“Subjection for the Sake of Virtue”:

Voluntary Slavery in Plato's *Symposium* and *The Laws*

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A thesis submitted for the degree of MPhil in Politics: Political Theory

Trinity Term, 2021

Word Count: 21,649

Abstract

What is to be made of Plato's provocative and perplexing claim in the *Laws* that both Athenian citizens and citizens of Magnesia, Plato's second-best city, should be thought of as "voluntary slaves to the laws"? How is it possible that ordinary citizens attain virtue by mimicking the subordination of those who lack the capacity for knowledge and independent reasoning? How can a state of dependence and subordination to legal authority be compatible with the acquisition of ordinary civic virtue? Approaching the *Laws* via the *Symposium*, I propose to elucidate the paradox of voluntary slavery by examining the striking but overlooked use of a similar phrase –"voluntary slavishness"– in Pausanias's speech in Plato's *Symposium.* In this novel reading of the *Laws*, I propose that understanding the citizens' voluntary slavery to the laws in parallel with the beloved's willing slavery to the lover reveals that Plato envisions ordinary citizens of Magnesia as passive beloveds. Like the beloved in Pausanias's speech, who is permanently subjected to the training and guardianship by the lover despite being a fully-grown man, I suggest that the ordinary citizens of Magnesia are attributed a permanent status of minority and slavishness with relation to the laws because they are incapable of achieving or sustaining independent virtue. I argue that ordinary citizens of Magnesia have a status that parallels that of minors and slaves vis-à-vis the legal authority. Based on this analogy between the beloved in Pausanian *paiderastia* and the ordinary citizen in the *Laws*, I cast doubt on the idea that the *Laws* embodies a 'democratic turn' in Plato's political thought. In contrast to much recent scholarship, I suggest that the *Laws* preserves, not undermines, the divide between philosophic rulers and non-philosophic ordinary citizens found in the *Republic*.

Acknowledgments

I am much indebted to Amia Srinivasan for her wisdom and guidance in the writing of this thesis.

I am very grateful to Teresa Bejan for her inspiration and support in the initial stages of this thesis.

I am also grateful to Julian and Tae-Yeoun for their help and support.

Without their help, this thesis would not have been possible.

Contents

Introduction

The Paradox of Voluntary Slavery

In the *Laws,* Plato outlines a city whose aim is to make citizens virtuous. Unlike in the *Republic*, the more famous dialogue in which Plato constructs the ideally best city Kallipolis, Plato's enterprise in the *Laws* is to construct a city which is second-best and which approximates as closely as possible his vision of the first-best city (*Laws* V.739c-e).[1] The dialogue is set on Crete and consists of a conversation among the Athenian Stranger (generally interpreted as Plato's spokesperson in this dialogue) and his two interlocutors Megillus, a Spartan, and Kleinias, a Cretan. Kleinias reveals that he is one of ten Cretans responsible for composing a legal code for a new colony, Magnesia, to be founded in Crete, and in the rest of the dialogue Plato constructs the political, legal and social structures of this imaginary community or "city in speech" (*Laws* III.702d) and how the virtue of the citizens is to be cultivated by its laws.

In Book III of the *Laws*, the Athenian Stranger reflects on various political systems that have existed throughout history (namely, the cities of Argos, Messene and Sparta) and examines the rise and fall of ancient Persia and ancient Athens. While discussing the political values of the ancient constitutions of Persia and Athens, the Athenian concludes that an ideal constitution would be a mixed constitution that achieves a balance between the two extremes of authoritarianism and democracy – between too much subjection on one hand, as demonstrated by Persia, and too much freedom on the other, as in the case of Athens (III.693d-e). A proper constitution, he argues, is one that limits freedom and mixes it with slavery; a proper balance between the two extremes can only be achieved through a principle of willing subordination to political rule.[2] The Athenian illustrates this point through his

[1] Traditionally, commentators have straightforwardly identified the Kallipolis as the "first-best city" to which Magnesia is said to be "second-best." More recently, it has been argued that this is not the case because the Athenian claims the "first-best" city is one where wives, children and all property are all shared in common (*Laws* 739c), whereas communistic practices in the *Republic* are restricted to the guardian class only. For the latter argument see Christopher Bobonich, *Plato's Utopia Recast: His Later Ethics and Politics* (Oxford, Oxford University Press, 2002), 11-12. Cf. André Laks, "In What Sense is the City of the *Laws* a Second-Best One?" in *Plato's Laws and Its Historical Significance,* ed. F. Lisi (Salamanca, Spain: Sankt Augustin, 1998). I use Thomas L. Pangle's 1980 translation of Plato's *Laws* throughout, sometimes with adaptations.

[2] Melissa Lane, "Placing Plato in the history of liberty," *History of European Ideas* 44, no.6 (2018), 712-3.

narrative of the Athenian resistance to the Persian invasion in 490 and 480 BCE, where the Athenians' respect for law played a crucial role in maintaining the solidarity and friendship that enabled them to defeat the superior Persian forces (III.698a-699d). He stresses that a major cause for the spirit of solidarity among Athenians was their fear of the traditional laws of the state: he claims the Athenians "were willing (ἠθέλομεν) to live as slaves (δουλεύοντες) of the laws that then existed" (III.698b), that people who aspire to be good must be enslaved (δουλεύοντες) to the laws (III.699c) and that "our populace was... rather voluntarily enslaved (ἑκὼν ἐδούλευε), in a certain sense, to the laws" (III.700a).[3] This notion of voluntary slavery to the laws captures the principle of correct government, which consists in a proper mixture of 'slavery' (broadly construed as subjection or subordination) and freedom (III.701e). Plato clearly suggests that in Magnesia, as the second-best city of the *Laws* is to be called, the citizens are to become virtuous through 'voluntary slavery' or willing subjection to the legal code, which they ought to recognize as wielding unconditional authority. He wants all citizens to live in complete and willing subordination to legal authority in order to become virtuous citizens.

