence which might bring other humans under our domination, whether military or judicial.

Here again we can see evidence of Augustine's non-liberalism. He does not make the distinctions that a typical liberal commentator would make between an abstract liberty and the formal and contracted power-relations that the individual navigates. There is instead

³⁵³ Brown, *Power and Persuasion* 58-63.

something almost proto-socialist in his refusal to make any absolute distinction between slavery and other modes of coerced and enforced domination.³⁵⁴

However, unlike modern revolutionary thinkers, Augustine did not think that we are capable of avoiding or defeating sin by our own power. Therefore, he argued that the slave, like all who suffer or are excluded from the narrow realm of pagan political life, have their true belonging and status determined by a valuative structure entirely free of mortal power relations: ‘if they cannot be freed by their masters, they can at least make their own slavery to some extent free. They can do this by serving not with cunning fear, but in faithful love, until all unrighteousness shall cease, and all unrighteousness be put down, that God may be all in all’ (*CD XIX.15*). This goes beyond the retreat to interior life of Stoicism, as it entails a belonging to a cosmic political order, in part realised through the Church’s merciful operations in time, which in turn transforms the slave’s actual circumstances.

Not only do hope and faith root his ultimate moral status in a realm outside of the control of his temporal master; his relations to his master are themselves cured of domination by the action of the slave himself through his exercise of *caritas*. By acting with love in the face of coercive power and servitude, the slave is not passively cooperating in his subjugation, but actively subverting its nature. Through exhibiting a loyalty to his master rather than serving him out of fear, the slave draws him into the realm of friendship, a realm normally reserved for fellow citizens. Likewise, masters must in turn seek in every way to draw their servants into a sphere of charity outside of coercion.

Far from depoliticising the power relationship in favour of quietism, Augustine, in his own mode of ‘master-slave dialectic’, therefore rendered the ultimately private, domestic relationship of slavery also political. Unlimited social friendship here sunders the boundary between total domestic belonging (including ‘belonging to’) and circumscribed and conditional political equality.

Thus, he declared in Sermon 272: ‘Be what you see, receive what you are... Individual grapes hang together in a bunch, but the juice from them all is mingled to become a single brew. This is the image chosen by Christ our Lord to show how, at his own table, the mystery of our unity and peace is solemnly consecrated’.³⁵⁵ The Ciceronian notion of the *vinculum*

³⁵⁴ Eugene McCarragher, ‘The Enchanted City of Man: The State and Market in Augustinian Perspective,’ in *Augustine and Politics*, ed. John Doody *et al* (Lanham MD: Lexington, 2005), 261-95.

³⁵⁵ Augustine, Sermon 272, at https://earlychurchtexts.com/public/augustine_sermon_272_eucharist.htm, accessed 22/4/21.

societas humanae is both sustained and surpassed in Augustine's idea of the *vinculum pacis*, the bond of peace between Christians.

Conclusion

We are now in a position to answer the twelve questions that were posed in the introduction.

1. Citizenship in ancient Athens was not primarily a matter of office-holding, but of birth, of shared cultural style and participation in religious practices. As such, it extended equally to both men and women and included children. Aristotle is misleading both as to the facts regarding citizenship of his own time and the story of the origins of the city of Athens. It was not born solely and primarily out of need and for pragmatic purposes of combined strength. To the contrary, it developed from the convergence of various kinship groupings that linked descent, land and *cultus*. Nor was monarchic and aristocratic power more sacral in character than popular power: to the contrary, from the outset the more dispersed and more rural cults of heroes were linked with a popular following. The integration of the city beyond kinship norms was as much sacral as it was democratic, and the two processes were linked.
2. There is undoubted truth in the view that participatory citizen self-government is more possible in a small community between people who are familiar with each other and can often be friends. However, the smallness of the ancient city has been exaggerated: their geographical boundaries could be extensive and citizen-structures could extend to colonial, trading and diplomatic outreaches. Moreover, city self-government did not just end in the Hellenistic age as was once thought; it proved compatible with many-tiered levels of allegiance and inter-civic combination.³⁵⁶ In the case of Rome, a single Italian city not only offered a 'proto-modern' mode of citizenship throughout Europe and beyond, but to a degree (though one should not exaggerate) involved

³⁵⁶ Azoulay, 'Rethinking the Political.'

citizens in participatory structures at local and cross-border levels. Citizen-government can survive in larger structures if elements of corporate subsidiarity are introduced.

But one can go further: if you cannot have full political community with the stranger in your midst, or with slaves, or with foreigners, then the range of the 'political' regarded as the participatory, is in itself inhibited.³⁵⁷ This is why the Platonic and Stoic quest for a universal, cosmic citizenship (combined by Cicero) need not necessarily mean just a kind of internationalism of individual rights. It can alternatively mean the extension of the citizenship principle as extending the range of political participation and so its very centrality to human life. For this reason, we need at least to revisit the notion that the Middle Ages was merely an interlude between ancient citizenship of participation in the city and the modern citizenship of actually total 'subjection', albeit with provided rights and protections under the absolutely sovereign state.³⁵⁸

3. Citizen self-government, although 'reciprocal' as Aristotle defined it, was not democratic in any sense we would readily recognise. Although the free, non-enslaved people certainly included the working classes and they could be involved in government, even so, aristocratic landowners played a more predominant political role and the rule of merit was often seen as an equal principle to the rule of the many. Merit tended to be regarded, as Aristotle bears witness, as enabled by a reasonable degree of wealth and leisure permitting the exercise of generosity. And while the *polis*

³⁵⁷ Nancy, *The Inoperative Community*.

