

## Solar Theology and Civil Religion in Plato's *Laws*

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### Abstract

How is a legislator to harness the positive cohesive power of religion without falling prey to a charge of hypocrisy? As with so many theoretical puzzles, it was Plato who first recognized this paradox of civil religion. Consequently, the multi-tiered religion he proposes in the *Laws* should be understood as western thought's first attempt to solve this problem.

At the centre of the *Laws* stands a single icon – the sun – that fits within both the Olympian schema of polis-religion and a naturalistic, rationalist account persuasive to the more philosophically minded. Using the language and imagery of solar worship, Plato designed a shared 'civil religion' (to use an anachronistic term), that can reasonably claim to link the social forms of political life to the higher truths of reason, even if not all the city's citizens will mean the same thing when they speak of the god and his rites.

### Keywords

Plato – The *Laws* – Civil Religion – Greek Political Thought – Theology

Over the course of modernity, political theory has remained more or less troubled by some version of 'the paradox of civil religion':<sup>1</sup> Religion is an essential institution of social cohesion and political solidarity, and yet reason tells us that there is good cause to be sceptical of the tales, practices, and beliefs of traditional religious forms. How then, is a legislator to harness the positive

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1 See R. Beiner, *Civil Religion: A Dialogue in the History of Political Philosophy* (New York: Cambridge University Press, 2011).

cohesive power of religion without falling prey to a charge of hypocrisy? I propose that, as with so many other philosophical problems, it was Plato who first recognized this paradox. Consequently, the multi-tiered religion he introduces in the *Laws* should be understood as western political thought's first attempt to solve this problem.

At the centre of the *Laws* stands a single icon – the sun – that fits within both the Olympian schema of *polis*-religion and a naturalistic, rationalist account persuasive to the more philosophically minded. Using the shared language and imagery of solar worship, Plato designed a 'civil religion' (to use an anachronistic term), that can reasonably claim to link the social forms of political life to the higher truths of reason, even if not all the city's citizens will mean the same thing when they speak of the god and his rites.

### The Introduction of Theology in the *Laws*

Walter Burkert closes his history of Greek religion in the classical age with a discussion of the *Laws*, pointing to the way in which the religious discourse of the *Laws* seems to expand beyond the confines of the city and its institutions. Burkert points to the position of the sun in the text as a clue to Plato's theological innovation. By introducing the sun, alongside the 'traditional' gods, Plato's scope has expanded beyond the polis-world by which Greek religion had been bounded.<sup>2</sup> Burkert's observation is a keen one.<sup>3</sup> Plato, in his telling, penned a sort of valedictory address for *polis*-religion, writing of gods in the context of the city who were no longer *of* the city.

Burkert's historical observations have not been taken up in the more recent revival of writing on Platonic theology. Robert Mayhew's recent work on the structure and argument of *Laws* Book x and the broader theological argument of the dialogue have, however, provided an excellent analytic context from within which to take seriously Plato's discussion of the gods as a set of

2 W. Burkert, *Greek Religion* (Cambridge, MA: Harvard University Press, 1985), pp. 320-36.

3 Burkert was not the first to notice to role of the sun in the theology of the *Laws*. See P. Boyancé, 'L'Apollon solaire', in: *Mélanges d'archéologie, d'épigraphie et d'histoire offerts à Jérôme Carcopino* (Paris: Hachette, 1966), pp. 149-70 and A.J. Festugière *La Revelation d'Hermès Trismégiste*. II. Le Dieu cosmique (Paris: Gabalda, 1949), pp. 137-51. These authors place the *Laws* in the progression of Greek theology towards the cosmic theology of the Stoics and the Hellenistic age, but they do not focus on the edificatory political role this type of theology plays in its appearance in the *Laws*.

philosophical arguments.<sup>4</sup> In addition, the last fifteen years have borne witness to increased discussion over how the *Laws* relates to other pieces of theological reasoning in 'late Plato' (the *Timaeus-Critias*, *Theaetetus*, and *Statesman*), with at least one major study making the case for a 'unified' conception of Platonic theology with a central place for the *Laws*.<sup>5</sup> Of course, there are important traditions of reading the *Laws* theologically that go back to the earlier parts of the previous century and, indeed, beyond. The field owes much to Solmsen's early work, equally sensitive as it was to the place of the *Laws* in Plato's *oeuvre*, and to the historical/contextual situation that birthed the dialogue and the tradition that followed after it.<sup>6</sup> This study, however, will return to Burkert's observations about the sun, in the hopes of speaking more comprehensively about the place of religion in the structure of the *Laws*, and the significance of the *Laws* for religion.

Context is important to the *Laws*, a dialogue concerned with the foundation of a particular city in a particular place, at, it must be said, a particular time (such, at least, is the purported goal of the dialogue as established dialogue's opening pages). When the gods are invoked or discussed, the political nature of the setting thus primes us to expect the discussion to take place within the context of cities and their citizens. Yet, from the very first exchanges between the Athenian Stranger and his interlocutors, the role of traditional human lawgiver has been subtly questioned, and perhaps undermined, without devaluing the giving of law itself. If, to echo to the first words of the dialogue, a god gives the laws, what remains for the Athenian Stranger and his interlocutors, who are indeed hoping to found a city, and not just in speech? If the Athenian and his friends are acting as god's intermediaries, is the divine really present? If the law is god's work, is the resulting discussion philosophy or theology?

The three old men get around this difficulty by an invocation, 'calling on god to witness at the planning of our state' (712b4-6). For a city founded with god and designed with god, it does not seem right to call it by any of the usual names for a constitution. 'If it is thus necessary to name the city for such as this [sc. the ruling power], the name should be called after the god who truly

4 R. Mayhew, *Plato: Laws 10* (Oxford: Clarendon Press, 2008), R. Mayhew, 'The Theology of the *Laws*' in C. Bobonich (ed.) *Plato's Laws: A critical guide* (Cambridge: Cambridge University Press, 2010).

5 A key impetus for this was S. Menn, *Plato on God as Nous* (Carbondale: Southern Illinois University Press, 1995), acknowledged in Mayhew, 'The Theology of the *Laws*'. For Plato's 'einheitlich theologie' see M. Bordt, *Platons Theologie* (Freiburg: Verlag Karl Alber, 2006), with a bibliographically exhaustive first chapter.

6 F. Solmsen *Plato's Theology* (Ithaca: Cornell University Press, 1942).

rules those having reason' (713a2-4). The sentence is beautifully constructed, with 'reason' [τὸν νοῦν] lying nested at the centre of a mild series of hyperbata. Later writers (most famously Josephus) took the significance of this sentence to be Plato's creation of an entirely new class of constitution, theocracy.<sup>7</sup> In this light, it is a fitting prologue to the discussion of the ethos and structures of the *polis* religion, a particularly important part of such a constitution. Just as important, however, is the particular stress on the place of reason at the centre of both god and the men he rules over. The following passage expresses one of the central relations explored in the *Laws*, that between reason (νοῦς), law (νόμος, an etymological link is implied), and the divine.

It is Clinias who responds to this pronouncement (just as he did to the Athenian's opening question) with a question of his own. 'Who is this god?' The question echoes the Socratic device of posing a question of identification or definition at the outset of examining a topic, demanding a careful elenctic cross-examination. In the absence of a Socrates to continue the elenchus, the Athenian's response to this question will provide the basis for the civic religion of the *Laws*, and is thus worth investigating in a bit of detail.