Plato's insistence on the notion of "voluntary slavery to the laws" (ἑκὼν ἐδούλευε τοῖς νόμοις, *hekon edouleue toîs nómois*) (*Laws* III.700a)[4] is unusual because it is difficult to find an instance in 5th-century Attic literature where *douleia* (literally, slavery and metaphorically, bondage or subjection) is used in the sense of virtuous and cheerful submission to authority as done by Plato, without any association of dishonor.[5] As noted by Julia Annas, "Plato cannot fail to be aware of the shock-value of this metaphor [of slavery] as applied to free citizens of a state, who pride themselves on not being slaves to any person, and who own actual slaves."[6] The notion of voluntary slavery appears to be a deliberately provocative one, used by Plato to shock his contemporary readers. The phrase is striking for it presents us with an apparent paradox— that 'voluntary slavery to the laws' can be a model for virtuous citizenship in Plato's second-best state. Slavery, by definition, consists in a hierarchical subjugation of a slave to a master: the slave is a subordinate and a dependent,

[3] Throughout, I use 'voluntary' and 'willing' interchangeably as translations of *hekon* and *ethelo.*

[4] Pangle and other scholars opt for the literal translation of the word *douleia* in this phrase as 'slavery', while Trevor Saunders and Melissa Lane translate it as 'subjection' in a broader and more metaphorical sense.

[5] Gregory Vlastos, "Slavery in Plato's Thought," *Philosophical Review* 50, no.3 (1941), 292.

[6] Julia Annas, "Virtue and Law in Plato" in *Plato's Laws: A Critical Guide,* ed. Christopher Bobonich (Cambridge: Cambridge University Press, 2010), 73.

and a master communicates to slaves through order and command rather than words of persuasion. For the ancient Greeks, 'slavishness' indicated those purported dispositional characteristics associated with slavery, namely the inability to live one's life without regulation or control by others, deficiency of reason (*logos*), lack of ability to control desire or passion, and lack of knowledge.[7] To invoke slavery as a picture of the proper relationship between citizens and legal authority thus entails the denial of the former's capacity for reason and knowledge and therefore, to acquire virtue, and yet Plato claims that citizens of Magnesia are to become virtuous through precisely this relationship. How does Plato resolve this paradox? How is it possible that the Platonic citizens attain virtue by mimicking the subordination of those who lack the capacity for knowledge and independent reasoning? How can a state of dependence and subordination to legal authority be compatible with the acquisition of virtue for ordinary citizens?

Despite Plato's repeated and emphatic use of this phrase in these passages, the notion of voluntary slavery has not been much explored by scholars.[8] Recent literature on Plato's political theory in the *Laws* has mainly focused on Plato's so-called "less anti-democratic" stance in his later years and in particular, the *Laws* as a "democratization" of Plato's *Republic*. Christopher Bobonich notably argues that in contrast to earlier dialogues, especially the *Republic*, where Plato is committed to the view that only philosophers can lead a life of virtue and ordinary citizens, qua non-philosophers, fail to achieve genuine virtue, in the *Laws* Plato is more optimistic about the ethical capacity of ordinary citizens to attain virtue and thus expresses a more favorable towards democracy.[9] Lucia Prauscello argues that in the *Laws*, *eros* is released from its exclusively philosophical dimension in the *Republic*, where only philosopher-kings could experience *eros* for what is true and good: in Magnesia,

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[7] On figurative uses of the concept of slavery in Plato, see Anthony Long, "Slavery as a Philosophical Metaphor in Plato and Xenophon," in *Presocratics and Plato: Festschrift at Delphi in Honour of Charles Kahn*, eds. R. Patterson, V. Karasmanis, and A. Hermann (Las Vegas: Parmenides Publishing, 2012); Glenn Morrow, "Plato and Greek Slavery," *Mind* 48, no.190 (1939).

[8] For example, Long merely comments, "This remarkable recourse to slavery as a metaphor to illustrate proper adherence to the rule of law hardly requires commentary" and does not provide further commentary in Long, "Slavery as a Philosophical Metaphor in Plato and Xenophon." Other commentators mention the phrase in passing as part of broader studies of slavery in Plato, e.g. Morrow, "Plato and Greek Slavery," 188; Vlastos, "Slavery in Plato's Thought", 292.

