Plato's Three Forms of Impiety in Context:

Laws X 884a-887c

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ABSTRACT

The article offers an in-depth analysis in the form of a close reading of the very beginning of Book X of Plato's Laws. It focuses on a passage where Plato defines three types of impiety which he claims to be the source of a wrong conception of the divine, the world, and human actions. To better understand Plato's seemingly conservative but actually uncommon and problematic definition of impiety, it is contrasted with partly similar reasoning of Xenophon's Socrates. By situating this key passage of the Laws within the context of the entire dialogue and within the relevant contemporary discussions, we arrive at a better understanding of the nature of Platonic revolution in a philosophical approach to traditional Greek religion.*

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The beginning of Book X of Plato's Laws (884a-887c), and especially the formulation of three types of atheism or impiety, against which the subsequent arguments are directed, plays a key role not only in the development of the dialogue but also in a broader context of Greek philosophical thought. This is why a careful analysis in a form of a close reading of this short section could help us understand how Plato gradually sets the stage upon which the subsequent theological and cosmological reasoning of Book X of his Laws takes place. To gain a better insight into Plato's last major philosophical endeavour, we should also consider its connections with and reactions to previous philosophical discussions.1

The following exposition has been influenced by my study of the following

I: THE NEED FOR RELIGIOUS **LEGISLATION (884A1-885B4)**

Book X begins somewhat abruptly by continuation of an argument from the previous book, where various crimes which inhabitants of the best attainable city could possibly commit are discussed and appropriate punishments are set down (884a1-5). Now the Athenian Stranger turns his attention to offences against sacred things ($i \epsilon_0 \alpha$), committed by the young who are always the chief

> overviews and commentaries upon Plato's Laws I had at my disposal: Stalley (1983), Steiner (1992), Cleary (2001), Brisson & Pradeau (2007), Mayhew (2008), Schöpsdau (1994), (2003), (2011), Bobonich (2018), see also an extensive discussion of Plato's Laws at various places in Van Riel (2013). The translation used with some modification is by Tom Griffith, with editorial revisions by Malcolm Schofield.

object of his concern, presumably because their more passionate nature can easily lead them astray.² Offences against piety which are about to be discussed are, according to him, the most serious ones (884a6-7) and indeed, Book X plays a key role in the legislation outlined in the *Laws*.

The subject in question is introduced already at the beginning (853a-d) of Book IX, where the Athenian Stranger wonders whether it is really necessary to determine, as a part of the laws of the best city they are trying to devise, also the punishments. Without a doubt, the best city should be established with the intention that its inhabitants excel in virtue more than is common elsewhere. On the other hand, the Stranger immediately adds, the ancient lawgivers devised laws for the heroes, sons of gods, and they themselves, too, were of divine descent. Already in Book V of the Laws (739b-e), it is explained that a city similar, at least in some traits, to the one presented in the Republic would be intended for the heroes, whereas the city outlined in the Laws is supposed to be the best that could be achieved in practice.3 In the same passage of Book IX, it is further claimed that the contemporary lawgivers draw up their laws for 'the seed of human beings', which is why even among the citizens of the best city, there could always happen to be someone who would have to be corrected. At the same time,

- 2 Cf. Mayhew (2008), p. 90-91.
- For a survey of the recent scholarly discussion about the relation of Plato's Laws to his Republic, see Bobonich (2018), par. 3.

this perhaps also justifies the strictness of legislation that may be needed under the present circumstances. In other words, Plato seems to imply that humanity is no longer as close to the gods as the heroes were in the days of yore and this is why religious legislation is needed. For the time being, only this mythological reason is provided but further justification becomes apparent later on.⁴

Still in the same passage of Book IX, we find reference to temple robbery which, according to Plato, is a crime so serious it should be punished by death (853d-856a). But at the beginning of Book X (884a6-885a7), we also learn that most serious are the 'undisciplined acts of aggression on the part of the young' committed first of all in relation to the sacred things that are public (ἱερὰ ... δημοσία). One might well assume that what Plato has in mind are the temples and other places of public worship. After this, Plato lists other, more specific offences, such as offences against private sacred objects (ἱερὰ δὲ ἴδια) and tombs, as well as offences against parents. Then the Stranger mentions some apparently less serious crimes, namely theft or abuse by property officials, i.e., representatives of the state. And finally, there are offences against 'the rights of any individual citizen'.

At first sight, not all the crimes listed above seem to be of a religious nature. Nevertheless, in Book XI, parents are compared to religious statues $(\mathring{\alpha}\gamma\mathring{\alpha}\lambda\mu\alpha\tau\alpha)$ of the gods (930e-931a).

For more detail on the nature of the utopian character of Plato's *Laws*, see especially Laks (1991), (2001). With this taken into account, the only seemingly non-religious crimes are the offences against state property and individual rights. In preceding books, however, it was stated that the state is consecrated to the twelve gods (V, 745b-e; VIII, 828b) and, as we shall see, the whole legislation thus depends on the divine, including legislation pertaining to individuals and their lives. It seems therefore that in Plato's Laws, religion in its different forms embraces virtually all aspects of human activities.

In the following section (885a7-b4), the Athenian Stranger specifies the reasons why people tend to commit offences against the gods. He does so in an 'encouragement' (παραμύθιον) or preamble, composed - as stated before in Book IV (719e-723d) - in a way that would motivate acceptance and endorsement of the laws that are proposed.5

II: THREE FORMS OF ATHEISM (885B4-9)

We learn that offences against the gods are in fact products of the following three forms of impiety, or wrong opinions about the gods. Persons who 'intentionally' (ἑκών) commit an impious deed or say something impious (literary contrary to law, ἄνομον) clearly 'suffer' (πάσχων), as the Athenian Stranger puts it, from either of the three following views: (1) They do not believe in the existence of the gods 'as the laws require' (Θεούς ήγούμενος εἶναι κατὰ νόμους). (2) They believe in gods' existence but do not believe that the gods care for humans

(ὄντας οὐ φοοντίζειν ἀνθοώπων). (3) They believe that the gods can be won over and persuaded by offerings and prayers (εὐπαραμυθήτους εἶναι θυσίαις τε καὶ εὐχαῖς παραγομένους) (885b4-9, cf. also XII 948c-d). These three types of impiety seem to cover the main types of the complex relationship between the gods and humans. The first opinion about the gods, the doubt regarding their existence, pertains to the gods themselves. The second, i.e. the doubt regarding their interest in us, concerns gods' relation to humans. And the last opinion, the doubt whether they can be won over and persuaded by offerings and prayers, touches upon human relations

to the gods.