³⁵⁸ Michel Foucault, *The History of Sexuality, Volume One: The Will to Knowledge*, trans. Robert Hurley (London: Penguin, 1998). 144.

was not constituted by subjective rights in our modern sense, nevertheless the scope of mass decisions was significantly inhibited by laws protecting different class interests, their balance and harmony.

4. Democracy was itself largely subordinate to religious cult and participation and the voice of the gods counted for even more than the voice of the people. There was therefore nothing remotely like our association of popular rule with secularity. Divine powers were regarded as real and demonstrable by divinatory evidence, and they were wholly linked to and bound up with the fortunes of the city. Kings might claim to mediate the numinous, but the populace could counter-claim a more direct access.
5. If the *polis* was inherently suffused with religion, then it also involved some collective submission to shared value and notions of virtue. However, the latter were primordially to do with heroism, both individual and collective and were committed to the primacy of success and survival. Crises ensued, both for Athens and Rome, when it was realised that this gave huge licence to self-vaunting and self-seeking individuals, who usurped the glory of the city in the sake of their own prestige, and thereby destroyed any sense of shared solidarity. Socrates and Plato witnessed against this in Athens and later Virgil, Cicero, Seneca, Sallust and Cato in Rome. They accordingly suggested, not only that there was a higher and eternal virtue than that of the City, the Good as such and Justice as such, but also that citizen self-rule based on mutual participation was not truly possible unless a real participation in this Good was recognised.
6. By this parallel, we can see that we should not exaggerate the differences between Athens and Rome with respect to citizenship. It is true that that in Rome there was

less direct democracy exercised by a small group at the centre. There were far more levels of mediation. And yet such mediation can be taken as sometimes not diluting but extending participation to different spheres and levels of life - involving especially more women, more families, more kinship groups and more trades and craftspeople. Besides, the even more intensely religious character of Rome could strongly lend itself to the importance of linking civic to universal virtue, and civic to natural law, whether conceived cosmically or in terms of transcendence. Nor did either monarchy (or Caesarism), nor empire necessarily dilute republican rule as much as might be thought. For reasons already seen, empire might genuinely extend the bounds of this rule, while monarchy could provide a way of balancing aristocratic liberties with popular needs for more participation, security and protection.

7. Although this lies essentially outside the scope of this thesis, these conclusions with regard to Rome support the idea that we should not so readily assume that medieval 'feudal' relations' which began already under the Roman sway were entirely inimical to citizenship. One could argue counterwise that the Middle Ages, in the cities, towns and countryside, exacerbated the 'social' and socially diversified side of 'civil society' which was originally not something outside the political order, but a direct translation of Aristotle's phrase *koinonia politike*, a partnership in governing, or in other words, citizenship (*Politics* 1252a1-6).³⁵⁹ Thereby, participation was alternatively enhanced, albeit alongside many elements of sheer subjugation.
8. The contrast between a this-worldly pagan religion and an other-worldly Christian one has been overdone. The ancient cities stood under the sway of the gods and heroic performances were eternally rewarded. Christianity, in the wake of Platonism,

³⁵⁹ Jean L. Cohen and Andrew Arato, *Civil Society and Political Theory* (Cambridge MA: MIT Press, 1992).

transvalued heroic values, but it did not thereby render communal life a matter of indifference. Both individual lives and shared political lives were of relative unimportance compared with eternal life, but human fate in that respect was to be judged by its entire performance, which included public actions as much as private thoughts. Moreover, the very means of salvation and of spiritual reform was membership within a new polity, the Church, which, while it mainly existed in heaven, possessed on earth a real system of government, territorial possession and organisation, and a real legal system.

9. Against all that foregoing historical background, we should reconsider the theoretical legacies of Plato, Aristotle, Cicero and Augustine with respect to the city and citizenship. Since the nineteenth century, Aristotle has too often been regarded as both historically and philosophically normative for the understanding of the latter. This is questionable historically, because he had relatively little influence on Roman political thought and law, which continued massively to shape medieval thought and practice and still more, in a different way, early modern and eighteenth century thought and practice. Aristotle, of course, mattered a great deal after the thirteenth century, but his political ideas continued to be blended with Ciceronian ones and others of an ultimately Platonic provenance.