[9] Bobonich, *Plato's Utopia Recast.* Cf. Shawn Fraistat, "The Authority of Writing in Plato's *Laws*", *Political Theory* 43, no.5 (2015). Fraistat argues that Plato's attitude toward the ethico-political capacity of ordinary citizens remains consistent in the *Laws* and other Platonic dialogues.

ordinary citizens are also capable of cultivating *eros* for virtue.[10] In Prauscello's reading of the *Laws,* citizenship in Magnesia is essentially 'volitional belonging' or belonging by voluntary choice, which is based on the capacity of ordinary citizens to nurture an active erotic desire for virtue.[11] Taken together, such accounts suggest two things: first, that the gap between philosophers and non-philosophers in their capacity for acquisition of virtue is somewhat decreased in the *Laws*, such that at least some non-philosophic ordinary citizens may acquire virtue in Plato's second-best state; and second, that the essence of voluntary slavery as a principle of correct government in the *Laws* is the *volitional* aspect of citizenship in Magnesia.

I, however, argue for a different approach to the *Laws*, focusing not on voluntariness but subjection to the legal code as the key to understanding the attainment of ordinary civic virtue in Magnesia. Approaching the *Laws* via the *Symposium*, I propose to elucidate the paradox of voluntary slavery by examining the striking but overlooked use of a similar phrase–"voluntary slavishness" (δουλεία ἑκούσιος, *douleia hekousios*)–in Pausanias's speech in Plato's *Symposium* (*Symp.*184c).[12] Plato rarely uses the word slavery (*douleia*) with the adjective voluntary or willing (*hekon*): the phrase 'voluntary slavery' only appears in Pausanias's speech in the *Symposium* and in *Laws* Book III.[13] Scholars have been silent on the astounding similarity of language between *Symp.*184c and *Laws* III.700a. Indeed, the parallel between the Athenian Stranger's discussion of voluntary slavery as the correct human relation to laws and Pausanias's discussion of voluntary slavery in the proper pederastic relationship has apparently escaped scholars' notice. I propose that one way to examine citizenship as voluntary slavery or willing subjection to the laws in the *Laws* is to

[10] Lucia Prauscello, *Performing Citizenship in Plato's Laws* (Cambridge: Cambridge University Press, 2014), 96.

[11] Ibid.

[12] δουλεία ἑκούσιος in *Symp.*184c is more or less the exact noun form of the verbal phrase, ἑκὼν ἐδούλευε, at *Laws* III.700a. I use Alexander Nehamas and Paul Woodruff's 1989 translation of the *Symposium* throughout, sometimes with adaptations.

[13] The only other place where the notion of voluntary slavery appears in the Platonic corpus is not a very illuminating instance of this phrase, as it appears in the *Philebus* in the context of describing Gorgias's view on the relationship between persuasion and other forms of knowledge, e.g. arithmetic and geometry. In this passage, Protarchus remarks, "On many occasions, Socrates, I have heard Gorgias insist that the art of persuasion is superior to all others because it enslaves all the rest, with their own consent (δοῦλα δι' ἑκόντων), not by force, and is therefore by far the best of all the arts" (*Philebus* 58b).

study Pausanias's model of an ideal *paiderastia*, or pederasty, offered in the *Symposium.* The willing enslavement of the beloved to the lover, and of the citizens to their laws, are defended, respectively, as "honorable" (*Symp.*185b) and "noble" (*Laws* VI.762e) because both serve educational purposes, i.e. the cultivation of virtue for the beloved and the citizens. Understanding the citizens' voluntary slavery to the laws in parallel with the beloved's willing slavery to the lover reveals, I will argue, that Plato envisions ordinary citizens of Magnesia as passive beloveds, who are permanently subjected to the tutelage of the legal code in order to acquire and sustain virtue. Contra Lucia Prauscello and other commentators who position the citizen as the lover and the city as the beloved[14], I propose that in the *Laws,* Plato seems to understand the proper position of citizens vis-à-vis the state in the reverse manner: the citizens are to play the role of beloved, as they are to remain in a state of perpetual minority vis-à-vis the laws despite being chronologically mature adults. I shall argue that for Plato, ordinary citizen in the second-best state is a 'citizen-child' and 'citizen-slave', who is dependent on the laws for lifelong re-education in virtue.

In Chapter 1, I shall examine the role of erotic desire as a prerequisite for attainment of virtue in *Symposium* as revealed through the speeches of Pausanias on one hand, and Socrates and Diotima on the other. I suggest that the two speeches offer two contrasting models of education, which are appropriate for two different kinds of people – Pausanias for ordinary citizens, and Socrates for philosophers. I shall argue that the two speeches reveal a dichotomy between education as hierarchical transfer of wisdom via habituation in correct *eros* on one hand, and education as rational self-persuasion on the other. I shall examine Pausanias's speech to understand how he reconciles the attainment of virtue with voluntary enslavement of the beloved to the lover, and I will argue for an analogy between the beloved's relationship to the lover and the citizen's relationship to legal authority in the *Laws*. An important worry one might raise about a potential disanalogy is that the beloved's enslavement to the lover in the pederastic relationship as traditionally conceived is a temporary one, while the citizen in Plato's second-best state is permanently enslaved to the

[14] Prauscello takes the model citizen in Plato's Magnesia to be an active lover of the city, not the reverse. Prauscello, *Performing Citizenship in Plato's Laws*, 49. This view is consistent with a scholarly consensus in the literature on Athenian citizenship more generally, which positions the democratic citizen as dominant and active lover and the city as beloved. For this discussion, see Sara Monoson, *Plato's Democratic Entanglements: Athenian politics and the practice of philosophy* (Princeton: Princeton University Press, 2000), Ch.3; Victoria Wohl*, Love among Ruins: the Erotics of Democracy in Classical Athens* (Princeton: Princeton University Press, 2003).