Plato's untraditional account requires recourse to a myth. There are two important lessons about the relation between the divine and the political to be drawn from the myth. The first is that the blessed quality of life in the earlier age was due to direct rule by divine forces (713de). The second is the explicit moral of the myth, which both answers Clinias' question and clarifies what direct rule by divine forces might mean in the context of founding a state. 'Even now this story [λόγος, although the tale was introduced as a μύθος] speaks truthfully', saying that when mortals rule, things fare ill, and so we must 'in public matters and private ones, organise both households and cities in obedience to whatever component of immortality there is in us, applying the name 'law' (νόμος) to the arrangement of reason (νοῦς)' (713e4-714a2). The logic of the passage is clear. Earlier in the dialectic, it was a god who made such arrangements. Now the designer is reason itself.

If Clinias does not yet understand this, he will be given ample second chances. This etymological and conceptual relationship, that law (νόμος) is the product of reason (νοῦς), and that both have more than a circumstantial connection to god, is an essential principle of the *Laws*, repeated again and again at crucial moments in the dialogue (at 890d and 957c, to be discussed below).<sup>8</sup>

7 Y. Amir, 'Θεοκρατία as a Concept of Political Philosophy: Josephus' Presentation of Moses' Politeia', *Scripta Classica Israelica*, 8 (1985), pp. 83-106.

8 Readers of Plato's *Cratylus* may find it difficult to assent to an etymology as the lynchpin of a Platonic work. There are several things to note that may make this etymology exceptional

With this guideline in mind, we may return to this provisional task of mapping the theological topography of the dialogue. The so-called address to the settlers (715e and following) is filled with invocations of the divine. The Zeus of Orphic fragments and that deity's reputation for justice are invoked before the future citizens of Magnesia.<sup>9</sup> The law becomes what 'practice is dear to and follows god'. Some readers, keeping in mind what we have said above, might understand this to mean 'what is dear to and follows reason'. Others, apparently like Clinias, will continue to speak of a god, with something more or less traditional in mind. This precise interpretive tension is a central principle at work in the theology of the laws.

At first, Plato does not address such tension directly. He gives a series of platitudes, taking a jibe at Protagoras by saying that 'God will be in our eyes the measure of all things in the highest degree, much more so than, as they say, some man' (716c4), and observing that a chief characteristic of being in step with God is being prudent (σώφρων). Immediately thereafter, however, he says something it would be rather difficult to square directly with a picture of god as pure reason: 'I think this principle is noblest and truest of all principles, that for the good man to sacrifice and cling to the gods always both with prayers and offerings and with every service of the gods is both the noblest and best and most helpful thing for the flourishing life, and for him most appropriate, while for the evil man the opposite of these things is naturally the case' (716d5-e2). Already within this passage, some have detected a crucial 'purification' of traditional Greek attitudes towards religious practice in the stress on *intent* as well as action (the first step on the road, one might say, to doxology).<sup>10</sup> The text goes on to stress the difference between the good and 'purified man' (καθαρός) and the wicked man. It may be that doing what is dear to god requires ethical

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(leaving aside the issue of whether we should, as D. Sedley does in *Plato's Cratylus* [Cambridge: Cambridge University Press, 2003], treat etymology more seriously there as well). 1. Neither νόμος nor νοῦς is etymologised mockingly in the *Cratylus*, and indeed νόμος and νομοθέτης play an important role in the argument (cf. 388d-389a). 2. νόμος is repeatedly etymologised in the Platonic politico-philosophical corpus, both in the *Statesman* (cf. 271de, 276bc), and especially in the *Minos* (317d-318d), which, whatever its authorship, wants to be taken as a companion to the *Laws*. 3. The Athenian Stranger is *not* a Socratic ironist, and therefore there is much less reason to think this recurrent etymology a mere ploy.

9 There is a reference to the well-known mantra (also in P. Derveni) 'Zeus the beginning, Zeus the middle, Zeus from whom all has been ordained'.

10 For this and following, see G. Morrow, *Plato's Cretan City: a Historical Interpretation of the Laws* (Princeton: Princeton University Press, 1960), pp. 401-15.

behaviour as much as any cultic practice, but cultic worship is still necessary for 'the Olympians and the gods who keep the state'.

As might be expected given the general style of the *Laws*, the details of the cult laid out at this point hew more or less closely to elements of fifth and fourth century Greek life. The Athenian proposes a hierarchy of worship with the twelve 'Olympians' at the top, followed by the gods of the underworld, spirits (δαίμονες) and heroes, ending with ancestors and parents (see 717a-718a). These various gods will prove to be highly integrated organisationally with his vision for the state. Gods are apportioned to each tribe, and each section of the land will have sacred fountains, groves, and the like in order that 'the people may fraternise with one another at the sacrifices and gain knowledge and intimacy' (738d, Bury trans. cf. 745d). An acropolis is also decreed for 'Hestia, Zeus and Athena' (745b). On the whole, these seem to be recognisable roles for the gods in Greek society. Throughout the next few books, gods, especially Zeus, can be found in their traditional roles as guardians of strangers, of boundaries, and the like (for example, 843b, 848d). What is worth noting about this repetition of the norms of Greek religion is its lack of systematic relevance to the text. They will not reappear or be re-emphasised when the higher institutions of political organisation and the higher discussions of divine matters are treated later in the dialogue.

As the Athenian himself says, 'it is not at all easy to speak about these things embracing all in one class, as if by some hallmark [τύπω]' (718c4-5). The use of τύπος here might remind us of the ways in which the interlocutors in the *Republic* resolved to legislate discourse about the gods,<sup>11</sup> and indeed we should look at the discussion up to this point as the first of multiple theological 'moments' in the *Laws*, three different modes of speaking about religion in Magnesian state. This multi-tiered system is meant to accommodate the exigencies of diverse citizen class, while still maintaining a recognisable unity of form.

We best might identify this first discussion as the 'practical' moment, including as it does details about temples, daemonology, and worship. It seems to be directed to the average citizen on the level of his day-to-day life. How best to go about identifying the other such moments? One method might be to follow the points at which the νοῦς/νόμος complex reappears. If we are correct in asserting this to be the central political/theological thesis of the *Laws*, then it makes sense to pursue it as a *leitmotiv*, indicating particularly crucial points in the dialogue. It does not seem coincidental that these points are also those at which theological discussion is most intense in its details, philosophical and

11 The initial coinage of *theologia* at *Rep.* 379a comes during a discussion concerning the different modes (τύποι) of discussing the gods in the context of a state and its well-being.

political. In fact, the other two moments at which the etymological link of law, reason, and god is most explicitly invoked are in the philosophical argument against atheism<sup>12</sup> of Book x and at the introduction of that hidden saviour of the state, the Nocturnal Council, in Book xII. To work proleptically, let us draw up a 'map' of the theological events identified thus far in the *Laws*, combined with those to be touched on in the more conceptual discussion to follow.

- i) The announcement of a theme in the work's opening lines. (Bk I)
- ii) The historical/comparative and cosmological critiques of traditional law-givers (as opposed to seeing law as the work of god). (Bks III/IV)
- iii) The explicit declaration of god as the lawgiver in the city under discussion. (Bk IV)
- iv) Some details of how gods are to take part in the city (ritually/legally/religiously). (Bk IV) [First moment, directed towards citizens]
- v) The announcement of atheism as greatest threat to the State, and lengthy series of arguments against atheism and for a certain conception of the divine and its action in the world. (Bk x) [Second moment, directed towards threats]
- vi) Religious rites and divine worship as related to the higher offices in the State (Bk xI).
- vii) The education and religion of the Nocturnal Council. (Bk xII) [Third moment, directed at the rulers themselves]

Having introduced one central theme, religion in and the institutions of civic life, in our very brief treatment of points i-iv, we will now introduce the other central theme, the relation of religion to truth, in our discussion of the remaining points. This theme is taken up in the *Laws* not merely through philosophical statements, nor through etymological or rhetorical turns. In fact, we might identify this theme with a character, and following this character as he appears and re-appears may show us the golden cord we need to bind fast the moments of theological discussion in the *Laws* into a systematic whole. Let us turn to the sun.<sup>13</sup>

12 I will use this word and its derivatives out of convenience (and indeed its use is rife in the literature), despite the fact that the impiety being discussed in Book x and throughout this paper does not always map precisely on to the concept of 'atheism' in its current English usage. For a clearer discussion of this problem, see W. Fahr, *Theous nomizein: zum Problem der Anfänge des Atheismus bei den Griechen* (Hildesheim: G. Olms, 1969).

