

BOOK VI.

ATHENIAN: And now having made an end of the preliminaries we will proceed to the appointment of magistracies.

CLEINIAS: Very good.

ATHENIAN: In the ordering of a state there are two parts: first, the number of the magistracies, and the mode of establishing them; and, secondly, when they have been established, laws again will have to be provided for each of them, suitable in nature and number. But before electing the magistrates let us stop a little and say a word in season about the election of them.

CLEINIAS: What have you got to say?

ATHENIAN: This is what I have to say;--every one can see, that although the work of legislation is a most important matter, yet if a well-ordered city superadd to good laws unsuitable offices, not only will there be no use in having the good laws,--not only will they be ridiculous and useless, but the greatest political injury and evil will accrue from them.

CLEINIAS: Of course.

ATHENIAN: Then now, my friend, let us observe what will happen in

the constitution of our intended state. In the first place, you will acknowledge that those who are duly appointed to magisterial power, and their families, should severally have given satisfactory proof of what they are, from youth upward until the time of election; in the next place, those who are to elect should have been trained in habits of law, and be well educated, that they may have a right judgment, and may be able to select or reject men whom they approve or disapprove, as they are worthy of either. But how can we imagine that those who are brought together for the first time, and are strangers to one another, and also uneducated, will avoid making mistakes in the choice of magistrates?

CLEINIAS: Impossible.

ATHENIAN: The matter is serious, and excuses will not serve the turn. I will tell you, then, what you and I will have to do, since you, as you tell me, with nine others, have offered to settle the new state on behalf of the people of Crete, and I am to help you by the invention of the present romance. I certainly should not like to leave the tale wandering all over the world without a head;--a headless monster is such a hideous thing.

CLEINIAS: Excellent, Stranger.

ATHENIAN: Yes; and I will be as good as my word.

CLEINIAS: Let us by all means do as you propose.

ATHENIAN: That we will, by the grace of God, if old age will only permit us.

CLEINIAS: But God will be gracious.

ATHENIAN: Yes; and under his guidance let us consider a further point.

CLEINIAS: What is it?

ATHENIAN: Let us remember what a courageously mad and daring creation this our city is.

CLEINIAS: What had you in your mind when you said that?

ATHENIAN: I had in my mind the free and easy manner in which we are ordaining that the inexperienced colonists shall receive our laws. Now a man need not be very wise, Cleinias, in order to see that no one can easily receive laws at their first imposition. But if we could anyhow wait until those who have been imbued with them from childhood, and have been nurtured in them, and become habituated to them, take their part in the public elections of the state; I say, if this could be accomplished, and rightly accomplished by any way or contrivance--then, I think that there would be very little danger, at the end of the time, of a state thus trained not being permanent.

CLEINIAS: A reasonable supposition.

ATHENIAN: Then let us consider if we can find any way out of the difficulty; for I maintain, Cleinias, that the Cnosians, above all the other Cretans, should not be satisfied with barely discharging their duty to the colony, but they ought to take the utmost pains to establish the offices which are first created by them in the best and surest manner. Above all, this applies to the selection of the guardians of the law, who must be chosen first of all, and with the greatest care; the others are of less importance.

CLEINIAS: What method can we devise of electing them?

ATHENIAN: This will be the method:--Sons of the Cretans, I shall say to them, inasmuch as the Cnosians have precedence over the other states, they should, in common with those who join this settlement, choose a body of thirty-seven in all, nineteen of them being taken from the settlers, and the remainder from the citizens of Cnosus. Of these latter the Cnosians shall make a present to your colony, and you yourself shall be one of the eighteen, and shall become a citizen of the new state; and if you and they cannot be persuaded to go, the Cnosians may fairly use a little violence in order to make you.

CLEINIAS: But why, Stranger, do not you and Megillus take a part in our new city?

ATHENIAN: O, Cleinias, Athens is proud, and Sparta too; and they are both a long way off. But you and likewise the other colonists are conveniently situated as you describe. I have been speaking of the way in which the new citizens may be best managed under present circumstances; but in after-ages, if the city continues to exist, let the election be on this wise. All who are horse or foot soldiers, or have seen military service at the proper ages when they were severally fitted for it (compare Arist. Pol.), shall share in the election of magistrates; and the election shall be held in whatever temple the state deems most venerable, and every one shall carry his vote to the altar of the God, writing down on a tablet the name of the person for whom he votes, and his father's name, and his tribe, and ward; and at the side he shall write his own name in like manner. Any one who pleases may take away any tablet which he does not think properly filled up, and exhibit it in the Agora for a period of not less than thirty days. The tablets which are judged to be first, to the number of 300, shall be shown by the magistrates to the whole city, and the citizens shall in like manner select from these the candidates whom they prefer; and this second selection, to the number of 100, shall be again exhibited to the citizens; in the third, let any one who pleases select whom he pleases out of the 100, walking through the parts of victims, and let them choose for magistrates and proclaim the seven-and-thirty who have the greatest number of votes. But who, Cleinias and Megillus, will order for us in the colony all this matter of the magistrates, and the scrutinies of them? If we reflect, we shall see that cities which are in process of construction like ours must have some such persons, who cannot possibly

be elected before there are any magistrates; and yet they must be elected in some way, and they are not to be inferior men, but the best possible. For as the proverb says, 'a good beginning is half the business'; and 'to have begun well' is praised by all, and in my opinion is a great deal more than half the business, and has never been praised by any one enough.

CLEINIAS: That is very true.

ATHENIAN: Then let us recognize the difficulty, and make clear to our own minds how the beginning is to be accomplished. There is only one proposal which I have to offer, and that is one which, under our circumstances, is both necessary and expedient.

CLEINIAS: What is it?

ATHENIAN: I maintain that this colony of ours has a father and mother, who are no other than the colonizing state. Well I know that many colonies have been, and will be, at enmity with their parents. But in early days the child, as in a family, loves and is beloved; even if there come a time later when the tie is broken, still, while he is in want of education, he naturally loves his parents and is beloved by them, and flies to his relatives for protection, and finds in them his only natural allies in time of need; and this parental feeling already exists in the Cnosians, as is shown by their care of the new city; and there is a similar feeling on the part of the young city towards Cnosus.

And I repeat what I was saying--for there is no harm in repeating a good thing--that the Cnosians should take a common interest in all these matters, and choose, as far as they can, the eldest and best of the colonists, to the number of not less than a hundred; and let there be another hundred of the Cnosians themselves. These, I say, on their arrival, should have a joint care that the magistrates should be appointed according to law, and that when they are appointed they should undergo a scrutiny. When this has been effected, the Cnosians shall return home, and the new city do the best she can for her own preservation and happiness. I would have the seven-and-thirty now, and in all future time, chosen to fulfil the following duties:--Let them, in the first place, be the guardians of the law; and, secondly, of the registers in which each one registers before the magistrate the amount of his property, excepting four minae which are allowed to citizens of the first class, three allowed to the second, two to the third, and a single mina to the fourth. And if any one, despising the laws for the sake of gain, be found to possess anything more which has not been registered, let all that he has in excess be confiscated, and let him be liable to a suit which shall be the reverse of honourable or fortunate. And let any one who will, indict him on the charge of loving base gains, and proceed against him before the guardians of the law. And if he be cast, let him lose his share of the public possessions, and when there is any public distribution, let him have nothing but his original lot; and let him be written down a condemned man as long as he lives, in some place in which any one who pleases can read about his offences. The guardian of the law shall not hold office longer than twenty years, and

shall not be less than fifty years of age when he is elected; or if he is elected when he is sixty years of age, he shall hold office for ten years only; and upon the same principle, he must not imagine that he will be permitted to hold such an important office as that of guardian of the laws after he is seventy years of age, if he live so long.