laws of Magnesia. It appears that while the beloved ultimately grows out of his quasi-servile status by becoming an adult male citizen, the citizen in Plato's second-best state never 'grows up': the citizens of Magnesia are governed by the laws in nearly every aspect of their life, and while they elect their rulers, they never become legislators. I will show that Pausanias' speech resolves this apparent disanalogy by presenting a revisionist account of the pederastic relationship which posits the ideal pederastic relationship as a lifelong bond between mature individuals. Pausanias's speech offers one way to resolve the paradox of voluntary slavery in the *Laws* by providing a model for citizenship where permanent, voluntary enslavement is compatible with the acquisition and sustenance of virtue. This model, I argue, elucidates the notion of voluntary slavery as a model for virtuous citizenship by revealing that in Magnesia, the citizens are to remain in a state of permanent nonage as political minors to the state in order to become virtuous. Reading the *Laws* through the *Symposium* therefore shows us how Pausanias's speech offers a model of virtuous citizenship where such permanent, voluntary enslavement can be noble and honorable for a certain kind of person – the ordinary citizen of Plato's Magnesia.

In Chapter 2, I turn to the *Laws* to examine the citizens' relationship to the laws in Magnesia. I support the analogy between the passive beloved and ordinary citizens by examining the citizens' relationship to the laws in two aspects: education and legislation. Civic education in Magnesia involves lifelong training in virtue which habituates future citizens to desire the right sorts of things through 'incantation' or 'enchantment' of souls. Legislation in Magnesia is said to combine persuasion and compulsion to ensure citizens' obedience to laws. I shall question the Athenian Stranger's claim that legislation in Magnesia is at least partially persuasive and argue that, in fact, persuasion is illusory in Plato's second-best state, where citizens are commanded to become virtuous rather than rationally persuaded. Together, education and legislation attribute a permanent status of minority and slavishness to the ordinary citizen, who is effectively a 'citizen-child' and 'citizen-slave' subjected to legal authority. I shall show that in both civic education and legislation, Plato envisions the ordinary citizen's position vis-à-vis the legal code in parallel with the position of the beloved vis-à-vis the lover in the Pausanian model of *paiderastia*. Like Pausanias's passive beloved, a bearded man who is subjected to lifelong training in virtue by the lover, the ordinary citizen of Magnesia is chronologically mature but requires re-inculcation of virtue by the legal authority. The analogy reveals that the ordinary citizen remains dependent on the legal code for lifelong reinforcement of virtue as a minor and a slave in need of

guardianship. For Plato, I shall argue, citizenship is a permanent minority status which is essentially a condition of subjection to authority.

Methodology

Because Plato never speaks *in propria persona* in his dialogues but presents conversations between interlocutors, any study of Plato must address questions of hermeneutics, that is, whether the dialogues can be used as evidence of Plato's views and whether the views of any of the speakers should be identified with Plato's own views. In answer to these questions, modern scholars have used three broad strategies to interpret Plato's dialogues: the doctrinal approach, the skeptical approach and the so-called "Third Way".[15] There is a huge diversity within each approach, and in this section I merely note the general hermeneutical principle which unites each approach before presenting my own.

The doctrinal approach assumes that the dialogues are expositions of roughly systematic doctrines. This is the mainstream approach used by scholars who interpret Plato as a systematic philosopher and his dialogues as treatises.[16] The doctrinal approach is itself divided into three schools of interpretation: unitarianism, which sees the dialogues as an exposition of a single philosophical system which stays the same throughout Plato's philosophical career[17]; developmentalism, which sees the dialogues as evidence of a gradual evolution of Plato's philosophical system[18]; and esotericism, which claims that Plato's views are to be found not in the explicit statements but in systematic "unwritten doctrines" which lie underneath the text.[19] Unitarians and developmentalists tend to straightforwardly identify

[15] See Francisco Gonzalez, "A Short History of Platonic Interpretation and the 'Third Way'" in *The Third Way: New Directions in Platonic Studies* (Lanham, MD: Rowman & Littlefield, 1995) for a detailed discussion of the different interpretive strategies in Platonic scholarship.

[16] See, e.g. Friedrich Schleiermacher, *Introductions to the Dialogues of Plato*, trans. W. Dobson (Cambridge: J. & J.J. Deighton, 1836).

[17] See, e.g. Paul Shorey, *The Unity of Plato's Thought* (Chicago: University of Chicago, 1960).

[18] See, e.g. Bobonich, *Plato's Utopia Recast*; Terence Irwin, *Plato's Moral Theory: The Early and Middle Dialogues* (Oxford: Clarendon Press, 1977); Gregory Vlastos, *Socrates: Ironist and Moral Philosopher* (Ithaca: Cornell University Press, 1991).