The term 'intentionally' (ἑκών) used here evokes the famous Socratic ethical conception according to which 'nobody errs willingly'. It appears in a number of Plato's other dialogues (Gorg. 509d-510a, Meno 77d-e, Prot. 352b-353a, Resp. II 382a, III 413a, Soph. 228c-e, Tim. 86d-e)6 and in the Laws, it appears already in Books V (731c, 734b) and IX (860d-861a). At the beginning of the latter passage it is claimed that 'the unjust person (ὁ μὲν $\dot{\alpha}$ δικός) is, I take it, bad (κακός), but the bad person is not such intentionally (ὁ δὲ κακὸς ἄκων τοιοῦτος)'. It implies that people commit unjust acts, including those of impiety, because they are motivated by the wrong opinions they hold.7

- Cf. also Brickhouse & Smith (2013).
- See Bobonich (2018), par. 9, cf. a slightly different explanation proposed by Mayhew (2008), p. 56-58.

⁵ Cf. Mayhew (2008), p. 55.

If we turn back to our passage from Book X, the Platonic doctrine that nobody commits unjust acts willingly explains why the Athenian Stranger says that the people literally 'suffer' from false beliefs about the gods or – according to the most recent English translation – 'do these things in one of three frames of mind' just mentioned. In the light of this explanation, it is thus clear why, as we shall see in more detail below, it is so important to support religious legislation by a rational explanation of what we should think about the gods.

This threefold classification of atheism is famous and influenced a number of later thinkers. To cite just one example, the fifteenth century Byzantine philosopher George Gemistos Plethon wanted to construct his ideal legislation on these three principles understood in the positive way and of all Platonists, he came perhaps the closest to introducing it into practice. Nevertheless, similarly to some other Platonists, he did not in the end implement his project, which was perhaps for the best.8 As for Plato himself, of special interest is the contemporary parallel found in Xenophon's Memorabilia (Book I, Chapter 4, and Book IV, Chapter 3). The importance of these passages has recently been noted by David Sedley, who maintains that what we find here is the first known instance of an 'argument from design' and it appears in these passages in a form so elaborate that we would search for

a precedent in earlier Greek philosophical discussions in vain.⁹

The former occurrence in Xenophon's Memorabilia (Book I, Chapter 4) is nonetheless the one which is more noteworthy. There Socrates tries to persuade his follower Aristodemus, best known from Plato's Symposium, that gods must exist since the world we live in is so well ordered and humans are privileged in comparison to animals. The whole passage is remarkable by its emphasis on the special status of human beings. Socrates claims that this aspect of the world, which makes it both perfect and favourable to humans, can only be explained by the fact that it was created by the gods and divine providence is present in it. According to Sedley, in the fifth and fourth century BCE, i.e. before the advent of Stoicism, such position was quite unique and the only other place where it appears is in the refutation of atheism in Book X of Plato's Laws, i.e. the passage we outlined above. 10 Interestingly, there is another motif which also appears in both texts. In Book X of Plato's Laws, the ultimate answer to the impious notion that the world was formed by chance -

- 9 Sedley (2005), (2007), p. 75–95, (2017), cf. also Festugière (1949), p. 89–91.
- 10 Sedley (2005), p. 469; cf. Mayhew (2008), p. 62: 'An earlier version of the teleological argument, somewhat comparable to this one [in 886a2-4], can be found in Xenophon, *Memorabilia* 4.3. (There is another version, in *Memorabilia* 1.4, but it is more sophisticated than any of the appeals in *Laws* 10 to the orderliness of the universe.') Frede (2002), p. 90, however, claims that Plato offers a more complicated argument whose aim is to prove, as we shall see, that the rational order of the world is due to the work of the soul.

a conception which could probably be ascribed to the contemporary atomists Leucippus and Democritus – is to point to the ordering power of the soul, which has ontological priority and superiority.11 Xenophon uses a similar argument but, significantly, limits himself to an affirmation of the presence of intelligence (τὸ φρόνιμον) and soul in the human body. The idea of a world-soul in a full-fledged form does not seem to appear here at all (I,4,8-9, cf. also I,4,17; IV,3,14). Nevertheless, even he claims that there is a divine intelligence (φρόνησις) present in the world which orders everything in the best possible way (I,4,9).

There is one even closer parallel between these two texts than their overall strategy of argumentation. Early on in Xenophon's Memorabilia (Book I, Chapter 4), Socrates starts a long discussion with Aristodemus. Its aim is to convince him of the existence of the divine, since he, that is, Socrates, has learned that the young man does not sacrifice to the gods, does not pray, does not make use of divination, and mocks people who do all these things (I,4,2). After listening to a long series of Socrates' arguments from design (I,4,3-9), Aristodemus replies that he actually does not overlook the divine (τὸ δαιμόνιον) but believes it is too elevated (μεγαλοποεπέστερον) to need his veneration (θεραπεία). To this Socrates responds that the greater something is, the more it must be venerated (τιμητέον). Aristodemus then tries another approach and asserts that he neglects the gods because he does not think that they care for humans in any way (ἀνθρώπων τι φροντίζειν) (Mem. I,4,10-11). This is of course an exact parallel to the second type of atheism from Plato's Laws, even including the use of the same expression, φροντίζειν ανθοώπων. (It should be noted that whereas throughout this chapter, Xenophon uses the term φοοντίζειν, elsewhere, e.g. in IV,3, in a discussion about the divine providential care, he switches to $\dot{\epsilon}$ πιμελεῖσθαι and its derivatives.) Moreover, at the beginning of their conversation, Socrates seems to believe that Aristodemus suffers the first form of impiety, i.e. that he does not believe in gods' existence. In the course of the discussion, focus shifts to the second form of impiety. It thus seems that chapter I,4 of the Memorabilia is in fact built around the first two types of atheism discussed by Plato in Book X of the Laws.