These are the three first ordinances about the guardians of the law; as the work of legislation progresses, each law in turn will assign to them their further duties. And now we may proceed in order to speak of the election of other officers; for generals have to be elected, and these again must have their ministers, commanders, and colonels of horse, and commanders of brigades of foot, who would be more rightly called by their popular name of brigadiers. The guardians of the law shall propose as generals men who are natives of the city, and a selection from the candidates proposed shall be made by those who are or have been of the age for military service. And if one who is not proposed is thought by somebody to be better than one who is, let him name whom he prefers in the place of whom, and make oath that he is better, and propose him; and whichever of them is approved by vote shall be admitted to the final selection; and the three who have the greatest number of votes shall be appointed generals, and superintendents of military affairs, after previously undergoing a scrutiny, like the guardians of the law. And let the generals thus elected propose twelve brigadiers, one for each tribe; and there shall be a right of counter-proposal as in the case of the generals, and the voting and decision shall take place in the same way. Until the prytanes and council are elected, the guardians of the law

shall convene the assembly in some holy spot which is suitable to the purpose, placing the hoplites by themselves, and the cavalry by themselves, and in a third division all the rest of the army. All are to vote for the generals (and for the colonels of horse), but the brigadiers are to be voted for only by those who carry shields (i.e. the hoplites). Let the body of cavalry choose phylarchs for the generals; but captains of light troops, or archers, or any other division of the army, shall be appointed by the generals for themselves. There only remains the appointment of officers of cavalry: these shall be proposed by the same persons who proposed the generals, and the election and the counter-proposal of other candidates shall be arranged in the same way as in the case of the generals, and let the cavalry vote and the infantry look on at the election; the two who have the greatest number of votes shall be the leaders of all the horse. Disputes about the voting may be raised once or twice; but if the dispute be raised a third time, the officers who preside at the several elections shall decide.

The council shall consist of 30 x 12 members--360 will be a convenient number for sub-division. If we divide the whole number into four parts of ninety each, we get ninety counsellors for each class. First, all the citizens shall select candidates from the first class; they shall be compelled to vote, and, if they do not, shall be duly fined. When the candidates have been selected, some one shall mark them down; this shall be the business of the first day. And on the following day, candidates shall be selected from the second class in the same manner and under the same conditions as on the previous day; and on the third day a selection

shall be made from the third class, at which every one may, if he likes vote, and the three first classes shall be compelled to vote; but the fourth and lowest class shall be under no compulsion, and any member of this class who does not vote shall not be punished. On the fourth day candidates shall be selected from the fourth and smallest class; they shall be selected by all, but he who is of the fourth class shall suffer no penalty, nor he who is of the third, if he be not willing to vote; but he who is of the first or second class, if he does not vote shall be punished;--he who is of the second class shall pay a fine of triple the amount which was exacted at first, and he who is of the first class quadruple. On the fifth day the rulers shall bring out the names noted down, for all the citizens to see, and every man shall choose out of them, under pain, if he do not, of suffering the first penalty; and when they have chosen 180 out of each of the classes, they shall choose one-half of them by lot, who shall undergo a scrutiny:--These are to form the council for the year.

The mode of election which has been described is in a mean between monarchy and democracy, and such a mean the state ought always to observe; for servants and masters never can be friends, nor good and bad, merely because they are declared to have equal privileges. For to unequals equals become unequal, if they are not harmonised by measure; and both by reason of equality, and by reason of inequality, cities are filled with seditions. The old saying, that 'equality makes friendship,' is happy and also true; but there is obscurity and confusion as to what sort of equality is meant. For there are two equalities which are called

by the same name, but are in reality in many ways almost the opposite of one another; one of them may be introduced without difficulty, by any state or any legislator in the distribution of honours: this is the rule of measure, weight, and number, which regulates and apportions them. But there is another equality, of a better and higher kind, which is not so easily recognized. This is the judgment of Zeus; among men it avails but little; that little, however, is the source of the greatest good to individuals and states. For it gives to the greater more, and to the inferior less and in proportion to the nature of each; and, above all, greater honour always to the greater virtue, and to the less less; and to either in proportion to their respective measure of virtue and education. And this is justice, and is ever the true principle of states, at which we ought to aim, and according to this rule order the new city which is now being founded, and any other city which may be hereafter founded. To this the legislator should look,--not to the interests of tyrants one or more, or to the power of the people, but to justice always; which, as I was saying, is the distribution of natural equality among unequals in each case. But there are times at which every state is compelled to use the words, 'just,' 'equal,' in a secondary sense, in the hope of escaping in some degree from factions. For equity and indulgence are infractions of the perfect and strict rule of justice. And this is the reason why we are obliged to use the equality of the lot, in order to avoid the discontent of the people; and so we invoke God and fortune in our prayers, and beg that they themselves will direct the lot with a view to supreme justice. And therefore, although we are compelled to use both equalities, we should use that into which

the element of chance enters as seldom as possible.

Thus, O my friends, and for the reasons given, should a state act which would endure and be saved. But as a ship sailing on the sea has to be watched night and day, in like manner a city also is sailing on a sea of politics, and is liable to all sorts of insidious assaults; and therefore from morning to night, and from night to morning, rulers must join hands with rulers, and watchers with watchers, receiving and giving up their trust in a perpetual succession. Now a multitude can never fulfil a duty of this sort with anything like energy. Moreover, the greater number of the senators will have to be left during the greater part of the year to order their concerns at their own homes. They will therefore have to be arranged in twelve portions, answering to the twelve months, and furnish guardians of the state, each portion for a single month. Their business is to be at hand and receive any foreigner or citizen who comes to them, whether to give information, or to put one of those questions, to which, when asked by other cities, a city should give an answer, and to which, if she ask them herself, she should receive an answer; or again, when there is a likelihood of internal commotions, which are always liable to happen in some form or other, they will, if they can, prevent their occurring; or if they have already occurred, will lose no time in making them known to the city, and healing the evil. Wherefore, also, this which is the presiding body of the state ought always to have the control of their assemblies, and of the dissolutions of them, ordinary as well as extraordinary. All this

is to be ordered by the twelfth part of the council, which is always to keep watch together with the other officers of the state during one portion of the year, and to rest during the remaining eleven portions.

Thus will the city be fairly ordered. And now, who is to have the superintendence of the country, and what shall be the arrangement? Seeing that the whole city and the entire country have been both of them divided into twelve portions, ought there not to be appointed superintendents of the streets of the city, and of the houses, and buildings, and harbours, and the agora, and fountains, and sacred domains, and temples, and the like?

CLEINIAS: To be sure there ought.