[19] The phrase "unwritten doctrines" was first used by H.J. Krämer in *Arete bei Platon und Aristoteles: zum Wesen und zur Geschichte der platonischen Ontologie* (Heidelberg: Winter, 1959). Krämer was the chief proponent of the Tübingen School, a group of scholars prominent in the 1950's which proposed the esotericist theory of Plato's "unwritten doctrines". The esotericists use Plato's skepticism towards writing as a means of conveying philosophical truth at *Phdr.*274b-278b and *Seventh Letter* 341b-342a as evidence suggesting that

Plato with the main speaker of the dialogues (usually Socrates) and take the arguments and conclusions of the Platonic Socrates and the Athenian Stranger to be representations of Plato's doctrines. By contrast, the esotericists claim that Plato's doctrines are available to us only through the oral reports of Aristotle and other members of the Academy. A second approach, which advocates a skeptical or "non-doctrinal" interpretation, denies the existence of Platonic doctrines, whether explicit or esoteric. It claims that the dialogues contain questions and problems rather than doctrines and emphasizes the literary and dramatic aspects of the dialogues.[20] Finally, "the Third Way" seeks a middle way between the first two approaches – between seeing the dialogues as philosophical treatises and seeing the dialogues as literary dramas.[21] The "Third Way" scholars argue that the dialogues offer an intellectual, emotional and imaginative experience for the readers[22], and that each dialogue as a whole depicts "the very process of philosophizing" by dramatically enacting what it is about[23]. Emphasis is placed on understanding the dialogues as an *enactment* of philosophical inquiry, not as presenting doctrines.

My own approach does not conform to any one of these three standard approaches. Instead, I use an intertextual approach that moves back and forth between the *Symposium* and the *Laws*, using the resonance in language between the two dialogues as a guide to deepen our understanding of the issues surrounding *eros*, citizenship, virtue and subjection to legal authority in the two dialogues. The *Laws* contains long stretches of uninterrupted exposition by the Athenian Stranger, who is unmistakably the main speaker of the dialogue. Contribution from the other two interlocutors, Kleinias and Megillus, is minor: Kleinias occasionally offers remonstrance but largely acquiesces to the Athenian's proposals for Magnesia, while Megillus is silent in large parts of the dialogue. In this dialogue, I take the Athenian Stranger to be the spokesperson for Plato's views. The *Symposium,* by contrast, contains a number of speeches which respond to and build on one another. As Robert Wardy

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Plato's own views differed from and do not lie in his explicit statements in the dialogues. See, e.g. H.J. Krämer, *Plato and the Foundations of Metaphysics* (Albany: State University of New York Press, 1990).

[20] See, e.g. Leo Strauss, *The City and Man* (Chicago: University of Chicago Press, 1978); Stanley Rosen, *Plato's Republic: A Study* (New Haven, CT: Yale University Press, 2005).

[21] Gonzalez, "A Short History" in *The Third Way.*

[22] Gerald Press, "Plato's Dialogues as Enactments" in *The Third Way.*

[23] Francisco Gonzalez, "Self-Knowledge, Practical Knowledge, and Insight: Plato's Dialectic and the Dialogue Form" in *The Third Way*.

and others observe, the *Symposium* is a "dialogue of many voices *par excellence*".[24] Given the complex narrative and dialogic structure of this dialogue, I do not assume the Platonic Socrates to represent Plato's views in the *Symposium*. In this respect I depart from traditional interpretations of this dialogue, which straightforwardly assume that Socrates is the mouthpiece for Plato's views and dismiss the speeches preceding it as cultural and moral background which Plato rejects and transforms.[25] I instead read the dialogue as Plato's exploration of the connections between *eros*, education and virtue, and I take Socrates' speech and the earlier speeches to present important aspects of Plato's views on erotic education and virtue as appropriate for different kinds of people. Specifically, I interpret Pausanias's and Socrates's (and Diotima)'s speeches in the *Symposium* as Plato's proposal of two contrasting models of education appropriate for non-philosophic ordinary citizens and philosophers, respectively. Pausanias, I argue, offers a slavish model for the cultivation of virtue and wisdom in the beloved, which Plato adopts for the education of ordinary citizens in the *Laws*. Socrates offers a rationally persuasive model for the self-education of the lover, which is appropriate for the education of philosophers.

What is the value of studying ancient texts such as Plato's dialogues, and to what extent is this study instructive for normative political theory? Studying the history of political thought is valuable both because it is intrinsically worthwhile and rewarding to come to

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[24] Robert Wardy, "The Unity of Opposites in Plato's *Symposium*", *Oxford Studies in Ancient Philosophy* 23, no. 1 (2002), 2. Eva Stehle observes that the *Symposium* presents an "intertextual web", which is a prominent feature of the collective discourse taking place at *symposia* more generally. Eva Stehle, *Performance and Gender in Ancient Greece: Nondramatic Poetry in its Setting* (Princeton: Princeton University Press, 1997), 222.

[25] For instance, Foucault takes the speeches prior to Socrates and Diotima's speech as representations of received opinions about *eros* and homoerotic practices which Socrates later transforms and transcends. Michel Foucault, *The Use of Pleasure: vol.2 of The History of Sexuality,* trans. R. Hurley (New York: Random House, 1985). Similarly, G.R.F. Ferrari claims that in the *Symposium*, Plato "diverts certain received opinions about love to his own philosophic ends". G.R.F. Ferrari, "Platonic Love" in *The Cambridge Companion to Plato,* ed. Richard Kraut (Cambridge: Cambridge University Press, 1992). Luc Brisson makes a similar assumption. Luc Brisson, "Agathon, Pausanias and Diotima in Plato's *Symposium: Paiderastia and Philosophia*" in *Plato's* Symposium*: Issues in Interpretation and Reception,* eds. J. Lesher, D. Nails and F. Sheffield (Cambridge: Harvard University Press, 2007). An alternative approach to reading the *Symposium* has recently been put forth by scholars like Frisbee C.C. Sheffield, who argue that the earlier speeches are more than a mere survey of current views and in fact lay out the philosophical issues at hand which are later resolved by Socrates (and Diotima). Frisbee C.C. Sheffield, "The Role of the Earlier Speeches in the Symposium: Plato's Endoxic Method?" in *Plato's* Symposium*: Issues in Interpretation and Reception.*