The issue of relations between Xenophon's and Plato's Socratic writings is notoriously complex and it is often assumed that in a number of places, Xenophon reacts to Plato and is dependent on him. Here, however, it cannot be the case because Book I of the Memorabilia was written before Book X of the Laws. We know this because the Laws are most likely Plato's last work, published only after his death, while regardless of detailed discussions about the exact dating of the Memorabilia - ancient sources inform us that Xenophon died nearly ten years before Plato. It does not necessarily mean that in this particular case inspiration flowed the other way around and in this book, it is

Plato who is dependent on Xenophon. We shall see that despite some common features, the context of the two passages and the general scope of the two texts are quite different. Furthermore, there is also a minor but important detail: the Laws is Plato's only dialogue where Socrates is absent, while in the Memorabilia, he is clearly the main protagonist of the whole work. And finally, it is unclear why Plato should pick up this motif from Xenophon and develop it in his Laws. He does not react to Xenophon's portrayal of Socrates anywhere else and if there was any literary influence between the two thinkers, it went rather other way round.12

There is no space to discuss Plato's portrayal of Socrates' piety here, especially the *Apology* where Plato defended his master against the charge of impiety which included also undue attention to natural inquiry into celestial phenomena (18b). Nonetheless, there is a more straightforward connection between the *Memorabilia* and a passage in the Republic which also outlines the classification of the different forms of atheism which appear both in Xenophon's Memorabilia and Plato's *Laws*, Book X:¹³

'What about the gods? Surely, we can't hide from them or use violent force against them!', [someone will object]. Well, if the gods don't concern themselves with human

- 12 See Vander Waerdt (1993), p. 8–12. It is, however, true that, in another passage of his *Laws* (694c ff.), Plato reacts critically to Xenophon and his portrayal of Cyrus the Great in the *Cyrupaedia*, cf. Dorion (2003) and Danzig (2003).
- 13 Cf. Steiner (1992), p. 107.

affairs (τῶν ἀνθοωπίνων μέλει), why should we worry at all about hiding from them? If they do exist and do concern themselves with us (ἐπιμελοῦνται), we've learned all we know about them from the laws and the poets who give their genealogies – nowhere else. But these are the very people who tell us that the gods can be persuaded and influenced (παράγεσθαι ἀναπειθόμενοι) by sacrifices, gentle prayers, and offerings (θυσίαις τε καὶ εὐχολαῖς ἀγανῆσιν καὶ ἀναθήμασιν). Hence, we should believe them on both matters or neither. (Plato, Republic 365d6-e6, trans. G.M.A. Grube, rev. C.D.C. Reeve, slightly modified.)

It is important to note the common features but also the differences between the three texts, i.e. Plato's Republic, the Laws, and Xenophon's Memorabilia. Compared to other two accounts, the passage from the Republic seems like a kind of preliminary sketch, from which a more extensive argument is developed in the Laws. Moreover, the various forms of impiety are mentioned here just in passing, whereas in the Laws, they appear at a crucial point and are followed by a long argument for an ordered nature of the world. Similarly, in Xenophon's Memorabilia, the two types of atheism are attacked in a passage where the orderly nature of the cosmos is established, in this case by argument from design. The arguments from the Laws and the Memorabilia are thus also linked by a similar wider philosophical context. There is, however, also one obvious difference between Plato's and Xenophon's treatment of the types of atheism: the latter omits the third type of atheism,

that is, the belief that the gods cannot be mollified and persuaded to change their mind by prayers and sacrifices. ¹⁴ Xenophon's Socrates, by contrast, reproaches Aristodemus for not praying and sacrificing to the gods as well as for not making use of divination. He does not actually consider such behaviour to be impious. The idea of this kind of atheism is thus absent from Xenophon, while the first two seem to be shared by him and Plato. It is mentioned only briefly in the *Republic*, but plays a more important role in somewhat similar arguments in the *Memorabilia* and the *Laws*.

Based on this comparison, one could hypothesise that the common source and inspiration of these arguments is the Socratic legacy shared by both Xenophon and Plato. In the Laws, we shall see that this legacy has been significantly transformed. In the Memorabilia, it seems more straightforward since it is apparent from its very outset that in this text, Xenophon's aim is to defend Socrates against the accusation of impiety, which he does somewhat awkwardly by showing that when it came to religious matters, Socrates was in fact very traditional (I,1). It is, nevertheless, rather striking that just a little further in the text (I,4), Xenophon presents an argument that was so innovative for his time. We could thus speculate that this argument was something that Socrates helped to introduce into contemporary intellectual discussion. Even Sedley ultimately ascribes the argument from design found in Memorabilia I,4 to the

14 Cf. also Plato, Eutyphr. 14b–15b, Resp. II 364b–c. historical Socrates. He argues for this conclusion based on two prominent features of the reasoning. First of all, it is well possible that Socrates really reacted to the materialistic explanation of the origin of the world by chance proposed by atomists. Secondly, surviving testimonies clearly indicate that in contrast to earlier philosophers, he treated ethics - including piety - as independent of detailed cosmological speculations. This innovation is well illustrated by Cicero's famous saying according to which Socrates 'was the first to call philosophy down from heavens and set her in the cities of men and bring her also into their homes and compel her to ask questions about life and morality and things good and evil' (Cicero, Tusc. disp. V,4,10, trans. J.E. King). To Xenophon's Socrates, physical inquiry and religion indeed seem separate and piety, too, is not necessarily anchored in an understanding of the cosmos. Socrates can therefore develop proofs of the existence of divine providence without having to give a detailed naturalist account of the nature of the world. The purpose-like order of the world so emphatically revealed in the Memorabilia provides, so to say, only a general framework in which humans live and act.15

When thinking of Socratic piety, we are perhaps accustomed to focusing on his *daimonion*¹⁶ and his command-

¹⁵ Cf. McPherran (1996), p. 272–291, Sedley (2005), p. 466–468, (2007), p. 78–86, and Viano (2001).