ATHENIAN: Let us assume, then, that there ought to be servants of the temples, and priests and priestesses. There must also be superintendents of roads and buildings, who will have a care of men, that they may do no harm, and also of beasts, both within the enclosure and in the suburbs. Three kinds of officers will thus have to be appointed, in order that the city may be suitably provided according to her needs. Those who have the care of the city shall be called wardens of the city; and those who have the care of the agora shall be called wardens of the agora; and those who have the care of the temples shall be called priests. Those who hold hereditary offices as priests or priestesses, shall not be disturbed; but if there be few or none such, as is probable at the foundation of a new city, priests and priestesses shall be appointed to

be servants of the Gods who have no servants. Some of our officers shall be elected, and others appointed by lot, those who are of the people and those who are not of the people mingling in a friendly manner in every place and city, that the state may be as far as possible of one mind. The officers of the temples shall be appointed by lot; in this way their election will be committed to God, that He may do what is agreeable to Him. And he who obtains a lot shall undergo a scrutiny, first, as to whether he is sound of body and of legitimate birth; and in the second place, in order to show that he is of a perfectly pure family, not stained with homicide or any similar impiety in his own person, and also that his father and mother have led a similar unstained life. Now the laws about all divine things should be brought from Delphi, and interpreters appointed, under whose direction they should be used. The tenure of the priesthood should always be for a year and no longer; and he who will duly execute the sacred office, according to the laws of religion, must be not less than sixty years of age--the laws shall be the same about priestesses. As for the interpreters, they shall be appointed thus:--Let the twelve tribes be distributed into groups of four, and let each group select four, one out of each tribe within the group, three times; and let the three who have the greatest number of votes (out of the twelve appointed by each group), after undergoing a scrutiny, nine in all, be sent to Delphi, in order that the God may return one out of each triad; their age shall be the same as that of the priests, and the scrutiny of them shall be conducted in the same manner; let them be interpreters for life, and when any one dies let the four tribes select another from the tribe of the deceased. Moreover, besides

priests and interpreters, there must be treasurers, who will take charge of the property of the several temples, and of the sacred domains, and shall have authority over the produce and the letting of them; and three of them shall be chosen from the highest classes for the greater temples, and two for the lesser, and one for the least of all; the manner of their election and the scrutiny of them shall be the same as that of the generals. This shall be the order of the temples.

Let everything have a guard as far as possible. Let the defence of the city be committed to the generals, and taxiarchs, and hipparchs, and phylarchs, and prytanes, and the wardens of the city, and of the agora, when the election of them has been completed. The defence of the country shall be provided for as follows:--The entire land has been already distributed into twelve as nearly as possible equal parts, and let the tribe allotted to a division provide annually for it five wardens of the country and commanders of the watch; and let each body of five have the power of selecting twelve others out of the youth of their own tribe,--these shall be not less than twenty-five years of age, and not more than thirty. And let there be allotted to them severally every month the various districts, in order that they may all acquire knowledge and experience of the whole country. The term of service for commanders and for watchers shall continue during two years. After having had their stations allotted to them, they will go from place to place in regular order, making their round from left to right as their commanders direct them; (when I speak of going to the right, I mean that they are to go to the east). And at the commencement of the second

year, in order that as many as possible of the guards may not only get a knowledge of the country at any one season of the year, but may also have experience of the manner in which different places are affected at different seasons of the year, their then commanders shall lead them again towards the left, from place to place in succession, until they have completed the second year. In the third year other wardens of the country shall be chosen and commanders of the watch, five for each division, who are to be the superintendents of the bands of twelve. While on service at each station, their attention shall be directed to the following points:--In the first place, they shall see that the country is well protected against enemies; they shall trench and dig wherever this is required, and, as far as they can, they shall by fortifications keep off the evil-disposed, in order to prevent them from doing any harm to the country or the property; they shall use the beasts of burden and the labourers whom they find on the spot: these will be their instruments whom they will superintend, taking them, as far as possible, at the times when they are not engaged in their regular business. They shall make every part of the country inaccessible to enemies, and as accessible as possible to friends (compare Arist. Pol.); there shall be ways for man and beasts of burden and for cattle, and they shall take care to have them always as smooth as they can; and shall provide against the rains doing harm instead of good to the land, when they come down from the mountains into the hollow dells; and shall keep in the overflow by the help of works and ditches, in order that the valleys, receiving and drinking up the rain from heaven, and providing fountains and streams in the fields and regions which lie underneath,

may furnish even to the dry places plenty of good water. The fountains of water, whether of rivers or of springs, shall be ornamented with plantations and buildings for beauty; and let them bring together the streams in subterraneous channels, and make all things plenteous; and if there be a sacred grove or dedicated precinct in the neighbourhood, they shall conduct the water to the actual temples of the Gods, and so beautify them at all seasons of the year. Everywhere in such places the youth shall make gymnasia for themselves, and warm baths for the aged, placing by them abundance of dry wood, for the benefit of those labouring under disease--there the weary frame of the rustic, worn with toil, will receive a kindly welcome, far better than he would at the hands of a not over-wise doctor.

The building of these and the like works will be useful and ornamental; they will provide a pleasing amusement, but they will be a serious employment too; for the sixty wardens will have to guard their several divisions, not only with a view to enemies, but also with an eye to professing friends. When a quarrel arises among neighbours or citizens, and any one whether slave or freeman wrongs another, let the five wardens decide small matters on their own authority; but where the charge against another relates to greater matters, the seventeen composed of the fives and twelves, shall determine any charges which one man brings against another, not involving more than three minae. Every judge and magistrate shall be liable to give an account of his conduct in office, except those who, like kings, have the final decision.

Moreover, as regards the aforesaid wardens of the country, if they do

any wrong to those of whom they have the care, whether by imposing upon them unequal tasks, or by taking the produce of the soil or implements of husbandry without their consent; also if they receive anything in the way of a bribe, or decide suits unjustly, or if they yield to the influences of flattery, let them be publicly dishonoured; and in regard to any other wrong which they do to the inhabitants of the country, if the question be of a mina, let them submit to the decision of the villagers in the neighbourhood; but in suits of greater amount, or in case of lesser, if they refuse to submit, trusting that their monthly removal into another part of the country will enable them to escape--in such cases the injured party may bring his suit in the common court, and if he obtain a verdict he may exact from the defendant, who refused to submit, a double penalty.

The wardens and the overseers of the country, while on their two years' service, shall have common meals at their several stations, and shall all live together; and he who is absent from the common meal, or sleeps out, if only for one day or night, unless by order of his commanders, or by reason of absolute necessity, if the five denounce him and inscribe his name in the agora as not having kept his guard, let him be deemed to have betrayed the city, as far as lay in his power, and let him be disgraced and beaten with impunity by any one who meets him and is willing to punish him. If any of the commanders is guilty of such an irregularity, the whole company of sixty shall see to it, and he who is cognisant of the offence, and does not bring the offender to trial, shall be amenable to the same laws as the younger offender himself, and

shall pay a heavier fine, and be incapable of ever commanding the young. The guardians of the law are to be careful inspectors of these matters, and shall either prevent or punish offenders. Every man should remember the universal rule, that he who is not a good servant will not be a good master; a man should pride himself more upon serving well than upon commanding well: first upon serving the laws, which is also the service of the Gods; in the second place, upon having served ancient and honourable men in the days of his youth. Furthermore, during the two years in which any one is a warden of the country, his daily food ought to be of a simple and humble kind. When the twelve have been chosen, let them and the five meet together, and determine that they will be their own servants, and, like servants, will not have other slaves and servants for their own use, neither will they use those of the villagers and husbandmen for their private advantage, but for the public service only; and in general they should make up their minds to live independently by themselves, servants of each other and of themselves. Further, at all seasons of the year, summer and winter alike, let them be under arms and survey minutely the whole country; thus they will at once keep guard, and at the same time acquire a perfect knowledge of every locality. There can be no more important kind of information than the exact knowledge of a man's own country; and for this as well as for more general reasons of pleasure and advantage, hunting with dogs and other kinds of sports should be pursued by the young. The service to whom this is committed may be called the secret police or wardens of the country; the name does not much signify, but every one who has the safety of the state at heart will use his utmost diligence in this

service.