interpretive terms with political texts – especially those as rich, ambiguous and historically influential as Plato's – and because it can offer us a critical distance from which to re-examine our own historically and culturally contingent ways of thinking about politics.[26] My study of the *Laws* might enrich contemporary debates in normative political theory by providing insights into the proper relationship between citizens and legal authority, ordinary civic virtue, and the nature of citizenship. I am of course not suggesting that Plato (as I read him) was right that citizens *ought* to be permanently subordinated to legal authority in a slavish or childish status; as Adrian Blau among others reminds, the inference from 'was' to 'ought' is both fallacious and often dangerous.[27] Rather, my hope in this study is to demonstrate that, in contrast to claims made by numerous scholars that the *Laws* represents a democratization of the *Republic*, Plato's attitude towards the ethical and political capacities of ordinary citizens in the *Laws* is more complicated than a simple 'democratic turn'.[28] By sharpening our understanding of Plato's stance on the ethical and political capacities of ordinary citizens and their relation to the laws, I hope to reanimate the debate on the place of the *Laws* in the Platonic corpus, especially vis-à-vis the *Republic*. In so doing, I challenge the idea that there is a 'democratic' Plato to whom we can turn insofar as we are dissatisfied – as most contemporary political theorists surely are – with the resolutely hierarchical and anti-democratic vision of the *polis* given to us by *Republic*. My thesis, then, not only offers new ways of thinking about the relationships between *eros*, ordinary virtue, citizenship and authority in Plato and in general, but also deepens the challenge to democratic values that many contemporary theorists have found in Plato, and taken as their task to answer. While it is beyond the scope of this thesis to answer this renewed Platonic challenge, I hope that bringing it firmly into view is a first and important step in this direction.

[26] Quentin Skinner, *Liberty Before Liberalism* (Cambridge: Cambridge University Press, 1998); Quentin Skinner, "States and the Freedom of Citizens" in *States and Citizens: History, Theory, Prospects*, ed. Q. Skinner and B. Stråth (Cambridge: Cambridge University Press, 2003).

[27] Adrian Blau, "How (Not) to Use the History of Political Thought for Contemporary Purposes", *American Journal of Political Science* 00, no.0 (2020), 10.

[28] See, e.g. Thanassis Samaras, *Plato on Democracy*, ed. G. Sheldon (New York: Peter Lang, 2002) for the view that between his earlier and later dialogues Plato's attitude towards democracy undergoes a fundamental change of view and that the *Laws* offers a much favorable view towards democracy than earlier dialogues.

Chapter 1
Eros, Education and Virtue

In this chapter, I open with an overview of the norms surrounding *paiderastia* and homoerotic practices in classical Athens (1.1). I examine the two models of erotic desire and education presented by Pausanias and Socrates (and Diotima) in the *Symposium*, respectively (1.2). I argue that the position of the beloved vis-à-vis the lover in Pausanias's revisionist account of the ideal pederastic relationship can serve as a fruitful parallel to the position of the citizen vis-à-vis the laws of Magnesia (1.3).

1.1 *Paiderastia* and Homoeroticism in Classical Athens

The ancient Greeks had at least two words to describe what in English we would call love: *eros* and *philia*. The former primarily refers to passionate love or strong lust for a sexual partner, and the latter refers to familial affection and love for friends.[1] Although *eros* has explicitly sexual connotations, the object need not necessarily be another human being, for *eros* can be used to refer to love of moral and intellectual excellence, not just desire for bodily contact.[2] Indeed, in Plato, non-interpersonal *eros* is a distinctive form of experiencing desire, which in the Kallipolis is the unique privilege of the philosopher.[3] In the *Republic,* the philosopher-kings are the only ones who can experience the higher, non-personal form of erotic passion for what is true and good.[4] However, in the *Laws*, Plato seems to transfer this notion of wisdom as erotic passion from a unique faculty of the philosopher to something that can be cultivated by ordinary citizens through education. In

[1] Kenneth Dover, *Greek Homosexuality* (Cambridge: Harvard University Press, 1978), 49-50. The distinction between the two terms is sometimes blurred, as noted in Dover, *Greek Homosexuality,* 43 and Paul Ludwig, *Eros and Polis: Desire and Community in Greek Political Theory* (Cambridge: Cambridge University Press, 2002). Ludwig notably argues that that *eros* refers to intense desire more broadly and not merely the purely sexual desire.

[2] Dover, *Greek Homosexuality*, 157. Dover also notes that this family of words (*eros*, verbs *eran* and *erasthai*) meaning 'desire (to ...)', 'be in love (with ...)' is "so regularly sexual that other uses of it can fairly be regarded as sexual metaphor" (p.43).

[3] Prauscello, *Performing Citizenship in Plato's Laws*, 26.