¹⁶ The whole issue of Apeiron, 38.2, 2005, is dedicated to discussions of the daimonion, see esp. Brisson (2005).

ments, which make it a highly personal experience. On the other hand, however, one could also point to the famous passage from the Phaedo (95e-100) where Socrates speaks about his philosophical development and disillusion with the physical inquiry into the natural world. Even Anaxagoras' philosophy ultimately failed to convince him, although it seemed promising at first because it postulated a cosmic Intellect (νοῦς) that orders the world in the best possible way with respect to the good common to all (τὸ κοινὸν πᾶσιν ... ἀγαθόν). According to what Socrates says in the Phaedo, this explanation fails because Anaxagoras does not apply this kind of cause to an account of the origin and nature of the world and he does not say why, for what reason the world came to be (see also XII 967c). Such embryonic teleological conception of the world is compatible with another insight usually ascribed to historical Socrates, namely that the god is just and cannot be the source of any evil.17

Nevertheless, although the parallel that can be traced between Plato's Laws (Book X), and Xenophon's Memorabilia (I,4) is fascinating, we should bear in mind that when speaking about historical Socrates and his religious beliefs, we always skate on somewhat thin ice. But be that as it may, the various accounts of the forms of impiety towards the gods in Xenophon and Plato enable a useful comparison between the two thinkers, and in this way, we can reach a better understanding of the nature and scope of

17 Cf. McPherran (1996), p. 272–291, (2013), p. 270–272, Bussanich (2013), p. 289–290.

their projects. To start, we should notice that Plato distinguishes between three types of impiety, he actually offers a kind of classification of wrong views regarding the gods which covers all the main types of human mistakes with respect to theology, starting from the more serious and progressing to the less serious ones. In Xenophon, on the other hand, we find nothing so elaborate. His aim is just to portray Socrates as a defender of the two basic correct views about the gods.

AS DIVINE SOULS (885C1-886E5)

In the following part of the *Laws*, the Athenian Stranger claims that when people think that gods do not exist or hold the sort of wrong opinions about the divine described above, it is because of the influence of poets, orators, seers, priests, and many others who are considered to be the best ones (οἱ λεγόμενοι ἄριστοι), the authorities on truth (885d4-7). Certainly, poets, seers, and priests were in Plato's time viewed as champions of the traditional religion, while orators represented some of the more innovative trends in the Greek religion. Criticism in this direction is thus not surprising and in fact, we find such critical views not only in discussion above in Book IV of the Laws (719b-e) but also in Plato's other works.

To counterbalance their negative influence, lawgivers are not supposed to deter people from their views harshly (σκληρῶς), presumably by threat of severe punishments. Instead, as mentioned above, lawgivers should try 'to persuade and to teach' (πείθειν καὶ διδάσκειν) the

populace by the means of sufficient proofs (τεκμήρια ... ίκανά). Already in Book IV (719e-723d), it is explained why each law should be supported by persuasion. Plato illustrates this need by giving a comparison with a doctor who treats the sick: Freeborn citizens are required to understand and accept what is beneficial for them according to nature (κατὰ φύσιν, cf. IX 857c-e). Doctors achieve this by persuasion and the same should hold for the lawgivers, who should thus provide a preamble to each proposed law which would support its content by the means of persuasion. Such preamble would then be followed by the text of the law as such.¹⁸

In Book X, the motif of persuading (π είθειν) appears several times, including the passage we discuss now (885d2, e3, 5) and just a few lines below, when the Stranger returns to it. In this latter case, however, it is claimed that - in contrast to the traditional representatives of Greek religion, and especially in contrast to the orators - this 'persuading' should take the form of arguments ($\lambda \acute{o} \gamma o \iota$) and proofs (τεκμήρια). At this point, the proofs and arguments are further specified only by a claim that they should be sufficient, and little further it is said that what the lawgivers teach us about the gods should be 'at least better in terms of its truth' (885c5-e5). In a subsequent text, 'a reasoned demonstration' (τὰ μὲν ἀποδείξαμεν μετρίως τοῖς λόγοις) is mentioned again (887a4-8). Some scholars have noted that the only kind of preamble (προοίμιον) that should persuade the

18 Cf. Brisson & Pradeau (2007), vol. II, p. 379–386. populace while employing some kind of rational argumentation is the one mentioned in the *Laws*, Book X, since other kinds would be based either on rhetoric or on myths.¹⁹ The requirement that persuasive rational argumentation should be used opens the way to the rational theology developed in the remainder of Book X of Plato's *Laws*.

At this point, the Cretan Cleinias remarks that it is actually easy to prove that the gods exist. According to him, it can be proven by pointing to the existence of 'the earth, and the sun ..., the whole skyful of stars' or by observing 'the wonderful symmetry of the seasons (τὰ τῶν ὡρῶν διακεκοσμημένα), with their arrangement into months and years (ἐνιαυτοῖς τε καὶ μησὶν διειλημμένα). Ιη other words, if the cosmos is indeed a reasonable world-order, the first proof points to the ordering of the heavenly bodies and the cosmos as a whole, while the second proof points to the regularity of its motions and transformations (886a2-4). Such arrangements must be ascribed to some rational creative cause, to some divine agency that orders our world. We may note that a similar argument had been proposed by Diogenes of Apollonia (DK 64 B 3) and by Xenophon's Socrates (Mem. IV,3).20 The last proof added by Cleinias is a rather traditional

- 19 Cf. Laks (1991), p. 427–428, Brisson (2000), especially p. 242–251, Mayhew (2008), p. 59–60, 169–170. On the persuasive function of preambles, see also e.g. Laks (2000), p. 285–290, Bobonich (1991), (2002), p. 97–119, Meyhew (2007), and Bobonich (2018), par. 5.
- 20 Cf. Mayhew (2008), p. 62, Schöpsdau (2011), p. 377.

argument to the point that not only all Greeks but also barbarians believe in gods (886a4-5).