After the wardens of the country, we have to speak of the election of wardens of the agora and of the city. The wardens of the country were sixty in number, and the wardens of the city will be three, and will divide the twelve parts of the city into three; like the former, they shall have care of the ways, and of the different high roads which lead out of the country into the city, and of the buildings, that they may be all made according to law;--also of the waters, which the guardians of the supply preserve and convey to them, care being taken that they may reach the fountains pure and abundant, and be both an ornament and a benefit to the city. These also should be men of influence, and at leisure to take care of the public interest. Let every man propose as warden of the city any one whom he likes out of the highest class, and when the vote has been given on them, and the number is reduced to the six who have the greatest number of votes, let the electing officers choose by lot three out of the six, and when they have undergone a scrutiny let them hold office according to the laws laid down for them. Next, let the wardens of the agora be elected in like manner, out of the first and second class, five in number: ten are to be first elected, and out of the ten five are to be chosen by lot, as in the election of the wardens of the city:--these when they have undergone a scrutiny are to be declared magistrates. Every one shall vote for every one, and he who will not vote, if he be informed against before the magistrates, shall be fined fifty drachmae, and shall also be deemed a bad citizen. Let any one who likes go to the assembly and to the general council; it shall

be compulsory to go on citizens of the first and second class, and they shall pay a fine of ten drachmae if they be found not answering to their names at the assembly. But the third and fourth class shall be under no compulsion, and shall be let off without a fine, unless the magistrates have commanded all to be present, in consequence of some urgent necessity. The wardens of the agora shall observe the order appointed by law for the agora, and shall have the charge of the temples and fountains which are in the agora; and they shall see that no one injures anything, and punish him who does, with stripes and bonds, if he be a slave or stranger; but if he be a citizen who misbehaves in this way, they shall have the power themselves of inflicting a fine upon him to the amount of a hundred drachmae, or with the consent of the wardens of the city up to double that amount. And let the wardens of the city have a similar power of imposing punishments and fines in their own department; and let them impose fines by their own department; and let them impose fines by their own authority, up to a mina, or up to two minae with the consent of the wardens of the agora.

In the next place, it will be proper to appoint directors of music and gymnastic, two kinds of each--of the one kind the business will be education, of the other, the superintendence of contests. In speaking of education, the law means to speak of those who have the care of order and instruction in gymnasia and schools, and of the going to school, and of school buildings for boys and girls; and in speaking of contests, the law refers to the judges of gymnastics and of music; these again are divided into two classes, the one having to do with music, the other

with gymnastics; and the same who judge of the gymnastic contests of men, shall judge of horses; but in music there shall be one set of judges of solo singing, and of imitation--I mean of rhapsodists, players on the harp, the flute and the like, and another who shall judge of choral song. First of all, we must choose directors for the choruses of boys, and men, and maidens, whom they shall follow in the amusement of the dance, and for our other musical arrangements;--one director will be enough for the choruses, and he should be not less than forty years of age. One director will also be enough to introduce the solo singers, and to give judgment on the competitors, and he ought not to be less than thirty years of age. The director and manager of the choruses shall be elected after the following manner:--Let any persons who commonly take an interest in such matters go to the meeting, and be fined if they do not go (the guardians of the law shall judge of their fault), but those who have no interest shall not be compelled. The elector shall propose as director some one who understands music, and he in the scrutiny may be challenged on the one part by those who say he has no skill, and defended on the other hand by those who say that he has. Ten are to be elected by vote, and he of the ten who is chosen by lot shall undergo a scrutiny, and lead the choruses for a year according to law. And in like manner the competitor who wins the lot shall be leader of the solo and concert music for that year; and he who is thus elected shall deliver the award to the judges. In the next place, we have to choose judges in the contests of horses and of men; these shall be selected from the third and also from the second class of citizens, and three first classes shall be compelled to go to the election, but the lowest may

stay away with impunity; and let there be three elected by lot out of the twenty who have been chosen previously, and they must also have the vote and approval of the examiners. But if any one is rejected in the scrutiny at any ballot or decision, others shall be chosen in the same manner, and undergo a similar scrutiny.

There remains the minister of the education of youth, male and female; he too will rule according to law; one such minister will be sufficient, and he must be fifty years old, and have children lawfully begotten, both boys and girls by preference, at any rate, one or the other. He who is elected, and he who is the elector, should consider that of all the great offices of state this is the greatest; for the first shoot of any plant, if it makes a good start towards the attainment of its natural excellence, has the greatest effect on its maturity; and this is not only true of plants, but of animals wild and tame, and also of men. Man, as we say, is a tame or civilized animal; nevertheless, he requires proper instruction and a fortunate nature, and then of all animals he becomes the most divine and most civilized (Arist. Pol.); but if he be insufficiently or ill educated he is the most savage of earthly creatures. Wherefore the legislator ought not to allow the education of children to become a secondary or accidental matter. In the first place, he who would be rightly provident about them, should begin by taking care that he is elected, who of all the citizens is in every way best; him the legislator shall do his utmost to appoint guardian and superintendent. To this end all the magistrates, with the exception of the council and prytanes, shall go to the temple of Apollo, and elect by

ballot him of the guardians of the law whom they severally think will be the best superintendent of education. And he who has the greatest number of votes, after he has undergone a scrutiny at the hands of all the magistrates who have been his electors, with the exception of the guardians of the law,--shall hold office for five years; and in the sixth year let another be chosen in like manner to fill his office.

If any one dies while he is holding a public office, and more than thirty days before his term of office expires, let those whose business it is elect another to the office in the same manner as before. And if any one who is entrusted with orphans dies, let the relations both on the father's and mother's side, who are residing at home, including cousins, appoint another guardian within ten days, or be fined a drachma a day for neglect to do so.

A city which has no regular courts of law ceases to be a city; and again, if a judge is silent and says no more in preliminary proceedings than the litigants, as is the case in arbitrations, he will never be able to decide justly; wherefore a multitude of judges will not easily judge well, nor a few if they are bad. The point in dispute between the parties should be made clear; and time, and deliberation, and repeated examination, greatly tend to clear up doubts. For this reason, he who goes to law with another, should go first of all to his neighbours and friends who know best the questions at issue. And if he be unable to obtain from them a satisfactory decision, let him have recourse to another court; and if the two courts cannot settle the matter, let a

third put an end to the suit.

Now the establishment of courts of justice may be regarded as a choice of magistrates, for every magistrate must also be a judge of some things; and the judge, though he be not a magistrate, yet in certain respects is a very important magistrate on the day on which he is determining a suit. Regarding then the judges also as magistrates, let us say who are fit to be judges, and of what they are to be judges, and how many of them are to judge in each suit. Let that be the supreme tribunal which the litigants appoint in common for themselves, choosing certain persons by agreement. And let there be two other tribunals: one for private causes, when a citizen accuses another of wronging him and wishes to get a decision; the other for public causes, in which some citizen is of opinion that the public has been wronged by an individual, and is willing to vindicate the common interests. And we must not forget to mention how the judges are to be qualified, and who they are to be. In the first place, let there be a tribunal open to all private persons who are trying causes one against another for the third time, and let this be composed as follows:--All the officers of state, as well annual as those holding office for a longer period, when the new year is about to commence, in the month following after the summer solstice, on the last day but one of the year, shall meet in some temple, and calling God to witness, shall dedicate one judge from every magistracy to be their first-fruits, choosing in each office him who seems to them to be the best, and whom they deem likely to decide the causes of his fellow-citizens during the ensuing year in the best and holiest manner.

And when the election is completed, a scrutiny shall be held in the presence of the electors themselves, and if any one be rejected another shall be chosen in the same manner. Those who have undergone the scrutiny shall judge the causes of those who have declined the inferior courts, and shall give their vote openly. The councillors and other magistrates who have elected them shall be required to be hearers and spectators of the causes; and any one else may be present who pleases. If one man charges another with having intentionally decided wrong, let him go to the guardians of the law and lay his accusation before them, and he who is found guilty in such a case shall pay damages to the injured party equal to half the injury; but if he shall appear to deserve a greater penalty, the judges shall determine what additional punishment he shall suffer, and how much more he ought to pay to the public treasury, and to the party who brought the suit.