13 Cf. Burkert, *Greek Religion*, p. 336. It is to Burkert's credit that his discussion of *Laws* assigns the 'solar theology' a crucial role in its innovative meaning for Greek religion.

### The Sun in the *Laws*

Book x, the turning point in the treatment of religion in the *Laws*, is largely taken up with the proposed persuasive 'prologue' to the law against atheism. If Athens, a city whose citizens were 'most pious of all the Greeks' (as Sophocles has it) had a law against atheism (in the Decree of Diopieithes),<sup>14</sup> *a fortiori* a city founded on the principle that its laws accord with a reason that is divine must have such a law as well. Indeed, the very stress Plato has placed on the connection between law, reason and god demands that he must take the threat of impiety as a direct threat against the very foundations of the state. Thus, the question of belief in the gods is a delicate one, and it is telling that the sun is one of the first things Clinias' mind leaps to when asked to defend his belief. Clinias cites the sun and the stars as warrants for why it is so easy to truly say that there are gods. His reasoning, that the beautiful ordering of the universe is recognised by both Greeks and Barbarians,<sup>15</sup> contains a simple form of the 'cosmological' and '*consensus omnium*' arguments for the existence of god.<sup>16</sup> The Athenian gently lets Clinias know that more serious arguments are needed against the atheists of today (we should immediately think of 'nowadays' [τὰ νῦν] from 679c, and the modern men described there, who 'suspecting false-

14 Pace the understandable skepticism about some of the *details* in the historical accounts of persecutions of intellectuals in Athens. See K. Dover, 'The Freedom of the Intellectual in Greek Society', *Talanta*, 3 (1976), pp. 24-64.

15 This apparently positive comparison to the habits of the (eastern) Barbarians might tempt some to see Persian influences in Plato's turn towards a solar theology. The Old Academy, perhaps as early as the *Epinomis* and Phillip of Opus, was very interested combining and comparing Platonic metaphysics with what was understood to be 'eastern wisdom' (see P. Horky, 'Persian Cosmos and Greek Philosophy: Plato's Associates and the Zoroastrian *Magoi*', *Oxford Studies in Ancient Philosophy*, 37 [2009], pp. 47-104). However, M.L. West's conclusion that the 'tap had been shut' from Persia for most of the fifth century and following (*Early Greek Philosophy and the Orient* [Oxford, 1971]) seems to hold true for Plato in the *Laws*. Plato *did* take a new geographical direction in the *Laws*, of course, he headed to Crete. As for his students, it seems entirely possible that they began the process of turning the Athenian Stranger into a 'Chaldean Stranger'. The *Laws* had more than one idea ripe for syncretism.

16 *Laws* 886a2-5, cf. *Gorgias* 508a. Perhaps the way in which this argument is summarily dismissed here as *not strong enough* suggests that Callicles is not the only person who might fail to be convinced by it. This would be yet another suggestion that new times call for new laws (and arguments, see below).

hood, believe nothing on account of their “wisdom” [679c4-5, cf. 886d2-3].<sup>17</sup> Their materialist schema has a troubling explanation even for things so holy as the sun and the moon: that these are merely ‘earth and stone’.<sup>18</sup>

Soon after, the Athenian himself is made angry by the temerity of such men, who would ignore ‘the obeisances and prostrations they heard and saw of Greeks and Barbarians at the rising and setting of the sun and moon . . .’<sup>19</sup> He goes far beyond what is said about any other religious rite or tradition scorned by the atheists. The sun and the moon are worshiped by men, generally ‘not as if they are not gods, but as if they most certainly are, and in no way give rise to any suspicion that they aren’t gods’.<sup>20</sup> On the one hand, the Athenian has already made clear that mere assertions about the gods are not enough to sway these atheists. On the other hand, the religious place of things such as the sun is so essential to man’s common culture that even ‘those with a tenuous possession of reason (σμικρόν νοῦ κέκτηνται)’ wouldn’t call them into doubt, making these deniers that much more fearsome and dangerous (887e8-9).

By this point the reader is curious to know what exactly someone might say that could so utterly transgress the norms of both Greeks and Barbarians. The atheists<sup>21</sup> claim that four elements, fire, water, earth and air, are at the basis of all things, existing by nature and chance. It is from these ‘inanimate’ (ἀψύχων) stuffs that the very bodies that earlier inspired such devotion in Klinias, the earth, sun, moon and stars, come into being.<sup>22</sup> The atheists have turned these into little more than a burning, lifeless mixture of earth and fire. The other gods, those known from cult and ritual, suffer an even worse fate. They take

17 See Solmsen, *Plato's Theology*, p. 29 and D. Sedley, ‘The Atheist Underground’ in *Politeia in Greek and Roman Philosophy*, V. Harte and M. Lane eds. (Cambridge: Cambridge University Press, 2013) for a discussion of the historical reality behind these problematic radical atheists.

18 886d, probably the first of what will be many references to the physical doctrines of Anaxagoras, who is quoted as using both γῆ and λίθος of the moon and sun (esp. A42 DK, but also *Apology* 26d, where Socrates defends himself against what he sees as a mistaken change of Anaxagoreanism – believing the sun to be a λίθος).

19 887e2. This recalls Socrates’ behaviour at Potidaea (*Symposium* 220d), ὁ δὲ εἰστήκει μέχρι ἕως ἐγένετο καὶ ἥλιος ἀνέσχεεν: ἔπειτα ᾤχετ’ ἀπιῶν προσευξάμενος τῷ ἡλίῳ. It is the second of what will be many Socratic echoes in the theology of the *Laws*.

20 887e5. Contrast what is said of the ‘gods’ more generally at (887d8): ὡς ὅτι μάλιστα οὖσιν.

21 I adopt Sedley’s theory in ‘The Atheist Underground’ that the atheistic position is the coherent doctrine of an actual group.

22 Paraphrasing 889b1-b5. Importantly for the later argument, ‘inanimate’ is used in its etymological sense of ‘without soul’.

no share in nature but exist by art (τέχνη) and some contingent and varying conventions (τισι νόμοις).<sup>23</sup> Strikingly, this threatens the orderly city of the *Laws*, emphatically founded on belief in the gods *according to the laws*.<sup>24</sup>

The atheists admitted that the sun (and other heavenly bodies), although inanimate, do indeed have a significant share in 'nature'.<sup>25</sup> It against this crucial concession that the Athenian will aim the arrow of his theodicy. If the atheists insist on the inanimate nature of the heavenly bodies, it will be the Athenian's task to *reanimate* them. From 892a, the Athenian is relentless in attempting to show the ignorance of the atheists concerning the priority and power of soul over matter. After defining the various types of motion, he picks up on the earlier hint that among the issues at stake is the influence of Anaxagoras (or, more cautiously, a post-Anaxagorean intellectual scene).<sup>26</sup> Adopting the hypothesis that things began 'all together' (ὅμοῦ), the Athenian proceeds to suggest a solution to how cosmogony might occur.<sup>27</sup> His solution hinges on the type of motion that moves itself. Through a thoroughly Platonic bit of reasoning about definition and division, the Athenian gets his companions to agree 'that

23 889e3-5. This phrase acts as a fulcrum between 'lawgiving' as it is usually understood (cf. 889d9), and the radical concept of law as agreed-upon convention that the Athenian here imputes to the atheists.