At this point, the Athenian Stranger points out that it is not so simple. He explains that Cleinias must be mistaken about the motivation of people who hold either of the three types of atheism mentioned above, because he assumes that the sole reason for doing so is simply 'lack of self-control where pleasure and desire are concerned' (ἀκράτεια ... ήδονῶν τε καὶ ἐπιθυμιῶν). And while nothing in the text explicitly rejects the possibility that such personal failing may be one of the causes of atheism, the Stranger claims much more important is 'a form of ignorance ($\alpha \mu \alpha \theta \alpha$), very dangerous'. According to him, this kind of ignorance is so grave because it seems to be 'the height of wisdom (φρόνησις)' (886a5-b8). In other words, not all Greeks actually believe in the gods properly and the traditional argument mentioned by Cleinias does hold. On the contrary, it is refuted by what currently goes on in Greece, i.e. by the fact that some people do question the very existence of the gods.21 In this passage, however, most significant is the doctrine hinted at here, namely that aside from possible personal failings, atheism may have a deeper cause, namely a wrong conception of the divine.

Cleinias' unjustified optimism about the force of religious beliefs is therefore to be ascribed to his ignorance of the state of affairs outside his native Crete (886b4-5). According to the Stranger, he is very fortunate that thanks to the excellence of Cretan constitution, they do not experience this phenomenon which causes such problems in his native Athens. The problem in question has to do with written accounts of the gods (ἐν γράμμασι λόγοι κείμενοι ... περὶ θεῶν) that may be either 'in verse' (ἐν τισι μέτροις), or 'not in verse' (ἄνευ μέτρων), i.e. written either by poets or by theologically inclined writers of prose (886b10-c1).²² With respect to the Cretan constitution, we can speculate that if these accounts did not circulate there, theology must have been determined entirely by the lawgivers, giving no room to such accounts.

Moreover, according to the Athenian Stranger, one should distinguish between 'the ancients' and the 'moderns' in theology. The most ancient of written accounts (παλαιότατοι) are obviously those in meter, since what seems to be meant here are the mythological narratives about the gods and the creation of the world, accounts which deal with the issue of 'the natural origins of heaven and of everything else' (ώς γέγονεν ή πρώτη φύσις οὐρανοῦ τῶν τε ἄλλων).²³ They provide a theogony, that is, an account of the origin of gods in the form of a narrative about their birth from one another and their mutual relations. It is not at all certain, the Athenian Stranger says, that such accounts are of any use to the listeners. He admits it would be hard to censure them (ἐπιτιμᾶν) because they are ancient

²² Cf. Schöpsdau (2011), p. 378.

²³ Cf. Brisson (2000), p. 252, n. 5, see also Hesiod, *Theog.* 117, Plato, *Symp.* 178b.

(παλαιοί), thus implying presumably that their authority and truth have been proven by time. In his view, the most disturbing feature of these writings are the relations between parents and children they describe, which - he adds contain nothing that is useful or true. The Stranger of course seems to have in mind the oftentimes violent conflicts between the generations of gods described in traditional Greek mythology. Ancient myths were criticised for depicting gods as immoral already by earlier thinkers, especially Xenophanes (DK 21 B 11-16), while Plato's Socrates does the same in the Euthyphro (6a-c), and even more notably in the Republic (II 376e-412c). Nevertheless, according to the Stranger, such accounts still may be told 'in whatever way is pleasing to the gods' ($\delta \pi \eta$ θεοῖσιν φίλον) (886c2-d2). It would thus seem that the traditional theological accounts perhaps need just a little emendation and correction and then they could convey the truth about the gods quite adequately.

More serious is the latter case, that is, the theology of 'modern thinkers' (των νέων ... καὶ σοφων) who reject the notion that celestial bodies can serve as proofs (τεκμήοια) of gods' existence because they do not believe that the stars are gods (θεοί) or divine things (θεῖα). These 'modern thinkers' managed to persuade the young that heavenly bodies are nothing but matter, that they are made of earth and stones. Such lifeless heavenly bodies then cannot be expected to take care (φοντίζειν) of human affairs. These beliefs are so successful and persuasive because they are 'decked' with

arguments (λόγοισι περιπεπεμμένα)²⁴ which make them more likely to be believed (886d2-e1).

This clearly indicates that while the accounts of 'the ancients' are only partly wrong and it is only the depiction of immoral behaviours that makes them impious, 'the moderns' are guilty of the first two types of atheism and the third naturally follows from them as well. We mentioned above that the preamble to law against atheism is the only one that is to be based on rational argumentation. This is possibly because the law would touch upon the nature of the divine and in Plato's view, the higher levels of reality, especially the Forms, are accessible through intellect. Moreover, because the arguments (λόγοι) of 'modern' theologians undermine the traditional accounts of the gods, they should be countered by arguments that would be stronger but as rational as those of 'the moderns'.25

The most prominent feature of this whole passage (885c1-886e5) is certainly the importance assigned to the understanding of heavenly bodies. This subject is at least hinted at also in Plato's other late works and developed especially in the *Timaeus* but at present, we must leave a more detailed exposition of this dialogue aside. ²⁶ In the *Laws*, it appears already in Book VII which mentions three sciences ($\mu\alpha\theta\eta\mu\alpha\tau\alpha$) which free citizens

- 24 Cf. Brisson & Pradeau (2007), vol. II, p. 342, n. 16.
- 25 Cf. Brisson (2000), p. 248–251, Mayhew (2008), p. 65–68.
- 26 For a discussion of the role of gods in Plato's Timaeus, see especially Van Riel (2013).