In the judgment of offences against the state, the people ought to participate, for when any one wrongs the state all are wronged, and may reasonably complain if they are not allowed to share in the decision. Such causes ought to originate with the people, and the ought also to have the final decision of them, but the trial of them shall take place before three of the highest magistrates, upon whom the plaintiff and the defendant shall agree; and if they are not able to come to an agreement themselves, the council shall choose one of the two proposed. And in private suits, too, as far as is possible, all should have a share; for he who has no share in the administration of justice, is apt to imagine that he has no share in the state at all. And for this reason there

shall be a court of law in every tribe, and the judges shall be chosen by lot;--they shall give their decisions at once, and shall be inaccessible to entreaties. The final judgment shall rest with that court which, as we maintain, has been established in the most incorruptible form of which human things admit: this shall be the court established for those who are unable to get rid of their suits either in the courts of neighbours or of the tribes.

Thus much of the courts of law, which, as I was saying, cannot be precisely defined either as being or not being offices; a superficial sketch has been given of them, in which some things have been told and others omitted. For the right place of an exact statement of the laws respecting suits, under their several heads, will be at the end of the body of legislation;--let us then expect them at the end. Hitherto our legislation has been chiefly occupied with the appointment of offices. Perfect unity and exactness, extending to the whole and every particular of political administration, cannot be attained to the full, until the discussion shall have a beginning, middle, and end, and is complete in every part. At present we have reached the election of magistrates, and this may be regarded as a sufficient termination of what preceded. And now there need no longer be any delay or hesitation in beginning the work of legislation.

CLEINIAS: I like what you have said, Stranger; and I particularly like your manner of tacking on the beginning of your new discourse to the end of the former one.

ATHENIAN: Thus far, then, the old men's rational pastime has gone off well.

CLEINIAS: You mean, I suppose, their serious and noble pursuit?

ATHENIAN: Perhaps; but I should like to know whether you and I are agreed about a certain thing.

CLEINIAS: About what thing?

ATHENIAN: You know the endless labour which painters expend upon their pictures--they are always putting in or taking out colours, or whatever be the term which artists employ; they seem as if they would never cease touching up their works, which are always being made brighter and more beautiful.

CLEINIAS: I know something of these matters from report, although I have never had any great acquaintance with the art.

ATHENIAN: No matter; we may make use of the illustration notwithstanding:--Suppose that some one had a mind to paint a figure in the most beautiful manner, in the hope that his work instead of losing would always improve as time went on--do you not see that being a mortal, unless he leaves some one to succeed him who will correct the flaws which time may introduce, and be able to add what is left

imperfect through the defect of the artist, and who will further brighten up and improve the picture, all his great labour will last but a short time?

CLEINIAS: True.

ATHENIAN: And is not the aim of the legislator similar? First, he desires that his laws should be written down with all possible exactness; in the second place, as time goes on and he has made an actual trial of his decrees, will he not find omissions? Do you imagine that there ever was a legislator so foolish as not to know that many things are necessarily omitted, which some one coming after him must correct, if the constitution and the order of government is not to deteriorate, but to improve in the state which he has established?

CLEINIAS: Assuredly, that is the sort of thing which every one would desire.

ATHENIAN: And if any one possesses any means of accomplishing this by word or deed, or has any way great or small by which he can teach a person to understand how he can maintain and amend the laws, he should finish what he has to say, and not leave the work incomplete.

CLEINIAS: By all means.

ATHENIAN: And is not this what you and I have to do at the present

moment?

CLEINIAS: What have we to do?

ATHENIAN: As we are about to legislate and have chosen our guardians of the law, and are ourselves in the evening of life, and they as compared with us are young men, we ought not only to legislate for them, but to endeavour to make them not only guardians of the law but legislators themselves, as far as this is possible.

CLEINIAS: Certainly; if we can.

ATHENIAN: At any rate, we must do our best.

CLEINIAS: Of course.

ATHENIAN: We will say to them--O friends and saviours of our laws, in laying down any law, there are many particulars which we shall omit, and this cannot be helped; at the same time, we will do our utmost to describe what is important, and will give an outline which you shall fill up. And I will explain on what principle you are to act. Megillus and Cleinias and I have often spoken to one another touching these matters, and we are of opinion that we have spoken well. And we hope that you will be of the same mind with us, and become our disciples, and keep in view the things which in our united opinion the legislator and guardian of the law ought to keep in view. There was one main point

about which we were agreed--that a man's whole energies throughout life should be devoted to the acquisition of the virtue proper to a man, whether this was to be gained by study, or habit, or some mode of acquisition, or desire, or opinion, or knowledge--and this applies equally to men and women, old and young--the aim of all should always be such as I have described; anything which may be an impediment, the good man ought to show that he utterly disregards. And if at last necessity plainly compels him to be an outlaw from his native land, rather than bow his neck to the yoke of slavery and be ruled by inferiors, and he has to fly, an exile he must be and endure all such trials, rather than accept another form of government, which is likely to make men worse. These are our original principles; and do you now, fixing your eyes upon the standard of what a man and a citizen ought or ought not to be, praise and blame the laws--blame those which have not this power of making the citizen better, but embrace those which have; and with gladness receive and live in them; bidding a long farewell to other institutions which aim at goods, as they are termed, of a different kind.

Let us proceed to another class of laws, beginning with their foundation in religion. And we must first return to the number 5040--the entire number had, and has, a great many convenient divisions, and the number of the tribes which was a twelfth part of the whole, being correctly formed by 21×20 ($5040 / (21 \times 20)$, i.e., $5040 / 420 = 12$), also has them. And not only is the whole number divisible by twelve, but also the number of each tribe is divisible by twelve. Now every portion should be

regarded by us as a sacred gift of Heaven, corresponding to the months and to the revolution of the universe (compare Tim.). Every city has a guiding and sacred principle given by nature, but in some the division or distribution has been more right than in others, and has been more sacred and fortunate. In our opinion, nothing can be more right than the selection of the number 5040, which may be divided by all numbers from one to twelve with the single exception of eleven, and that admits of a very easy correction; for if, turning to the dividend (5040), we deduct two families, the defect in the division is cured. And the truth of this may be easily proved when we have leisure. But for the present, trusting to the mere assertion of this principle, let us divide the state; and assigning to each portion some God or son of a God, let us give them altars and sacred rites, and at the altars let us hold assemblies for sacrifice twice in the month--twelve assemblies for the tribes, and twelve for the city, according to their divisions; the first in honour of the Gods and divine things, and the second to promote friendship and 'better acquaintance,' as the phrase is, and every sort of good fellowship with one another. For people must be acquainted with those into whose families and whom they marry and with those to whom they give in marriage; in such matters, as far as possible, a man should deem it all important to avoid a mistake, and with this serious purpose let games be instituted (compare Republic) in which youths and maidens shall dance together, seeing one another and being seen naked, at a proper age, and on a suitable occasion, not transgressing the rules of modesty.

The directors of choruses will be the superintendents and regulators

of these games, and they, together with the guardians of the law, will legislate in any matters which we have omitted; for, as we said, where there are numerous and minute details, the legislator must leave out something. And the annual officers who have experience, and know what is wanted, must make arrangements and improvements year by year, until such enactments and provisions are sufficiently determined. A ten years' experience of sacrifices and dances, if extending to all particulars, will be quite sufficient; and if the legislator be alive they shall communicate with him, but if he be dead then the several officers shall refer the omissions which come under their notice to the guardians of the law, and correct them, until all is perfect; and from that time there shall be no more change, and they shall establish and use the new laws with the others which the legislator originally gave them, and of which they are never, if they can help, to change aught; or, if some necessity overtakes them, the magistrates must be called into counsel, and the whole people, and they must go to all the oracles of the Gods; and if they are all agreed, in that case they may make the change, but if they are not agreed, by no manner of means, and any one who dissents shall prevail, as the law ordains.