24 Book x begins with the assertion that 'No one believing that the Gods exist according to the laws ever comes to do an impious deed nor says an unlawful word...' (885b4). I would like to take this phrase (ἡγούμενος εἶναι κατὰ νόμους) to be gesturing towards the exceptional sense of 'nous-governed' that *nomos* seems to carry in the *Laws* (cf. 712e-718b and above). It is the particular virtue of the *Laws*' theology that belief in *its* gods will lead to the practice of good citizenship. Some might insist that κατὰ νόμους must be taken throughout the *Laws* in its idiomatic and everyday Greek usage meaning closer to 'customary'.

25 889b-c.

26 In a current draft G. Betegh, adduces the remark [τίς ὁ θεός] Ἀρχέλαος ἀέρα καὶ νοῦν τὸν θεόν, οὐ μέντοι κοσμοποιὸν τὸν νοῦν (Aëtius 1.7.14), to suggest Archelaus (student of Anaxagoras and putative teacher of Socrates) as the particular target of the Athenian's argument (also noted by C. Zuckert, *Plato's Philosophers* [Chicago: University of Chicago Press, 2009], p. 55). Whomever Plato may have in mind, Betegh is right to point out that the crucial issue at stake is the combination of physiological discussion and *Kulturentstehungslehre* in these 'new thinkers', a combination that takes us beyond Anaxagoras himself. Philosophy is only dangerous once it comes 'down from the heavens', whether that occurred in the work of Archelaus, or only with later sophists.

27 895a1. See B1, B6 (DK).

which has the name of soul' must be defined as 'the motion itself able to move itself', the two concepts sharing the same essence (οὐσία).<sup>28</sup>

The argument thus far is about the priority of soul over matter, a familiar trope, and indeed the argument from self-motion itself is more or less similar to one given elsewhere in Plato (*Phaedrus*, 245c-246a). Here, for the first time in the *Laws*, soul is connected to reason, and to reason's role in the cosmic design represented by the ordered motion of the heavenly bodies – especially the sun. The argument connecting reason to order via the sun can be divided into three steps.<sup>29</sup> The first step, introduced above, established that that soul and its 'manners, ways, wishes and calculations' are present *prior to* any bodies.<sup>30</sup> Due to this priority, soul must therefore be the cause of all things, including the control of heavenly motion.<sup>31</sup> This next step of the argument might be called 'panpsychism' – that is, everything that is, has a soul, or more narrowly, that the most important parts of what is are ensouled (the heavens – 'psychouranism'). If soul is the origin of all motion, and is the origin of each motion (898d), then the movements of the heavens must be explained by the presence of soul. Indeed, the motion of the heavenly bodies is the closest thing to the primary unceasing, pure motion of soul (898a-899a).

This leads to the last premise of the argument – that reason (*nous*) inheres in soul, and is present where soul is. Soul, by its 'emotive' motions (wishing, examining, caring, etc.) controls the heavens in such a way as to be similar to the motion of reason itself (νοῦ κινήσις).<sup>32</sup> Thus the motion of the heavenly bodies shows considerable similarity to the motion of 'divine' reason. Both move 'in relation to the same things, in the same way, in the same place, around the same things, toward the same things, according to one formula

28 895e10. See also 896a3-b1. See Menn, *Plato's God as Nous*, Ch. 6, and R. Hackforth, 'Plato's theism', *Classical Quarterly*, 30 (1936), pp. 4-9. Also, Mayhew, *Laws x*, pp. 137-8 and Solmsen, *Plato's Theology*, Ch. 8.

29 This breakdown of the argument is Jason G. Rheins'. He drew my attention to the connection between the omnipresence of soul and the guiding power of reason (*nous*) in his 'Plato's pansychic solution' (draft).

30 896c9 and following. The question whether this is to be taken temporally or merely metaphysically requires the same consideration and prevarication that one accords to the myth in the *Timaeus*. See D. Sedley, *Creationism and its Critics* (Berkeley: University of California Press, 2007), pp. 98-99 and T. Johansen, *Plato's Natural Philosophy*, (Cambridge: Cambridge University Press, 2008), pp. 87-91.

31 896d6-e2.

32 Whether this spherical motion *is* the motion of reason or is just an *image* of it is unclear. For discussion, see N. Powers, 'Plato's Cure for Impiety in *Laws x*', *Ancient Philosophy*, 34 (2014), pp. 47-64.

and order'.<sup>33</sup> Soul can thus be said to rotate (more broadly: cause the motion of) the sun and each of the other astral bodies *according to the reason that inheres in it*.<sup>34</sup> From these premises 1) soul is the ultimate cause of motion; 2) the motion of the celestial bodies is due to soul; 3) because reason exists where there is soul, and this motion is clearly rational, or graspable by reason (νοητὸς, 898e2); the Athenian Stranger derives the conclusion that this arrangement is an example of rational, law governed order of the sort called divine, and that these ensouled bodies-in-rational-motion should themselves be deemed gods, starting with the sun (899ab). The Athenian declares the astral bodies to be living creatures (ζῶα ὄντα), as the souls 'reside in bodies'. Although he rather coyly refrains from using the word 'ensouled' (ἐμψύχων), it is clear that the Athenian's goal is an outright refutation of the earlier description of the sun as 'soulless' (ἄψυχος). That calumny denied, he can invoke Thales' theistic aphorism and conclude that 'all things are full of gods'.<sup>35</sup>

The details of the argument are frustratingly vague at many points. The key premise, that reason inheres in souls, linking the consistency of divine law to the eternity of rational motion, is never stated explicitly. That it is a necessary premise can be reconstructed both from the passages cited above and from the argument's recapitulation at 966de, where the dialectic is stripped down to two premises – the metaphysical priority of soul, and the omnipresence of reason (at least in the heavens), which 'arranges the whole' (τὸ πᾶν διακεκοσμηκῶς, 966e4). The latter restatement also seems to make another thing clear – it is the same *nous* organizing all things. Surely different souls may function better or worse, and thus exhibit reason to a greater extent, indeed, the sun and the celestial bodies seem to exhibit reason to the greatest extent of anything visible, but there is only the one, the divine, *nous*, throughout the whole.<sup>36</sup>

It is tempting to attempt to connect this argument with the discussion of motion and design in the *Timaeus*, and to understand how the principles of design, foresight, and intelligence visible in all ensouled creatures relates to the principles of design enacted by the demiurge, but the context of this argument, and the limited scope of its philosophical detail, make such a comparison very difficult. One difference between the two discussions of great relevance to the question of the civil religion paradox is the place of the traditional gods. In his parallel account of a theogony in the *Timaeus*, Plato admits

33 898a8, Relying on Mayhew, *Laws x*, pp. 140-145.

34 898d3. The use of περιάγω here should put the reader in mind of the *Timaeus*, see *LSJ*, s.v. Περιάγω.

35 889b, *passim*.

36 Again, 898a8, cf. 966e2.

the necessity of trusting (πειστέον) the traditional accounts with respect to the traditional gods, indeed, he gives those gods a role in shaping some bodily realities.<sup>37</sup> He makes no such claim here. The Olympian gods, who, as has been seen, hold pride of place in the 'theocratic' civil religion of Book IV, do not appear in Book X (except in oaths) until 904e, long after rational arguments (οἱ λόγοι) based on the proof of soul's priority and the sun's divinity have given way to more enchanted words (ἐπῳδοὶ μῦθοι) at 903b1.