should study, namely the arithmetic, geometry, and astronomy. They are supposed to have not merely a practical application: they are seen as necessary parts of general education (817e-818d).²⁷ At the same time, however, the Athenian Stranger complains about the deplorable state of knowledge of these sciences in contemporary Greece and proposes that they should be included in the legislation of the best city so that its citizens be better acquainted with them (818d-820e).²⁸ Astronomy, nonetheless, stands apart. As the Athenian Stranger says, some people believe that 'when it comes to the greatest god and the universe as a whole (τὸν μέγιστον θεὸν καὶ ὅλον τὸν κόσμον), we say these are not a fit subject of study' and it is pointless 'to go poking around looking for explanations (τὰς αἰτίας)'. He immediately rejects this view and goes on to claim that this is exactly what should be done because this sort of science is highly beneficial to the city (820e-821b). The target of his criticism is obviously the kind of astronomical studies which presuppose that the heavenly bodies are lifeless lumps of matter, a view ascribed to some Presocratics, especially Anaxagoras.²⁹ Astronomical reasoning is thus viewed in a clearly positive light - provided that what it promotes is the right kind of astronomy. In this, the Stranger seems to endorse the very opposite of the opinion championed by Socrates in Xenophon's Memorabilia (apart from I,4,

see also I,1,11–16; IV,7,4–5) or in Plato's *Phaedo* (95e–99c), where – in the famous telling of Socrates' beginnings and his youthful admiration for Anaxagoras – astronomical knowledge is considered profitable only to a degree and investigation of complex problems is regarded as misleading.

In Book VII, the Stranger continues by claiming that nearly all his Greek contemporaries are wrong in their opinions regarding the great gods (μεγάλων $\theta \epsilon \tilde{\omega} v$), the Sun, and the Moon. He ascribes this state of affairs to the general ignorance of mathematical sciences. Plato's contemporaries thus hold that the abovementioned heavenly bodies, as well as some other stars, 'never move in the same path' (οὐδέ π οτε τὴν α ὐτὴν όδόν ἰέναι). This is why they are called planets ($\pi \lambda \alpha \nu \eta \tau \dot{\alpha}$), which simply means errant or wandering stars. According to the Stranger, people, including the young, should learn about the stars so as not to be impious with respect to them, for instance when it comes to sacrifices or prayers. Moreover, he adds, the basic conclusions of this science are so straightforward that anyone can easily learn them. It is thus wrong to think that the celestial bodies wander irregularly, because first of all, they in fact follow always the same path, secondly, there are not many paths they follow, just one, and finally, they move in a circle ($\kappa \dot{\nu} \kappa \lambda \omega$) (821b-822d).30 We can leave aside other details supplied by the Stranger: the main points made here are that celes-

²⁷ Cf. Schöpsdau (2003), p. 600-603.

²⁸ Cf. Schöpsdau (2003), p. 617-623.

²⁹ Cf. Schöpsdau (2003), p. 623.

³⁰ Cf. Schöpsdau (2003), p. 623–624, on the place of Plato in history of astronomy see Dicks (1970), ch. 5.

tial bodies move in a regular fashion and to attain a proper knowledge of this, mathematical astronomy is needed. Now we can see why it would be impious *not* to study astronomy.

It should also be noted that Plato treats here the Sun and the Moon as eminent deities. In traditional Greek understanding, they were usually treated as much less important gods than in the Middle Eastern religions and they had hardly any cult at all. In Book X of the Laws, however, Plato claims that the Greeks and Barbarians alike venerate them by prostration both when they rise and when they set (887e). In the Symposium, he portrays Socrates as praying to the Sun (220d) and in the Apology, he writes that not considering the Sun and Moon to be gods was one of the charges brought against him (26d).31

In Book X, Plato then goes on to argue - against the atheists - that the cosmos is not the product of pure chance because it is ordered by the soul. Later on, in Book XII, the Athenian Stranger returns to the idea that there are two things that motivate our belief in the gods ($\pi \epsilon \Omega i \theta \epsilon \tilde{\omega} v \dots \pi i \sigma \tau i v$). First of all, it is the belief that the soul is the principle of the universe. Secondly, it is belief that is was 'the - clearly regular - movements of the stars and all other bodies controlled by the mind (ἐγκρατής νοῦς) which has imposed order on the universe (τὸ πᾶν διακεκοσμηκώς)'. The conclusion that the study of astronomy could lead to atheism is thus clearly wrong, unless

31 Cf. Morrow (1993), p. 445–448, Schöpsdau (2003), p. 623–624, (2011), p. 382, see also Burkert (1985), p. 174–176.

these matters are studied in a shallow or misleading way, which happens to those who believe that 'things happen through necessity (ἀνάγκαις)' without an intervention of reasoning will (οὐ διανοίαις βουλήσεως) which in the ordering of the world pursues what is the best goal (ἀγαθῶν πέρι τελουμένων) (966d-967a).

To sum up, Plato tries to show that to understand properly the motion of celestial bodies, what is needed is, first of all, proper knowledge of mathematical astronomy, which can reveal that they move in perfectly regular way. Secondly, what is needed is a correct metaphysical and ontological framework in which this knowledge is set, in this case the assumption that what happens, happens not by chance or blind necessity but because it is ordered by the art of some higher intelligent design (cf. X 887c-899d). Needless to say, the regular motion of the stars supports this latter claim.

This is Plato's response to the atheism of 'the moderns' who reject the conception of stars as gods and believe them to be lifeless objects. Their theories are said to be persuasive because - as Plato notes - they are 'decked with arguments'. According to this view, they are just composed of matter, that is, they are unthinking, lifeless things. We saw that, based on Book VII, the Stranger's response to these 'moderns' would be that when mathematics is applied to astronomy, it turns out that, although it is not evident at first sight, stars move in a regular and perfect fashion. This is therefore the sufficient proof required before. Moreover, according to Plato,

a calendar – including specified religious feasts – should also be devised for the best city. It would be arranged according to the natural order of the periodical cycles in the world. Once again, this would be accomplished with the help of mathematics (VII 809d, 818c, VIII 828c).