Theoretically, it turns out that Aristotle's thought about citizenship was thoroughly aporetic. He failed to align citizenship based upon birth with that based upon sharing in government and that based upon virtue. The more he stressed citizenship as active role in governing, the more it seemed that citizens by birth, including women and children, were excluded, along with the working classes. The more he emphasised that virtue could only be exercised actively, the less clear it became that a ruled citizen (permanently or temporarily) could be virtuous at all. But in that case the very

definition of citizenship as a possibility of a rational share in ruling appears to lapse. Ultimately, the really virtuous do not seem after all to need to share reciprocal ruling with their fellow citizens. So, either some sort of benign tyranny ensues and citizenship is abolished, or the truly noble exit from the civic scene, alternatively by the expulsion of ostracism, or in order to seek the retired and contemplative life.

10. Plato did not reject citizenship for philosophy, but in the *Laws* shows how the two are integrated through the operation of religion, custom and ritual. Although he did not explicitly theorise citizenship, in effect the *Laws* involves an account of citizenship that successfully fuses birth, the sharing in offices and the practice of virtue in a manner that Aristotle failed to do. This is above all because he did not abstract from the religious horizon which was the real context of Athenian citizenship. One can therefore argue that Plato was the more successful theorist of mixed government and gave a more secure place to the democratic component.

The religious horizon included respect for sacred origins and the collective motherhood of Athens, besides an appeal to the mediation of divine laws in civic customs. Plato's ethical reforming of the conception of the gods and of these customs appeared to take an autocratic form in the *Republic*, which sought to impose a uniformity at the elite controlling centre, in imitation of the divine unity. But the later Plato insists metaphysically, and against Parmenides, that there can be no pure monism, and that ultimate reality includes also 'dyadic' difference and alterity which must be blended with the One. Accordingly, the more complete and more viable city blends in unity the young with the old, men with women, the more animal with the more elevated and the past with present and future.

This is possible because of the power of the higher *eros* and the elevation of our passions, which is allowed more by Plato than by Aristotle, who tends to think more in terms of a rational and ‘prudential’ control of the emotions, as of the lower by the higher classes. There is both more psychological and more social fluidity allowed by Plato, compared with Aristotle’s more static system of classification and more spatialising bent. Plato instead sees politics as a temporal process, albeit also cyclical, imitating the eternal through motion, as in the rituals of the dance.

11. There is, indeed, a side to Cicero that accentuates the emerging divide between the public and private already present in Aristotle. Under one important aspect of Stoic influence, Cicero sometime shifted towards a more individualistic understanding of citizenship as the possession of private rights and of the city as most fundamentally the guarantor of private property and legal contracts, besides its own power and security.

Yet at the same time, Cicero was drawn in a more Platonic direction which stressed duty over right, besides relational solidarity and the objectivity of Good and justice. This was fused with a different aspect of Stoicism which stressed the diversity of corporate bodies held together by bonds of sympathy. In the long term, this encouraged the view of human participatory solidarity as extending outwards from the local to the universal like the ripples of a lake disturbed by a pebble, in contrast to the unmediated and directly interior link between the self-controlled individual and the entire *cosmopolis*.³⁶⁰ But Cicero was not sufficiently self-guarded against the latter

³⁶⁰ This trope was first used by Aristotle’s successor Theophrastus and is later invoked by Alexander Pope in his poetic *Essay on Man*. See Derek Heater, *A Brief History of Citizenship* (Edinburgh: Edinburgh UP, 2004), 45.

vision to the extent that he but ambiguously affirmed the reality of the Platonic Forms.

Nevertheless, through the more Platonic side of Cicero it is possible to see an affinity between the Roman extension of citizenship to empire, plus the Roman role for an integrating monarchy and the universal and international ethical ambitions of Platonism, plus its concern for the role of the philosophic ruler within a mixed constitution.

12. Instead of seeing Augustine as augmenting Cicero's proto-liberalism, we should see him as utterly rejecting it and as instead augmenting his 'Roman Platonic aspect'. Augustine now fully insists that civic participation depends upon our sharing in the not just the Forms as the divine ideas, but in the divine Trinity itself which combines unity with expressive alterity, and in the realm of the angelic intelligences who now themselves compose a city. Thereby, Augustine, in the steps of St Paul, renders the city and citizenship eternally ultimate. This is no mere metaphor, since through the Church we can already share in this angelic civic life here on earth. Nor is there for Augustine any independent political realm in our 'secular' sense, as opposed to his, which denotes a temporal order. Just as the law of the Old Testament is still valid but subordinate to the law of the gospel, so also Roman secular legal order is still valid but can only be considered just if it points towards and enables the care and mercy exercised by bishops and their subordinates at the parish level, all of which is now fully part of the integral Roman *imperium*.

The gods may have been banished from the earthly city, but the angels have taken their places. In consequence, a free citizenship of heaven is extended even to slaves, besides yet more fully to women and to children, such that the *polis* and the *imperium*

is now more fully also an *oikos*. A confederal and corporate order does not displace, but greatly extends the sway of a reciprocally exercised and co-involved mutual rule, under the directly present and not demonically diluted rule of the God of mutual love. Ancient political participation has been salvaged and extended, not abandoned, because Platonic metaphysical participation has been intensified and freed from its lingering inconsistencies and contradictions.

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