[4] The philosopher's erotic desire (ἔρωτος) is said to give birth to understanding and truth (*Rep.*V.490a-b).

contrast to the *Republic*, which hardly pays any attention to the question of education of ordinary citizens who are not philosophers or military guardians[5], the central preoccupation of the *Laws* is the sound education of female and male citizens from young. Plato draws an explicit link between erotic passion and civic virtues which must be inculcated in citizens through education, suggesting that erotic desire is an essential prerequisite for the 'correct' upbringing of citizens of the second-best state. In *Laws* Book I, as I will discuss later in 2.1, the Athenian Stranger emphasizes that education is that training in virtue from childhood which instills citizens with a passionate desire (*eros*) to become a "perfect citizen" (*Laws* I.643e4-5).

The link between erotic passion and cultivation of wisdom and virtue through education was integral to the ancient portrayals of the classical Athenian practice of *paiderastia* or pederasty, which seems to have played an important part in education of the highest social classes of Athens.[6] A compound of *pais* (boy) and a derivative of *eran* (to love), *paiderastia* means "love of boys". According to ancient portrayals, which include both idealizing and critical perspectives of the practice, *paiderastia* was an educational institution for the Athenian elite males, consisting of highly formalized and socially regulated sexual relations between adult, citizen men (*erastai* pl, *erastes* sing.) and adolescent, freeborn boys (*eromenoi* pl, *eromenos* sing, *pais or paidika*) who had yet to grow a beard, i.e. roughly between ages 12 and 18.[7] According to idealized accounts of *paiderastia*, the beloved young boys would learn moral, intellectual and civic virtues from the older male lovers in return for sexual favors.[8] Generally speaking, intimacy with an older member of the citizenry provided

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[5] Cf. Richard Kraut, "Ordinary Virtue from the *Phaedo* to the *Laws*" in *Plato's Laws: A Critical Guide,* 64.

[6] The famous pederastic couples, e.g. Harmodius and Aristogeiton, Agathon and Pausanias, Eryximachus and Phaedrus, Theoxenus and Pindar, were all aristocrats, suggesting that *paiderastia* was an institution confined to the elite. For the dissenting view that male desire for sexual contact with handsome youths was not confined to a tiny, eccentric aristocracy but rather enjoyed by a more broadly based constituency at Athens, see David Halperin, *One Hundred Years of Homosexuality* (New York: Routledge, 1990), 91.

[7] Brisson, "Agathon, Pausanias and Diotima in Plato's *Symposium: Paiderastia and Philosophia*" in *Plato's* Symposium*: Issues in Interpretation and Reception*. The various words by which the beloved was called do not indicate a precise age, but in general the beloved is thought of as ranging in age from mid-teens to early twenties, as the Greeks generally thought of the beard as growing by 21. For a discussion of ages of the beloved and the lover in *paiderastia*, see Mark Golden, "Slavery and Homosexuality at Athens," *Phoenix* 38, no.4 (1984), 318, n. 47.

[8] For the opposing view that pedagogy is *not* the essence of *paiderastia*, see Halperin, *One Hundred Years of Homosexuality,* 92 and Foucault, *The Use of Pleasure*, 195-6.

a boy with a model of appropriate attitudes and behaviors and a source of wisdom, and the good conduct of the older party was meant to foster virtue in the younger.[9] As many scholars have noted, *paiderastia* had ritual significance as a kind of coming-of-age ceremony and a transitional institution for the adolescents to gain their status as adult citizens. According to Claude Calame, *paiderastia* was an essential part of educational procedures that stemmed largely from the rites of tribal initiation, and it served an essentially propaedeutic and transitory function as an introduction to the relations between adult citizens in order to integrate future citizens into the social fabric of the fellowship.[10] As a result, the youth was expected to eventually outgrow his role as the younger partner in a pederastic relationship by assuming the role of an *erastes* and become an advisor and model for the youth in turn.[11]

Greek literary texts are for the most part reticent about explicit descriptions of sexual practices involved in pederastic relationships.[12] However, vase paintings from 6th-century Athens are less reticent and show the *erastes* and *eromenos* engaging in intercrural sex, in which the *erastes* inserts his erect penis between the *eromenos'* thighs.[13] According to Kenneth Dover and Michel Foucault, the *eromenos* only allowed intercrural sex and never anal penetration by the *erastes*, because anal penetration was regarded as assimilation to a woman in the sexual act and a rejection of one's role as a future male citizen. Homosexual anal penetration, Dover argues, was seen by Greeks as an aggressive act demonstrating the superiority of the active to the passive partner and therefore, a way of subordinating the latter to the status of women and rejecting the passive partner's masculinity.[14]

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[9] Mark Golden, *Children and Childhood in Classical Athens*, 2nd ed. (Baltimore, MD: Johns Hopkins University Press, 2015), 50. The cultivation of virtue through the asymmetrical relationship of love between adults and adolescents was not limited to aristocratic men, but practiced analogously by aristocratic women as well, as indicated by Sappho's poetry. For the latter discussion, see Claude Calame, *The Poetics of Eros in Ancient Greece,* trans. J. Lloyd (Princeton: Princeton University Press, 1999), 111-3; Stehle, *Performance and Gender in Ancient Greece: Nondramatic Poetry in its Setting*, Ch.6.

[10] Calame, *The Poetics of Eros in Ancient Greece,* 109-110.

[11] Golden, *Children and Childhood in Classical Athens*, 51.

[12] Dover, *Greek Homosexuality,* 53-54, 91.