Another feature prominent throughout the entire discussion of astronomy and celestial bodies is of course their identification with gods. Nevertheless, it seems that these are not the only gods that appear in the *Laws*. In Book XI, the Athenian Stranger notes that 'traditional customs concerning the gods (νόμοι περί θεούς ἀρχαῖοι) are everywhere of two kinds ($\delta\iota\chi\tilde{\eta}$)'. First of all, we should honour the gods we 'plainly see' (σαφῶς ὁρῶντες): by this, he clearly means the celestial bodies. In Book X, it is furthermore specified that the source of their divinity are the souls (898e-899c). On the other hand, it is claimed in the same passage of Book XI, that 'for others we set up likenesses as objects of worship (εἰκόνας ἀγάλματα ίδουσάμενοι)'. These images are lifeless, literally without soul (ἀψύχους), but they are venerated because it pleases the gods who are represented by them, and these gods are themselves alive, literally ensouled (ἐμψύχους). They then 'respond by feeling kindly (εὔνοιαν) and grateful (χάριν) towards us' (930e-931a). This kind of veneration may be viewed as close to the third type of impiety criticised by Plato, but we should note that such religious cult ultimately differs from the popular idea that offerings can change gods' decision. It seems that although Plato is critical of the depiction of traditional gods presented by poets, he does not reject them altogether. He merely notes that they must be understood correctly, meaning they ought to be placed within the framework of his metaphysics and cosmology. This is apparent from the Timaeus (40d-41a), where Plato en passant mentions certain older poetic stories about the birth of gods and cosmos within an explanation of cosmology which includes an astral religion. The heavenly bodies conceived as divine and the traditional accounts of the gods thus seem to coexist in some way.³² The aforementioned passage from the Laws thus seems to establish a more immediate contact between the gods and people who venerate them properly, but that does not mean that someone could alter the divine will. The traditional gods, who according to Timaeus' saying 'appear only as much as they wish to' (41a), obviously give signs to people who are thus directed by them. Nevertheless, it is an invitation to further inquiry into the divine plan of the world, as illustrated by the example of Socrates.

It would be tempting to extend this distinction to the 'ancient' and 'modern' theologians from Book X. The 'moderns' give account of celestial bodies while not understanding properly the nature of their divinity, while the 'ancients' tell stories about the traditional gods of Greek mythology which are often the target of Plato's criticism. If these are identical to those whose statues are set up in Book XI, it means that they, too,

32 Cf. Karfík (2004), p. 103–104, and Van Riel (2013), esp. 32–34, 50 53–54, 58–59.

have a soul and exist no less than the former. We can also note that according to books V and VIII (745b-c, 828b-d), the city and its population should be divided in twelve parts, phylai, consecrated to the twelve gods of the Greek pantheon - Hestia, Zeus, Athena, and Pluto are mentioned in this context. It indicates that even in Plato's utopian city, the traditional gods would retain their function in the life of the polis.³³ The second passage furthermore claims that we ought to distinguish between the celestial gods (οὐράνιοι) and those who follow them (τὸ τῶν τούτοις ἑπομένων) and the chthonic ones ($\chi\theta$ óνιοι).³⁴

It thus seems that to Plato, stars and planets are not the only gods he is willing to accept as genuine. It shows, once again, that at least in the Laws he does not believe the traditional theology to be entirely false. This much is also indicated in Book X, where it is said that the theological accounts provided by 'the ancients' may, after all, be pleasing to the gods. Nonetheless, this libation to the more traditional notion of gods should not blind us to the fact that Plato actually pursues here a highly innovative theology which divinises heavenly bodies and develops a sort of cosmic and astral religion, such as became influential in subsequent periods.35 One could argue, though, based on what Plato himself says, that he does not see himself as proposing a religious reform but rather as merely providing a deeper understanding of the true nature of the world and the gods who had been venerated by the pious since time immemorial. He says that the traditional picture of Homeric gods is clearly correct in presenting them as living beings, but he is critical of the poets who portray them as committing immoral and irrational acts or being swayed by the gifts offered to them by mortals. But even so, he concludes, this is a more adequate concept of the gods than that presented by the young theologians who claim that everything is the result of interactions of lifeless matter produced by chance and necessity.

---- IV: HOW SHOULD ONE CONCEIVE OF THE GODS THEN? (886E6-887C4)

In the following passage of Book X, the Athenian Stranger once more raises two important questions about legislation. Firstly, according to the impious, it may be wrong to devise a legislation based on the assumption that the gods exist ($vo\mu o\theta \epsilon \tauo \tilde{v}v \tau \epsilon \zeta \acute{\omega} \zeta \acute{o}v \tau \omega v \theta \epsilon \tilde{\omega} v$). In other words, it could be objected against the Platonic lawgivers that theology should not be presupposed, that it should not be the foundation of legislation. The second

Cf. Mayhew (2008), p. 64–68 for Plato's place in the history of Greek religion in general, see Burkert (1985), p. 325–329, 332–337, on astral and cosmic religion, see Festugière (1949).

³³ Cf. Morrow (1993), p. 434–445, Schöpsdau (2003), p. 336–342, (2011), p. 169–172, Bobonich (2018), par. 8: 'It is worth noting that Plato holds that citizens, in virtue of their standing in the political community, may legitimately expect to have a share in the administration of justice (*Laws* 767E9–768B3)'.

³⁴ Cf. Morrow (1993), p. 449–453.

question is whether it may not be more practical to focus just on the laws themselves because the preamble (cf. Leg. IV 722c-723b) to the law against impiety, whose purpose is to persuade the citizens, could get too long. This is because to achieve this goal, 'a reasoned demonstration' would be required. Both points are resolutely rejected by Cleinias who makes it clear that it does not matter if the arguments ($\lambda \acute{o} \gamma o_i$) about gods' existence and their goodness turn out to be lengthy as long as they 'carry some conviction (π ιθανότητά τινα)'. Here again, it is made clear that lawgivers should not simply impose laws and specify the appropriate punishments for their transgression. They are also supposed to 'convert' (τρεπώμεθα) those who are willing to listen by instilling in them 'fear of the gods' and 'moving on to put the appropriate laws in place' (886e6-887c4). One of the tasks of the lawgivers is thus to make people understand the reasons and motivation of the laws. Moreover, to achieve this, the citizens of Plato's city must understand what they are supposed to do and attain some understanding of the nature of the cosmos which the best city is a part of. Indeed, in this very passage (887b5-c2) it is stated that the preamble to laws against atheism would serve also as a preamble to Plato's legislation as a whole.36 In general, Plato holds that the principles of legislation must be in accord with the principles of reality, in other words, there must be an agreement between nomos and physis.³⁷ From this perspective, the legislation cannot be developed without a rational theology that would have to be elaborated beforehand. This explains why, in Plato's *Laws*, such large theoretical framework (developed in Book X), including theology and cosmology, is needed to devise a proper legislation.