Whenever any one over twenty-five years of age, having seen and been seen by others, believes himself to have found a marriage connexion which is to his mind, and suitable for the procreation of children, let him marry if he be still under the age of five-and-thirty years; but let him first hear how he ought to seek after what is suitable and appropriate (compare Arist. Pol.). For, as Cleinias says, every law

should have a suitable prelude.

CLEINIAS: You recollect at the right moment, Stranger, and do not miss the opportunity which the argument affords of saying a word in season.

ATHENIAN: I thank you. We will say to him who is born of good parents--O my son, you ought to make such a marriage as wise men would approve. Now they would advise you neither to avoid a poor marriage, nor specially to desire a rich one; but if other things are equal, always to honour inferiors, and with them to form connexions;--this will be for the benefit of the city and of the families which are united; for the equable and symmetrical tends infinitely more to virtue than the unmixed. And he who is conscious of being too headstrong, and carried away more than is fitting in all his actions, ought to desire to become the relation of orderly parents; and he who is of the opposite temper ought to seek the opposite alliance. Let there be one word concerning all marriages:--Every man shall follow, not after the marriage which is most pleasing to himself, but after that which is most beneficial to the state. For somehow every one is by nature prone to that which is likest to himself, and in this way the whole city becomes unequal in property and in disposition; and hence there arise in most states the very results which we least desire to happen. Now, to add to the law an express provision, not only that the rich man shall not marry into the rich family, nor the powerful into the family of the powerful, but that the slower natures shall be compelled to enter into marriage with the quicker, and the quicker with the slower, may awaken anger as well as

laughter in the minds of many; for there is a difficulty in perceiving that the city ought to be well mingled like a cup, in which the maddening wine is hot and fiery, but when chastened by a soberer God, receives a fair associate and becomes an excellent and temperate drink (compare Statesman). Yet in marriage no one is able to see that the same result occurs. Wherefore also the law must let alone such matters, but we should try to charm the spirits of men into believing the equability of their children's disposition to be of more importance than equality in excessive fortune when they marry; and him who is too desirous of making a rich marriage we should endeavour to turn aside by reproaches, not, however, by any compulsion of written law.

Let this then be our exhortation concerning marriage, and let us remember what was said before--that a man should cling to immortality, and leave behind him children's children to be the servants of God in his place for ever. All this and much more may be truly said by way of prelude about the duty of marriage. But if a man will not listen, and remains unsocial and alien among his fellow-citizens, and is still unmarried at thirty-five years of age, let him pay a yearly fine;--he who of the highest class shall pay a fine of a hundred drachmae, and he who is of the second class a fine of seventy drachmae; the third class shall pay sixty drachmae, and the fourth thirty drachmae, and let the money be sacred to Here; he who does not pay the fine annually shall owe ten times the sum, which the treasurer of the goddess shall exact; and if he fails in doing so, let him be answerable and give an account of the money at his audit. He who refuses to marry shall be thus punished

in money, and also be deprived of all honour which the younger show to the elder; let no young man voluntarily obey him, and, if he attempt to punish any one, let every one come to the rescue and defend the injured person, and he who is present and does not come to the rescue, shall be pronounced by the law to be a coward and a bad citizen. Of the marriage portion I have already spoken; and again I say for the instruction of poor men that he who neither gives nor receives a dowry on account of poverty, has a compensation; for the citizens of our state are provided with the necessaries of life, and wives will be less likely to be insolent, and husbands to be mean and subservient to them on account of property. And he who obeys this law will do a noble action; but he who will not obey, and gives or receives more than fifty drachmae as the price of the marriage garments if he be of the lowest, or more than a mina, or a mina-and-a-half, if he be of the third or second classes, or two minae if he be of the highest class, shall owe to the public treasury a similar sum, and that which is given or received shall be sacred to Here and Zeus; and let the treasurers of these Gods exact the money, as was said before about the unmarried--that the treasurers of Here were to exact the money, or pay the fine themselves.

The betrothal by a father shall be valid in the first degree, that by a grandfather in the second degree, and in the third degree, betrothal by brothers who have the same father; but if there are none of these alive, the betrothal by a mother shall be valid in like manner; in cases of unexampled fatality, the next of kin and the guardians shall have authority. What are to be the rites before marriages, or any other

sacred acts, relating either to future, present, or past marriages, shall be referred to the interpreters; and he who follows their advice may be satisfied. Touching the marriage festival, they shall assemble not more than five male and five female friends of both families; and a like number of members of the family of either sex, and no man shall spend more than his means will allow; he who is of the richest class may spend a mina,--he who is of the second, half a mina, and in the same proportion as the census of each decreases: all men shall praise him who is obedient to the law; but he who is disobedient shall be punished by the guardians of the law as a man wanting in true taste, and uninstructed in the laws of bridal song. Drunkenness is always improper, except at the festivals of the God who gave wine; and peculiarly dangerous, when a man is engaged in the business of marriage; at such a crisis of their lives a bride and bridegroom ought to have all their wits about them--they ought to take care that their offspring may be born of reasonable beings; for on what day or night Heaven will give them increase, who can say? Moreover, they ought not to begetting children when their bodies are dissipated by intoxication, but their offspring should be compact and solid, quiet and compounded properly; whereas the drunkard is all abroad in all his actions, and beside himself both in body and soul. Wherefore, also, the drunken man is bad and unsteady in sowing the seed of increase, and is likely to beget offspring who will be unstable and untrustworthy, and cannot be expected to walk straight either in body or mind. Hence during the whole year and all his life long, and especially while he is begetting children, he ought to take care and not intentionally do what is injurious to health,

or what involves insolence and wrong; for he cannot help leaving the impression of himself on the souls and bodies of his offspring, and he begets children in every way inferior. And especially on the day and night of marriage should a man abstain from such things. For the beginning, which is also a God dwelling in man, preserves all things, if it meet with proper respect from each individual. He who marries is further to consider, that one of the two houses in the lot is the nest and nursery of his young, and there he is to marry and make a home for himself and bring up his children, going away from his father and mother. For in friendships there must be some degree of desire, in order to cement and bind together diversities of character; but excessive intercourse not having the desire which is created by time, insensibly dissolves friendships from a feeling of satiety; wherefore a man and his wife shall leave to his and her father and mother their own dwelling-places, and themselves go as to a colony and dwell there, and visit and be visited by their parents; and they shall beget and bring up children, handing on the torch of life from one generation to another, and worshipping the Gods according to law for ever.

In the next place, we have to consider what sort of property will be most convenient. There is no difficulty either in understanding or acquiring most kinds of property, but there is great difficulty in what relates to slaves. And the reason is, that we speak about them in a way which is right and which is not right; for what we say about our slaves is consistent and also inconsistent with our practice about them.

MEGILLUS: I do not understand, Stranger, what you mean.

ATHENIAN: I am not surprised, Megillus, for the state of the Helots among the Lacedaemonians is of all Hellenic forms of slavery the most controverted and disputed about, some approving and some condemning it; there is less dispute about the slavery which exists among the Heracleots, who have subjugated the Mariandynians, and about the Thessalian Penestae. Looking at these and the like examples, what ought we to do concerning property in slaves? I made a remark, in passing, which naturally elicited a question about my meaning from you. It was this:--We know that all would agree that we should have the best and most attached slaves whom we can get. For many a man has found his slaves better in every way than brethren or sons, and many times they have saved the lives and property of their masters and their whole house--such tales are well known.