What is to be made of this theology? There is clearly a unity of terminology between Books X and IV, with the laws of the state being proleptically linked to the cosmic law of reason that is visible in the movement of the solar god.<sup>38</sup> There is *not*, however, any obvious unity of concept. As discussed above, the first theological moment suggested that prayer would only benefit a good man and harm one who was bad (716d5-e2, see above), highlighting the importance of both correct practice and correct orientation. These rational, visible proofs of divine providence have no clear relation to human behaviour. Furthermore, when the actual objects of worship are presented in that earlier passage, there is no mention of the 'visible' (that is to say, astral) gods at all, only a highly traditional hierarchy of Olympian gods and civic gods (τοὺς τῆν πόλιν ἔχοντας θεοὺς), chthonic gods, spirits, heroes, and parents. To further emphasise the conceptual difference, this hierarchy of worship sanctions private dedications even above honours to parents. Such 'dedications' are a far cry from the radical ban on private religious practice (909e-910d) as given in Book X.<sup>39</sup>

Clearly, the *Laws* is acting here on more than one level. The way in which the gods with their statues exist in an uneasy, slightly paradoxical, and clearly subordinate relationship to the astral gods is perhaps best understood by recourse to a metaphor used by Plato himself. At the height of the dialectic in Book X, the Athenian cautions that the complexities of the argument are great and dangerous, and the interlocutors 'shouldn't look straight into the sun' thereby blinding themselves. To look into the sun would be the mistakenly think that 'mortal eyes can ever look at and know reason [*nous*]' (897d8-10). This is one

37 In the *Timaeus*, after the demiurge has built a universe in circular, rational motion, the primary substance of which is soul, he creates the sun and stars as models of heavenly, wise, rational motion. Again, Plato gives pride of place to the sun and its 'most wise orbit', proposing the astral bodies as a 'heavenly race of gods,' possibly made of fire and 'set to follow the motion of the best wisdom'. He calls these gods θεοὶ ὄρατοὶ καὶ γεννητοὶ (see *Timaeus* 37c-40d).

38 Noting again the parallel etymologies at 890d and 957c.

39 Although the private dedications of the first moment will still apparently be permitted in public temples, according to normal Greek practice.

of the most famous Platonic images – the light of the sun as rational inquiry, with the sun itself standing for reason.<sup>40</sup> In the *Laws*, we might argue, the actual sun is an object that *can* be looked at and *can* be worshipped, but it is just a reflection of the true sun, an object dangerous for the eyes of the unprepared, the sun of reason. The second part of this paper will try to show just how the *character* of the sun can be integrated with religious forms, even if, as we have seen, the sun also points to a rational unity beyond itself.<sup>41</sup> This element of Plato's vision demands a unidirectional gaze, where all citizens look to the image of the sun, if some will recognize that the sun is a mere reflection of something beyond itself. Even the astral gods, and the arguments to support them, exist in some sort of subordinate relationship to *reason*, a fact that will be clear to the philosophical researchers of the nocturnal council.

In order to understand how the image of the sun can draw the gaze of both farmer and philosopher, it is necessary to dig in to the relation between the sun (or Sun), and the gods of tradition. At first, this seems like a difficult task. If the Olympians, Apollo excepted, are largely absent from the *Laws* after their final appearance in Book x,<sup>42</sup> the astral gods are completely absent from the early formulations of civil religion, again with the crucial exception of Apollo, who plays a seemingly outsized role on both before and after Book x. No matter what laws and institutions are mentioned concerning the Olympians in the first parts of the work, 'it is necessary to bring from Delphi the laws concerning all divine matters', and the selfsame oracle will appoint the interpreters for religious law (758ce). The election of the 'guardians of the laws' (νομοφύλακες) takes place in the Temple of Apollo (presumably administered by the 'examiners' who preside there as priests). In fact, one could be forgiven for coming to the conclusion that the god whom the city is following must be associated, even from the beginning, with Apollo.<sup>43</sup> This may, of course, just be an

40 See *Rep.* 516b, where the person emerging from the cave can finally stare at the sun itself, and *Phaedo* 99de, where discussing concepts as a way of interrogating reality is likened to looking at the reflection of the sun during an eclipse rather than the thing itself.

41 See V.B. Lewis, 'Gods for the City and Beyond: Civil Religion in Plato's *Laws*', in *Civil Religion in Political Thought: its perennial questions and enduring relevance in North America* (Washington: Catholic University of America Press, 2010), pp. 19-47; Morrow, *Plato's Cretan City*, pp. 447-51.

42 Olympian gods are mentioned, e.g. at 921c, 936e, 941a, but in the context of oaths that citizens might take, or other instances that point back to the 'practical' religion of the first moment (up to Book IX).

43 See 752b. This may bring to mind the Apollonian associations of Socrates (see C.D.C. Reeve, 'Socrates the Apollonian', in *Reason and Religion in Socratic Philosophy* [Oxford: Oxford

imitation of Athenian religious norms, many of which involved the Pythia and Delphi.<sup>44</sup>

In Book XII, our third theological moment, the examiners, whose upright character and virtue is so essential to the success of the state, are introduced at a post-solstice ceremony in the common precinct of the Sun and Apollo. The crucial feature of this passage is the way in which the gods listed in the opening prepositional phrase ('to the common precinct of the Sun and Apollo') seem to be elided into one character in the next clause ('to the god').<sup>45</sup> In the rest of the passage, the ceremonies surrounding the officials, their investiture and practice all involve 'declaration' and 'dedication' either to the Sun alone (946b7) or, using the earlier formulation, to Helios and Apollo 'in common' (946c1, 946d1, and, in what seems to be an instance of hendiadys, 'all priests of Apollo-Sun', 947a6).<sup>46</sup> The importance of this moment is stressed, as the Athenian attributes to this institution the 'salvation of the state', a phrase which will gain significance as the text moves towards the introduction of the Nocturnal Council. The novel sun, and familiar Apollo, may, it seems, be one and the same.

And yet – the texture of religion in each the *Laws*' three theological moments is very different. The reader may be forgiven for wondering whether an accommodation between the bodies in rational motion and the traditional 'gods who maintain the State' is possible or even intended. Some commentators have insisted that such a harmony was indeed Plato's goal. Possibly the first reader to take this view was the author of the pseudo-Platonic *Epinomis*,<sup>47</sup> who makes clear that harmony is the first virtue of politics (*Epin.* 976d), that the heavens and Olympus are two words for the same thing (977b), and is ever scrupulous in referring to the 'divine' planets by their Olympian titles (of Zeus, of Cronos, etc., cf. *Epin.* 987bc). More recent readers have pointed to the ambiguous and often positive presence of traditional gods in Plato's texts to suggest that the aim of this cosmological discussion is a reform of the traditional cult within the bounds of *polis*-religion, rather than beyond it.<sup>48</sup> Under this harmonizing

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University Press, 2000], pp. 24-39), which in turn hints at the understudied question concerning the Socratic shadows in the *Laws*.

44 There are parallels especially in the selection of the cultic interpreters. See Morrow, *Plato's Cretan City*, p. 408 and R. Parker, *Polytheism and Society at Athens* (Oxford: Oxford University Press, 2005), p. 404.

45 945e3-946a1: εἰς Ἡλίου κοινὸν καὶ Ἀπόλλωνος τέμενος . . . τῷ θεῷ.

46 Greek: ἱερέας . . . πάντας τοῦ Ἀπόλλωνός τε καὶ Ἡλίου.

47 J. Dillon, 'Philip of Opus and the Theology of Plato's *Laws*', in S. Scolnikov and L. Brisson (edd.), *Plato's Laws: From Theory into Practice* (Sankt Augustin: Academia Verlag, 2003), pp. 304-11.

48 See G. Van Riel, *Plato's Gods* (Burlington: Ashgate, 2013), pp. 55-9.

view, the differences between the three moments would be largely rhetorical – talking about the gods differently for different audiences, but not really privileging one moment over the others. The presence of cosmological elements in a civic cult might be merely a reform of *polis* religion rather than a transcendence of it.