At this point, the subject of argumentation (λόγοι) about the gods is thus restated in positive terms. The goal of the discussion is to show with reasonable certainty that (1) the gods exist (θεοί τ' εἰσὶν), that (2) they are good $(\alpha \gamma \alpha \theta \circ i)$, and that (3) 'they have a higher regard for justice than human beings do' (δίκην τιμῶντες διαφερόντως ἀνθρώπων) (887b6-7). These seem to be the positive answers to the three types of atheism we encountered at the beginning. The first statement, that the gods exist, is clear enough. The second, that they are good, is an obvious elaboration of the claim that they care for humans. And finally, the last one, namely, that they are more just than the humans, could just mean that the gods decide matters in the best possible way and their decisions never change, regardless of the possible pleas of humans. Already earlier in this section (885d3-4), it is claimed that the gods 'are above the lure of gifts, and that they will not turn aside from the path of justice' (παρὰ τὸ δίκαιον ... παρατρέπεσθαι κηλούμενοι). Justice, especially the divine and all-encompassing one, is understood here as giving what is due to everyone, which naturally implies that decisions and conclusions

³⁶ Cf. Brisson & Pradeau (2007), vol. II, p. 342–343, n. 19.

³⁷ Cf. Cleary (2001), p. 125, 140.

based on it cannot be modified by supplications. Having said all this in advance, discussion about the gods and the cosmos, which is the subject of the remainder of Book X, can commence.

It is interesting to note once again that Gemistos Plethon, whose name was mentioned already above, apparently derived his conception of fate, according to which all events in the world are predetermined, from the positive version of the third type of atheism he found in Plato's Laws X.38 Moreover, if we were to make a comparison with Xenophon's Moralia (I,4), it is perhaps not so surprising that the third kind of atheism (or its positive form, the divine justice) does not appear in his text. To Xenophon, humans are more privileged than animals. In his view, they are close to being 'the crown of the creation' and it even seems as if the world was made because of them. Although at the end of the chapter (I,4,19), the goal of Socrates' speech is to make his associates abstain from things which are impious (ἀνόσια), unjust (ἄδικα), or shameful (αἰσχοά), the more general picture is actually optimistic and humans do not seem to have any duties at all. One might be even inclined to think that according to Xenophon, gods would change their decision if it promoted human wellbeing. This emancipation of the humankind may perhaps be the result of Socrates' anthropological turn, but on this point, we probably will never have a definitive answer.

In Plato's *Laws*, in contrast, humans are much more integrated into the overall structure of the world, including the non-human world which is absent in Xenophon's picture. They are an integral part of the world and their duties, laws, and ethics correspond to their place in the world as a whole, and that, in turn, is ultimately determined by their relation to the divine. The gods may be perhaps absolutely just, but they will not be moved by prayers and entreaties because they sustain the whole and set the rules according to which each gets its due.³⁹

CONCLUSION

At this point, all Plato's cards are on the table. In the remaining arguments of Book X of the Laws, he tries to finish his task, i.e. to refute the three types of atheism. Nevertheless, we saw that Plato's definitions of impiety and thus conversely also of the correct ideas about the gods are far from the obvious and commonly accepted - and that was true already at the time when he wrote his dialogue. His initial definitions of what is and is not pious clearly demarcate the field on which the subsequent argument will develop and outline the concepts employed in the argument. The decisive moment comes with the proof of soul's priority over corporeal being. Analogically to human beings, the soul brings reason and order into the cosmos and, at the same time, it is responsible for its perfect circular motion. By this step, the traditional religion of a Greek city with its worship of gods is,

39 Cf. Cleary (2001), p. 135, Frede (2002), p. 93–95, Mayhew (2008), p. 169, 172–174, 179.

³⁸ See especially Book II, chapter 6 of Plethon's *Laws*, cf. Hladký (2014), p. 51–52, 144–150.

so to say, suspended. Although it is still considered true in a certain way, the traditional mythological account is no longer the main source of our knowledge of the gods and can even be sometimes misleading. What Plato offers instead is a kind of cosmic or astral religion in which the gods and the planets play a key role. They are, however, still supposed to care about human beings, although obviously in a different and less personal way than the Homeric gods did.

In his innovative theology, Plato develops further some ideas he adopted from Socrates, for instance the famous claim that the god cannot be the source of any evil and, as we tried to show, the notion of the world organised according to a divine plan and providential care. Nevertheless, he shifts this notion considerably by abandoning Socrates' anthropological perspective in favour of a world order where each thing is integrated in its proper place and given its just due. Quite significantly, although the Athenian Stranger and Xenophon's Socrates share the conviction that the soul is higher than the body that is governed by it, Plato generalises this idea to the whole universe, whereas in Xenophon such an idea is not developed. Moreover, we can observe that Socrates' awareness of the limits of his knowledge, including physical investigations, is replaced by a more confident belief in the power of rational reason, belief in its ability to discover not only the structure of the sensible world but even the divine cause behind it. With Mark McPherran, we can thus perhaps conclude that at this point, philosophical reasoning about the gods moves away from Socratic 'Apollonian modesty' towards 'Platonic 'hubris'.⁴⁰

⁴⁰ Cf. McPherran (1996), p. 291–302, see also Burnyeat (2012), but also Van Riel's (2013) more moderate conclusions.

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