MEGILLUS: To be sure.

ATHENIAN: But may we not also say that the soul of the slave is utterly corrupt, and that no man of sense ought to trust them? And the wisest of our poets, speaking of Zeus, says:

'Far-seeing Zeus takes away half the understanding of men whom the day of slavery subdues.'

Different persons have got these two different notions of slaves in

their minds--some of them utterly distrust their servants, and, as if they were wild beasts, chastise them with goads and whips, and make their souls three times, or rather many times, as slavish as they were before;--and others do just the opposite.

MEGILLUS: True.

CLEINIAS: Then what are we to do in our own country, Stranger, seeing that there are such differences in the treatment of slaves by their owners?

ATHENIAN: Well, Cleinias, there can be no doubt that man is a troublesome animal, and therefore he is not very manageable, nor likely to become so, when you attempt to introduce the necessary division of slave, and freeman, and master.

CLEINIAS: That is obvious.

ATHENIAN: He is a troublesome piece of goods, as has been often shown by the frequent revolts of the Messenians, and the great mischiefs which happen in states having many slaves who speak the same language, and the numerous robberies and lawless life of the Italian banditti, as they are called. A man who considers all this is fairly at a loss. Two remedies alone remain to us,--not to have the slaves of the same country, nor if possible, speaking the same language (compare Aris. Pol.); in this way they will more easily be held in subjection: secondly, we should tend

them carefully, not only out of regard to them, but yet more out of respect to ourselves. And the right treatment of slaves is to behave properly to them, and to do to them, if possible, even more justice than to those who are our equals; for he who naturally and genuinely reverences justice, and hates injustice, is discovered in his dealings with any class of men to whom he can easily be unjust. And he who in regard to the natures and actions of his slaves is undefiled by impiety and injustice, will best sow the seeds of virtue in them; and this may be truly said of every master, and tyrant, and of every other having authority in relation to his inferiors. Slaves ought to be punished as they deserve, and not admonished as if they were freemen, which will only make them conceited. The language used to a servant ought always to be that of a command (compare Arist. Pol.), and we ought not to jest with them, whether they are males or females--this is a foolish way which many people have of setting up their slaves, and making the life of servitude more disagreeable both for them and for their masters.

CLEINIAS: True.

ATHENIAN: Now that each of the citizens is provided, as far as possible, with a sufficient number of suitable slaves who can help him in what he has to do, we may next proceed to describe their dwellings.

CLEINIAS: Very good.

ATHENIAN: The city being new and hitherto uninhabited, care ought to be

taken of all the buildings, and the manner of building each of them, and also of the temples and walls. These, Cleinias, were matters which properly came before the marriages;--but, as we are only talking, there is no objection to changing the order. If, however, our plan of legislation is ever to take effect, then the house shall precede the marriage if God so will, and afterwards we will come to the regulations about marriage; but at present we are only describing these matters in a general outline.

CLEINIAS: Quite true.

ATHENIAN: The temples are to be placed all round the agora, and the whole city built on the heights in a circle (compare Arist. Pol.), for the sake of defence and for the sake of purity. Near the temples are to be placed buildings for the magistrates and the courts of law; in these plaintiff and defendant will receive their due, and the places will be regarded as most holy, partly because they have to do with holy things: and partly because they are the dwelling-places of holy Gods: and in them will be held the courts in which cases of homicide and other trials of capital offences may fitly take place. As to the walls, Megillus, I agree with Sparta in thinking that they should be allowed to sleep in the earth, and that we should not attempt to disinter them (compare Arist. Pol.); there is a poetical saying, which is finely expressed, that 'walls ought to be of steel and iron, and not of earth;' besides, how ridiculous of us to be sending out our young men annually into the country to dig and to trench, and to keep off the enemy by

fortifications, under the idea that they are not to be allowed to set foot in our territory, and then, that we should surround ourselves with a wall, which, in the first place, is by no means conducive to the health of cities, and is also apt to produce a certain effeminacy in the minds of the inhabitants, inviting men to run thither instead of repelling their enemies, and leading them to imagine that their safety is due not to their keeping guard day and night, but that when they are protected by walls and gates, then they may sleep in safety; as if they were not meant to labour, and did not know that true repose comes from labour, and that disgraceful indolence and a careless temper of mind is only the renewal of trouble. But if men must have walls, the private houses ought to be so arranged from the first that the whole city may be one wall, having all the houses capable of defence by reason of their uniformity and equality towards the streets (compare Arist. Pol.). The form of the city being that of a single dwelling will have an agreeable aspect, and being easily guarded will be infinitely better for security. Until the original building is completed, these should be the principal objects of the inhabitants; and the wardens of the city should superintend the work, and should impose a fine on him who is negligent; and in all that relates to the city they should have a care of cleanliness, and not allow a private person to encroach upon any public property either by buildings or excavations. Further, they ought to take care that the rains from heaven flow off easily, and of any other matters which may have to be administered either within or without the city. The guardians of the law shall pass any further enactments which their experience may show to be necessary, and supply any other points

in which the law may be deficient. And now that these matters, and the buildings about the agora, and the gymnasia, and places of instruction, and theatres, are all ready and waiting for scholars and spectators, let us proceed to the subjects which follow marriage in the order of legislation.

CLEINIAS: By all means.

ATHENIAN: Assuming that marriages exist already, Cleinias, the mode of life during the year after marriage, before children are born, will follow next in order. In what way bride and bridegroom ought to live in a city which is to be superior to other cities, is a matter not at all easy for us to determine. There have been many difficulties already, but this will be the greatest of them, and the most disagreeable to the many. Still I cannot but say what appears to me to be right and true, Cleinias.

CLEINIAS: Certainly.

ATHENIAN: He who imagines that he can give laws for the public conduct of states, while he leaves the private life of citizens wholly to take care of itself; who thinks that individuals may pass the day as they please, and that there is no necessity of order in all things; he, I say, who gives up the control of their private lives, and supposes that they will conform to law in their common and public life, is making a great mistake. Why have I made this remark? Why, because I am going to

enact that the bridegrooms should live at the common tables, just as they did before marriage. This was a singularity when first enacted by the legislator in your parts of the world, Megillus and Cleinias, as I should suppose, on the occasion of some war or other similar danger, which caused the passing of the law, and which would be likely to occur in thinly-peopled places, and in times of pressure. But when men had once tried and been accustomed to a common table, experience showed that the institution greatly conduced to security; and in some such manner the custom of having common tables arose among you.

CLEINIAS: Likely enough.

ATHENIAN: I said that there may have been singularity and danger in imposing such a custom at first, but that now there is not the same difficulty. There is, however, another institution which is the natural sequel to this, and would be excellent, if it existed anywhere, but at present it does not. The institution of which I am about to speak is not easily described or executed; and would be like the legislator 'combing wool into the fire,' as people say, or performing any other impossible and useless feat.

CLEINIAS: What is the cause, Stranger, of this extreme hesitation?