Certain elements in the *Laws*, however, mediate against this reading. Even in the argument against the atheists, the divinity of the sun is presented in an ambiguous way. Every person must *think* the sun and such bodies to be divine in the light of such arguments (899a), and, at the very least, the legislators will proclaim so (899b), but all the Athenian has really won from the argument is the suggestion that *something divine* exists. Such a something may or may not include the visible celestial bodies (after all – what has been proved is the divinity of a soul that may not actually reside *in* the sun at all),<sup>49</sup> but no explicit link is made to the pantheon of divinities and demons that populate the civic world. Both the average believer of the first moment and the empiricist/atheist of the second are still left with the gap between the *reflection* of the divine in the sun (or Sun-god's cult), and the divine itself. The only explicit and confirmed link between all three moments remains the affirmation of the divinity of *nous*. In the first moment, this is linked to the rationality of laws, including those laws that set up the cult. In the second, reason is present in the rationality of souls and the empirically visible cosmos. In the third moment, reason is the guiding principle that allows the most rational citizens to set the rudder of state. These are differences of kind, not merely of name.

Reason, although universal, is not an egalitarian, or unifying concept. If *nous* is present everywhere soul is, a constant theme of the *Laws* is the varying levels of *nous* found among different people. Crimes are catalogued according to the rationality of the actor (cf. 863-5), constitutions contain more or less rational aims and means (cf. 687-8), and the technical arguments of Book x are directed at more or less rationally adept interlocutors. To unify, if not to harmonize, the different levels of rationality, something else is needed – more than a metaphor, less than a proof of identity, Plato accomplishes this through what is one of the work's most subtle but telling choices – the unification of Apollo and the sun.

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49 898e-899a. See Powers, 'Plato's Cure for Impiety', pp. 54-7.

## Why the Sun?

This unity does not immediately seem so special to modern readers who grew up with the post-Hellenistic conception of Apollo as a sun-god, but the *Laws* may in fact constitute one of the first extant texts to connect 'Helios' and Apollo so intimately.<sup>50</sup> Presented in the *Laws* with considerable nonchalance, the unity of the two deities was in fact quite foreign to most Greeks of the classical era.<sup>51</sup> This was particularly the case in Athens, where Helios does not seem to have been a figure of great import historically (his few appearances in the Athenian textual record before this point are ambiguous to say the least).<sup>52</sup> Just before Plato's own period of productivity, however, the Sun began to have a noticeably higher profile around Athens. The main cause of this seems to have been the arrival of the doctrines (and in the case of Anaxagoras, the person) of Ionian physics.<sup>53</sup> At least four pieces of evidence survive to suggest that

50 Morrow, *Plato's Cretan City*, p. 447.

51 See L. Farnell, *The Cults of the Greek States* (Oxford: Clarendon Press, 1907), vol. 4, p. 136, and, for later development, W. Fauth, *Helios Megistos* (Leiden: Brill, 1995). The cult at Rhodes may present a partial exception to this.

52 Helios probably played a small role in certain festivals associated with Apollo such as the Skiron and Thargelia (see Pauly-Wissowa, s.v. *Helios*, and Parker, *Polytheism and Society*, pp. 175-9, 203-5), the sun and 'hours' being necessary for agriculture. J. Notopoulos, 'Socrates and the Sun', *Classical Journal*, 37 (1942), pp. 260-274 argues convincingly based on evidence from Aristophanes' *Pax*, 406-9 (of special interest for this study is how the Sun is explicitly *contrasted* as Barbarian to the Greek Olympians) and IG II<sup>2</sup> 4678 (a small altar dedicated 'Ἡλίωι from the early fourth century) that Helios was in fact a minor part of the Athenian pantheon (although iconographically more visible in the wake of the Parthenon frieze).

53 Even the author of the Derveni papyrus, whether Athenian or not, probably got his interest in the sun from this post-Anaxagorean milieu. (See D. Sider and W. Burkert's contributions in A. Laks and G. Most, *Studies on the Derveni Papyrus* [Oxford: Clarendon Press, 1997]). The Derveni author seems to have his own 'solar theology', and if his 'solar phallus' seems far from the structure Plato is building, the Derveni papyrus' balance between pre-Socratic theories of nature and Orphic sources of morality and religion (*viz.* 'Zeus the head . . .' in Col. XVII) suggests at least some elements of a shared environment and different answers to not dissimilar problems with Greek religion. Despite interesting parallels, the crucial link between Apollo and Helios cannot be found there, and 'Phanes' was never a god of the city (cf. Brisson's chapter in Laks and Most, *Studies on the Derveni Papyrus* and G. Betegh, *The Derveni papyrus* [Cambridge: Cambridge University Press, 2004] on Col. XII).

the sun became an especially contentious issue in Athens between c.440 and 399 BC.<sup>54</sup>

The first is the purported trial of Anaxagoras, charged under the purported 'Decree of Diopiteithes' that outlawed 'those not believing in divine matters' (τοὺς τὰ θεῖα μὴ νομίζοντας). While the trial (if it happened) had a clear political subtext, it also had at least something to do (pretext or subtext) with Anaxagoras' ideas about the physical nature of the sun as a stone (λίθος or μύδρος).<sup>55</sup> Closely related to this, of course, is Socrates' trial, which, according to Plato's *Apology*, hinged in part on the conflation of Socrates' beliefs with those of Anaxagoras (not to mention Aristophanes' satire on Socrates as sophistic-swindler-cum-Ionian-physicist).<sup>56</sup> The third piece of evidence is the heavily debated 'Sisyphus fragment'. In this startling statement of out-and-out atheism, there is a reference to the sun as a 'burning . . . stone' (μύδρος), linking it directly to Anaxagorean thought *and* the type of atheism at issue in Book x.<sup>57</sup> There has been a great deal of debate over the authorship of this fragment, and, leaving aside the plethora of arguments for Critias, it is tempting to assign the piece to Euripides, one reason being the fourth, and perhaps most important testimony about Helios in fifth-century Athenian thought (and the only one concerning Helios and Apollo).<sup>58</sup> In Euripides' *Phaethon* the bereaved mother, Clymene, cries: 'Beautiful shining sun, how you've ruined me / and [Phaethon]. You are correctly called Apollo [destroyer] among mortals / [by] whoever knows the secret [of] divine names . . .'.<sup>59</sup> If the Sisyphus fragment *were* to be assigned to

54 For a discussion of the dating for Anaxagoras, see J. Mansfeld, 'The Chronology of Anaxagoras' Athenian Period and the Date of His Trial', *Mnemosune*, 32 (1979), pp. 39-69.

55 See Plutarch, *Pericles* 32.1: . . . λόγους περι τῶν μεταρσίων διδάσκοντας . . . A witness not entirely to be trusted as evidence of concrete historical fact, but not to be dismissed out of hand.

56 See *Apology* 26d. Notopoulos, *Socrates and the Sun*, musters much of the available evidence about the links between sun worship and the 'scientific' critique of the sun pioneered by Anaxagoras and (falsely) attributed to Socrates. There is no doubt Plato wants the reader to pick up on the Anaxagorean/Socratic resonances in both Book x and again, here in Book XII (as above, however, we must not necessarily equate 'Anaxagorean' only with the man himself).

57 Critias, DK B25.

58 C.H. Kahn, 'Greek Religion and Philosophy in the Sisyphus Fragment', *Phronesis*, 42 (1997), pp. 247-62.

59 My interpretation of the Greek in Nauck frag. 781, using the text in J. Diggle, *Phaethon / Euripides* (Cambridge: Cambridge University Press, 1970): Ἦ καλλιφεγγές Ἥλι', ὡς μ' ἀπώλεσας, / καὶ τόνδ'. Ἀπόλλων δ' ἐν βροτοῖς ὀρθῶς καλῆ / ὅστις τὰ σιγῶντ' ὀνόματ' οἶδε δαιμόνων. See *ibid.* pp. 146-8. Diggle proposes earlier linkages between the two in Aeschylus (*Supplikes* 213-5) and the Presocratics. Both are uncertain, and the latter in testimonia

Euripides, it would mean that another thinker almost contemporary with Plato was giving voice to (one can in no way speak of endorsing) ideas both about atheism *and* about the ‘correct’ connection between the Sun and Apollo. Of course, if we assign authorship of the fragment to Critias, we have an equally problematic context (from a Platonic point of view) where a politically dysfunctional intellectual<sup>60</sup> is writing the exploits of an out-and-out atheist. In any case, we have, between the materialism of the *Sisyphus* and evidence of emerging syncretism in Euripides, a good sense of the intellectual environment at this fractious point in the development of Greek thought.

If this was the contextual valence surrounding the discussion of the sun (and especially its connection with Apollo) in late fifth-century Athens, then why did Plato choose to side with those who would unify Apollo with the sun? Perhaps an explanation of the principle at work here is to be found within the *Laws*, at 930e-931a. ‘The ancient laws concerning the gods for all men are laid down in two parts. For some of the gods we honour seeing them clearly, and we dedicate statues of the others as likenesses, in honouring whom, although they are inanimate (ἀψύχους), we think those living gods have much good will and grace (εὐνοϊαν καὶ χάριν ἔχειν) towards us on account of this [worship of inanimate things].’<sup>61</sup> The simple meaning of the passage is that there are two forms of god, each worthy of worship: one apparent to the eye, the other hidden and represented by images.<sup>62</sup>

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which are likely tainted by later Orphic and perhaps Stoic allegories, or even by Plato (‘Πλάτων δὲ ἐν βραχυτάτοις ἀναμνήσκει’). Cf. DK Parmenides 28 A30 and Empedocles A 23. Diggle proposes that ‘Euripides is explaining the current identification of H. and A. by having recourse to a current etymology [sc. Apollo= destroyer]’ (148). He admits, however, that the use of ‘the secret’ (or ‘silent’) divine names is curious. There is no problem in accepting that a current identification existed when Euripides wrote, but unless one dates the *Phaethon* (with Wilamowitz) as very early indeed, this ‘current identification’ will still be in the context of post-Anaxagoras (and perhaps even post-*Sisyphus*) Athens. I would thus explain τὰ σιγῶντ’ ὀνόματα as the dangerous, secret understanding, which was emerging among materialists, but in no way does this lessen the connection Euripides is making between this *new* etymology and the well-worn tragic etymology of Apollo as destroyer.

60 One need only invoke Plato’s *Charmides* for a reminder of just how conscious he was of Critias (and his type) as a troubling presence.

61 930e7-931a4. On this reading, the opposition of ἀψυχος and ἔμψυχος is meant to hearken back to the discussion in Book x, and the final conclusion about just what in the cosmos is truly ensouled.

62 See *Timaeus* 41a:.. ὅσοι τε περιπολοῦσιν φανερώς καὶ ὅσοι φαίνονται καθ’ ὅσον ἂν ἐθέλωσιν θεοὶ... The same theme is taken up in the ‘Platonic’ *Epinomis*, 983e5-984b1, a work clearly containing a similar theological perspective to that of the *Laws*, where the astral gods are referred to as either gods themselves, or the images of the *real* gods (εἰκόνας ὡς ἀγάλματα

This claim about living gods and dead statues is a common enough Greek rationalisation, but the stress here on the visible gods points toward another possible meaning. ‘Those living gods have much goodwill . . .’ may not be picking up the clause referring to the gods who have statues (the gods of traditional religion), but in fact, in a sort of chiasm, may refer back to the astral (‘visible’) gods of the first part of the statement (εὔνοια links etymologically with the νοῦς of our theme). This would mean that both cultic images and the gods they represent fall under the category of ‘inanimate’.<sup>63</sup> Thus all worship is ultimately directed ‘in the right manner, correctly’ at the gods whose very ensouledness is visible, namely the sun, moon and stars (the status of the ‘earth’ is less clear). It could be argued that the lines immediately following, remonstrating with a man who would worship a statue while he has a manifestly living object of worship (in that case a parent) present is a parallel case that suggests and emphasises precisely this reading.<sup>64</sup>

To be clear, Plato has never explicitly rejected the Olympian pantheon, nor the theology behind it. He has, instead, added to it. Plato’s hint at the possibility that all gods we speak of are mere symbols for those ‘clearly manifested’, and his vociferous defence of the new astral cult against the ‘new atheism’ are both clearly innovations in the service of an apparently conservative end. Even if he does not explicitly contradict the old religion, it is fair to wonder whether Plato’s positive additions to Greek religion do not necessarily suggest a new *negative* space where the traditional forms are concerned. Plato is not an allegoriser, nor a mystic like the fervent author of P. Derveni, but his conservative defence of the gods rests on a structural reinterpretation of divine being, a reinterpretation ill at ease with the specificity required of ‘gods of the city’.

Plato himself acknowledged the groundswell that necessitated such innovation. In Book XII, the Athenian, echoing remarks about Cronus from the earlier theological moment, and indeed reminding the reader of a figure mentioned on the dialogue’s first page, speaks of how the intertwining of gods and laws was first established by Rhadamanthus at a time when ‘he knew that men were quite sure the gods existed’.<sup>65</sup> He contrasts this with the polymorphous

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ὑπολαβεῖν γεγονέναι, θεῶν αὐτῶν ἐργασαμένων), suggesting that a further symmetry exists between the three levels of the theology.

63 Pace Van Riel, *Plato’s Gods*, this is, on the balance of the evidence, surely what Plato thought, given his avoidance of defending the Olympians philosophically in the arguments of Book x.

64 See 931a5ff.

65 948b4. Alternatively, ‘believed gods to exist manifestly’. See E.B. England, *The Laws of Plato* (Manchester: University of Manchester Press, 1921), *ad loc.*

atheism that is rife 'nowadays', and makes the remarkable judgement that 'the art of Rhadamanthus may no longer be appropriate. Since, therefore, as the opinions among men concerning the gods have changed, it is necessary to change the laws'.<sup>66</sup> Suddenly, Plato's intense engagement with the atheists begins to make considerable sense as a matter of political philosophy, as does his close association with the contemporary discourse surrounding atheism and the solar nature of Apollo. The atheists are not just a small group of dangerous dissenters; they represent a shift in the entire *zeitgeist* surrounding the attitude towards the divine, which necessarily means, with respect to the observance of law, a shift that has enormous consequences for the Magnesians legislators.<sup>67</sup> Plato is legislating for a new world, one increasingly conversant in various non-traditional forms of science and belief. In so doing, he is dealing with the challenges of the post-sophistic age of the fifth and fourth centuries.<sup>68</sup>

This is a theme visible in both the 'earlier' (pre-Book x) and 'later' (post-Book x) sections of the work. Earlier on, the supervisor of children is to make sure they are well versed 'about the orbits of the gods, concerning the stars, the sun and the moon, insofar as it is necessary to keep order concerning these things in every state' (809c7-d1). The meaning is ambivalent, referring to the knowledge of astronomy necessary for a religious calendar, but also, it seems, the particular attitude towards these astral gods that the state will want to inculcate. This is in fact part of 'divine learning' for every 'god, spirit, or hero' (cf. 818b9-c3), not coincidentally reiterating the hierarchy from 716, where the civil religion was grounded on the worship of the Olympians, spirits, and heroes). What Plato is gesturing at with this slow build-up of emphasis

66 948c7-d3. Once again, cf. 679c, where it is precisely the inquisitiveness of contemporary men (who are always 'suspecting falsehood') that sets them apart from citizens at the founding moments of states.