ATHENIAN: You shall hear without any fruitless loss of time. That which has law and order in a state is the cause of every good, but that which is disordered or ill-ordered is often the ruin of that which is

well-ordered; and at this point the argument is now waiting. For with you, Cleinias and Megillus, the common tables of men are, as I said, a heaven-born and admirable institution, but you are mistaken in leaving the women unregulated by law. They have no similar institution of public tables in the light of day, and just that part of the human race which is by nature prone to secrecy and stealth on account of their weakness--I mean the female sex--has been left without regulation by the legislator, which is a great mistake. And, in consequence of this neglect, many things have grown lax among you, which might have been far better, if they had been only regulated by law; for the neglect of regulations about women may not only be regarded as a neglect of half the entire matter (Arist. Pol.), but in proportion as woman's nature is inferior to that of men in capacity for virtue, in that degree the consequence of such neglect is more than twice as important. The careful consideration of this matter, and the arranging and ordering on a common principle of all our institutions relating both to men and women, greatly conduces to the happiness of the state. But at present, such is the unfortunate condition of mankind, that no man of sense will even venture to speak of common tables in places and cities in which they have never been established at all; and how can any one avoid being utterly ridiculous, who attempts to compel women to show in public how much they eat and drink? There is nothing at which the sex is more likely to take offence. For women are accustomed to creep into dark places, and when dragged out into the light they will exert their utmost powers of resistance, and be far too much for the legislator. And therefore, as I said before, in most places they will not endure to have

the truth spoken without raising a tremendous outcry, but in this state perhaps they may. And if we may assume that our whole discussion about the state has not been mere idle talk, I should like to prove to you, if you will consent to listen, that this institution is good and proper; but if you had rather not, I will refrain.

CLEINIAS: There is nothing which we should both of us like better, Stranger, than to hear what you have to say.

ATHENIAN: Very good; and you must not be surprised if I go back a little, for we have plenty of leisure, and there is nothing to prevent us from considering in every point of view the subject of law.

CLEINIAS: True.

ATHENIAN: Then let us return once more to what we were saying at first. Every man should understand that the human race either had no beginning at all, and will never have an end, but always will be and has been; or that it began an immense while ago.

CLEINIAS: Certainly.

ATHENIAN: Well, and have there not been constitutions and destructions of states, and all sorts of pursuits both orderly and disorderly, and diverse desires of meats and drinks always, and in all the world, and all sorts of changes of the seasons in which animals may be expected to

have undergone innumerable transformations of themselves?

CLEINIAS: No doubt.

ATHENIAN: And may we not suppose that vines appeared, which had previously no existence, and also olives, and the gifts of Demeter and her daughter, of which one Triptolemus was the minister, and that, before these existed, animals took to devouring each other as they do still?

CLEINIAS: True.

ATHENIAN: Again, the practice of men sacrificing one another still exists among many nations; while, on the other hand, we hear of other human beings who did not even venture to taste the flesh of a cow and had no animal sacrifices, but only cakes and fruits dipped in honey, and similar pure offerings, but no flesh of animals; from these they abstained under the idea that they ought not to eat them, and might not stain the altars of the Gods with blood. For in those days men are said to have lived a sort of Orphic life, having the use of all lifeless things, but abstaining from all living things.

CLEINIAS: Such has been the constant tradition, and is very likely true.

ATHENIAN: Some one might say to us, What is the drift of all this?

CLEINIAS: A very pertinent question, Stranger.

ATHENIAN: And therefore I will endeavour, Cleinias, if I can, to draw the natural inference.

CLEINIAS: Proceed.

ATHENIAN: I see that among men all things depend upon three wants and desires, of which the end is virtue, if they are rightly led by them, or the opposite if wrongly. Now these are eating and drinking, which begin at birth--every animal has a natural desire for them, and is violently excited, and rebels against him who says that he must not satisfy all his pleasures and appetites, and get rid of all the corresponding pains--and the third and greatest and sharpest want and desire breaks out last, and is the fire of sexual lust, which kindles in men every species of wantonness and madness. And these three disorders we must endeavour to master by the three great principles of fear and law and right reason; turning them away from that which is called pleasantest to the best, using the Muses and the Gods who preside over contests to extinguish their increase and influx.

But to return:--After marriage let us speak of the birth of children, and after their birth of their nurture and education. In the course of discussion the several laws will be perfected, and we shall at last arrive at the common tables. Whether such associations are to be confined to men, or extended to women also, we shall see better when we

approach and take a nearer view of them; and we may then determine what previous institutions are required and will have to precede them. As I said before, we shall see them more in detail, and shall be better able to lay down the laws which are proper or suited to them.

CLEINIAS: Very true.

ATHENIAN: Let us keep in mind the words which have now been spoken; for hereafter there may be need of them.

CLEINIAS: What do you bid us keep in mind?

ATHENIAN: That which we comprehended under the three words--first, eating, secondly, drinking, thirdly, the excitement of love.

CLEINIAS: We shall be sure to remember, Stranger.

ATHENIAN: Very good. Then let us now proceed to marriage, and teach persons in what way they shall beget children, threatening them, if they disobey, with the terrors of the law.

CLEINIAS: What do you mean?

ATHENIAN: The bride and bridegroom should consider that they are to produce for the state the best and fairest specimens of children which they can. Now all men who are associated in any action always succeed

when they attend and give their mind to what they are doing, but when they do not give their mind or have no mind, they fail; wherefore let the bridegroom give his mind to the bride and to the begetting of children, and the bride in like manner give her mind to the bridegroom, and particularly at the time when their children are not yet born. And let the women whom we have chosen be the overseers of such matters, and let them in whatever number, large or small, and at whatever time the magistrates may command, assemble every day in the temple of Eileithyia during a third part of the day, and being there assembled, let them inform one another of any one whom they see, whether man or woman, of those who are begetting children, disregarding the ordinances given at the time when the nuptial sacrifices and ceremonies were performed. Let the begetting of children and the supervision of those who are begetting them continue ten years and no longer, during the time when marriage is fruitful. But if any continue without children up to this time, let them take counsel with their kindred and with the women holding the office of overseer and be divorced for their mutual benefit. If, however, any dispute arises about what is proper and for the interest of either party, they shall choose ten of the guardians of the law and abide by their permission and appointment. The women who preside over these matters shall enter into the houses of the young, and partly by admonitions and partly by threats make them give over their folly and error: if they persist, let the women go and tell the guardians of the law, and the guardians shall prevent them. But if they too cannot prevent them, they shall bring the matter before the people; and let them write up their names and make oath that they cannot reform such and

such an one; and let him who is thus written up, if he cannot in a court of law convict those who have inscribed his name, be deprived of the privileges of a citizen in the following respects:--let him not go to weddings nor to the thanksgivings after the birth of children; and if he go, let any one who pleases strike him with impunity; and let the same regulations hold about women: let not a woman be allowed to appear abroad, or receive honour, or go to nuptial and birthday festivals, if she in like manner be written up as acting disorderly and cannot obtain a verdict. And if, when they themselves have done begetting children according to the law, a man or woman have connexion with another man or woman who are still begetting children, let the same penalties be inflicted upon them as upon those who are still having a family; and when the time for procreation has passed let the man or woman who refrains in such matters be held in esteem, and let those who do not refrain be held in the contrary of esteem--that is to say, disesteem. Now, if the greater part of mankind behave modestly, the enactments of law may be left to slumber; but, if they are disorderly, the enactments having been passed, let them be carried into execution. To every man the first year is the beginning of life, and the time of birth ought to be written down in the temples of their fathers as the beginning of existence to every child, whether boy or girl. Let every phratria have inscribed on a whited wall the names of the successive archons by whom the years are reckoned. And near to them let the living members of the phratria be inscribed, and when they depart life let them be erased. The limit of marriageable ages for a woman shall be from sixteen to twenty years at the longest,--for a man, from thirty to thirty-five years; and

let a woman hold office at forty, and a man at thirty years. Let a man go out to war from twenty to sixty years, and for a woman, if there appear any need to make use of her in military service, let the time of service be after she shall have brought forth children up to fifty years of age; and let regard be had to what is possible and suitable to each.