67 This story is partially told in Solmsen, *Plato's Theology*, Chs. 1-3 and Burkert, *Greek Religion*, pp. 300-316.

68 For the intellectual/religious crisis in the late fifth century Athens of Plato's youth and after. See R. Parker, 'The Trial of Socrates', in *Reason and Religion in Socratic Philosophy*, pp. 40-54. To attempt to place the *Laws* in a narrower historical context is to do a great disservice to a work being written in the mid-fourth century yet intentionally echoing of the age of Socrates again and again. The work's Socratic echoes seem to make it likely that Plato was not writing out of a *contemporary* anxiety, he was writing out of concern for the danger of trends which, even if no longer in vogue, were nevertheless philosophically imminent in his own mind. To overly 'chronologize' the entire work would be to lose much of what is rich and strange in it. For an ingenious (if controversial) account of how and why this apparently late work is so 'backwards looking', see Zuckert, *Plato's Philosophers*, pp. 51-62.

only becomes clear with the third mention of astronomical education, at 821a. 'With respect to the greatest god and the whole universe, we assert one should neither investigate them nor busy oneself inquiring about their causes, for it is not even pious. But in all likelihood it would be right for the opposite of this to be done'.<sup>69</sup> He continues 'when some man believes some science is noble and true, and advantageous to the state, and altogether dear to god, he is in no way able not to proclaim it'.<sup>70</sup> This information, about the correct motion of the stars, is so important because 'our citizens and their young should learn quite all about all those facts about the gods in the sky, sufficiently that they do not blaspheme about them, but always speak well both at sacrifices and when praying piously at prayers'.<sup>71</sup> It turns out that the study of the sun and stars is publicly, and what's more, *religiously* beneficial! In terms of the 'geography' of the text, the educational curriculum detailed in Book VII, long understood to be an important and influential section of the dialogue, also turns out to be a point rich in emphasis on the astral gods. It may even prove helpful to think of this as parallel to the account in *Rep.* II-III in the way in which the educational agenda culminates in the assertion (this time concerning correct astronomy rather than correct mythology) that it would be 'not at all be pleasing to the gods [θεοφιλές, cf. *Rep.* 382e3], if we speak a falsehood when repeating a tale (ὑμνοῦντων) about the gods' (822c4-5).

Perhaps without the context of the 5th-century Athenian debate over piety and astronomy, this might not have seemed so abnormal. Perhaps without the emphatically un-astronomical Socrates of Plato's own *Apology* and *Phaedo* (and Xenophon's *Memorabilia*)<sup>72</sup> ringing in the reader's ears, or without the Decree of Diopites (whose wording is linked so inextricably the ideas of astronomy and impiety),<sup>73</sup> these passages would be easier to ignore. Even if Plato's forays into natural theology are a completion of an unconsummated Socratic fascination with teleological physics,<sup>74</sup> Plato's valorisation of a religiously charged astronomical education, a direct reversal of the false charge that killed his master, is still striking. This begins to make sense only when viewed in the context of the shifting *zeitgeist* presented above. Plato recognised the need for a new system of civil religion to ground a new definition of piety. As one scholar

69 821a2-5.

70 821a8-b2.

71 821c7-d4.

72 Xenophon's Socrates' (*Mem.* 4.7.6) addresses Anaxagoras' solar doctrine, but in a rather unsophisticated way.

73 Above, n. 55.

74 Cf. Sedley, *Creationism and its Critics*, pp. 78-92.

has it, what was ‘shown by the fact that so good a man as Socrates was guilty of impiety under Athenian law’<sup>75</sup> was precisely the need for a reimagining of piety (and in this, Plato’s institutional magnum opus, religion *tout court*).

The civil religion must be recognisable enough to perform the tasks that Greek religion performed with regard to civic institutions and events. It must also, however, be grounded in positions that stand up to the newest scientific critiques, and despite the role the sun is able to perform as bridge between those two objectives, the gap can’t quite be spanned.<sup>76</sup> The traditionalist will never be able to truly see past the ‘mere reflection’ of reason in the public cult, and must be prevented from backsliding into private religious superstition with threats and coercion, while the scientifically minded man will tend to look past the false pretences of the Olympian elements in the state. Plato needs a way for this disunity to be healed, and it is for this reason that the Nocturnal Council is the necessary ‘saviour’ of the city at least in a theological sense.

The Council is the highest constitutional body of the state. Although a most pious place, it is safe, at least, for a particular form of what was mistakenly called by the Athenians impiety – scientific inquiry, especially astronomy (950d). The ghost of Socrates is invoked in the mention of ‘men who are divinely inspired’ – those who spring up from time to time even in badly ordered states (951b5). This suggests that the Council will be peopled by characters with some sort of Socratic inquisitiveness, the type of person who is tempted (and able) to ‘to give a reason for such things as have a reason’.<sup>77</sup> In addition to their research into the virtue that is the end of the state, the Nocturnal Councillors are also required to be expert theologians who are ‘inspired’ (θεῖος) and ‘have spent labour over the same [divine] things’ (966d2).

The cause of faith in the gods, in this ‘Nocturnal Council context, are, as might be expected, the doctrine concerning the soul, that it is the most ancient and divine of all things, and the councillors will be experts in the way in which *nous* orders the motion of the astral bodies (966e). The threat of the natural philosophers and materialists is brought up,<sup>78</sup> and refuted by the same principles as before, while the other forms of irreligion mentioned in Book x (‘deism’, ‘traditionalism’) are noticeably absent. One might surmise that this is because in the context of the members of the Council, the only possible type of ‘atheist’

75 M. Burnyeat, ‘The Impiety of Socrates’, in R. Kamtekar (ed.), *Plato’s Euthyphro, Apology, and Crito: critical essays* (Lanham, MD: Rowman & Littlefield 2005), pp. 150-161.

76 One of the first to note this role may have been E.R. Dodds in *The Greeks and the Irrational* (Berkeley: University of California Press, 1951), pp. 221-2.

77 967e4.

78 Once again, the tell-tale clue is ὁμοῦ, whatever its actual referent. See above, n. 26.

would be the first, utterly scientific type. It is no mistake that the Nocturnal Council holds chief responsibility for the re-education of atheists (908a). Plato notes explicitly that it was bad (materialistic) physics that led to the popular mistrust and abuse of philosophers, 'but now . . . everything is the opposite' (967c). That is the purpose of the theology of the sun as it applies to the Nocturnal Council, to make religion once again an honest pursuit for the philosophically inclined, and philosophy a holy pursuit in the eyes of the pious. Just as a religious 'traditionalist' who thought he could bribe away bad behaviour might be destructive to the social fabric (the third type of irreligion dealt with in Book x), so too could a philosopher who, instead of learning *correct* theology, devoted his time to materialist research. The Nocturnal Council may make the city safe for Socrates, and in turn, make Socrates safe for the city.<sup>79</sup>

### Conclusion

If the different character of the sun at different moments in the *Laws* can be believed, theology might be the most flexible and telling of all concepts in the work. The pure 'institutional' theology of the work's first section, while possibly acceptable from the standpoint of contemporary Greek religion, has only enough of a share in truth to narrowly dodge a charge of hypocrisy. At the other end of the spectrum the pure 'astronomical' theology of the Nocturnal Council has little of the aesthetic trappings (or conceptual logic) of the sort of religion that inspires devotion in those who are not entirely lovers of wisdom. And in the middle stands the reinvented figure of the sun, faintly familiar from tradition, but symbolic and suggestive of the deepest truths of reason. The novel syncretism suggested by the sun points at a way of unifying, if never completely, these disparate threads into the rope that might bind together a city.

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79 It seems fair to ask if these council members are worshipping the gods of their theological arguments, or to put it another way, what precisely the relationship is between the second moment (directed towards the atheists) and third moment (the beliefs of the nocturnal council), both of which exist in some sense as part of the 'scientific discourse'.