[13] Vase painters seem to have preferred depicting intercrural rather than anal intercourse between males. There are nonetheless a few pederastic scenes depicting anal intercourse. See Andrew Lear, "Ancient Pederasty: An Introduction" in *A Companion to Greek and Roman Sexualities,* ed. T. Hubbard (Malden, MA: Wiley-Blackwell, 2014).

[14] Dover, *Greek Homosexuality,* 104-6. For the view that the importance of anal penetration in Greek categorizations of sex has been overemphasized, see Thomas Hubbard, "Popular Perceptions of Elite

The prevailing view among scholars is that the pederastic relationship was characterized by a disparity between the two partners on at least three levels. First, the relationship was characterized by an asymmetry of feelings and sexual behavior between the two partners. In classical Greek no common term exists for the passion felt by the *erastes* and the *philia* felt by the *eromenos*[15]: *eros* was felt on one side only – that of the lover – not the beloved, for the honorable *eromenos* should only be moved by compassion, gratitude, and admiration, which are grouped under the term *philia*.[16] As Golden notes, in vase paintings depicting male homosexual acts, "the passive homosexual partners show no sign of pleasure; they have no erection and usually stare straight ahead during intercourse."[17] According to Xenophon, "the boy does not share in the man's pleasure in intercourse, as a woman does; cold sober, he looks upon the other drunk with sexual desire" (*Symposium* 8.21), indicating that the beloved neither reciprocates the lover's sexual desire nor shares in the sexual pleasure felt by the lover during intercourse.[18] The erotic asymmetry is also clearly indicated in *Symp.*182c6, which distinguishes the *eros* of Aristogeiton the lover from the *philia* of Harmodius his young beloved, the Athenian tyrannicides who formed a celebrated pederastic couple.

The distinction between active and passive roles in the pederastic relationship was also explicitly hierarchical, involving the subordination of the beloved to the lover both socially and sexually. As Dover and others emphasize, the pederastic relationship did not involve equals.[19] There was a social dimension to this inequality, which stemmed from a disparity in age between the two partners. The *eromenos* was a youth who had not yet come of age; in vase paintings he is generally distinguished from the *erastes* by the absence of a beard. In general, children in classical Athens were very much social subordinates, subject to

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Homosexuality in Classical Athens," *Arion* 6, no.1 (1998) and James Davidson, *Courtesans and Fishcakes: The Consuming Passions of Classical Athens* (London: Harper Collins, 1997).

[15] Brisson, "Agathon, Pausanias and Diotima in Plato's *Symposium: Paiderastia and Philosophia*" in *Plato's* Symposium*: Issues in Interpretation and Reception*, n.23.

[16] Dover, *Greek Homosexuality*, 52.

[17] Golden, "Slavery and Homosexuality at Athens", 313.

[18] See Dover, *Greek Homosexuality*, 103; Halperin, *One Hundred Years of Homosexuality*, 92; Golden, "Slavery and Homosexuality at Athens," 313. Cf. David Halperin, "Plato and Erotic Reciprocity," *Classical Antiquity* 5, no.1 (1986).

[19] Dover writes, "... homosexual relationships in Greek society are regarded as the product not of the reciprocated sentiments of equals but of the pursuit of those of lower status by those of higher status" (Dover, *Greek Homosexuality,* 84). This is agreed upon by Golden, "Slavery and Homosexuality at Athens" and Halperin, *One Hundred Years of Homosexuality*, 30.

tutelage and control of adults, and often grouped with slaves[20]: in *Lysis,* for example, Lysis remarks that there are a whole lot of things his parents will not let him do (*Lys*. 208a-e), noting that he is under the direction of his slave-guardian (*paidagogos*) who is in charge of him (*Lys*. 208c). To this, Socrates responds by noting that Lysis has "quite a few masters and dictators" over him (*Lys*. 208d), and he describes Lysis's status as a "perpetual condition of servitude (*douleia*)" (*Lys*. 209a), suggesting that slaves and children in some ways occupied similar statuses within the classical Athenian social structure. The quasi-servile status of children in the Athenian society and the subordinate status of the younger partner in pederastic relationships are indicated by dual use of the term *pais,* which designated the young beloved in pederastic relationships and denoted both a young person (male or female) and a slave of any age.[21] The pederastic relationship thus involved the young boy, a dependent and quasi-servile member of the Athenian society, and the older *erastes*, who possessed the dominant status of a free, adult male citizen.

In addition, there was a sexual dimension to the hierarchy between the beloved and the lover. Dover and Foucault interpret the pederastic relationship through the dominance/submission paradigm, which categorizes the 'active' sexual partner (the lover, the older male, the subject of erotic desire) as one who plays the insertive role in sexual intercourse and the 'passive' sexual partner (the beloved, the young boy, the pursued object of erotic desire) as one who submits to phallic penetration. They define sexual 'activity' as the phallic penetration of the older partner and sexual 'passivity' as the younger partner's submission to the older partner, where the 'active' and 'passive' sexual roles necessarily align with dominant and subordinate social statuses.[22] The young beloved's sexual 'passivity' was therefore construed as social subordination to the 'active' partner.

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[20] For a more detailed discussion of children in ancient Greece, see Golden, *Children and Childhood in Classical Athens.* For example, in *Rep.* IV.431c, Plato writes that children and slaves share the greatest susceptibility to desire, pleasure and pain. In *Laws* VII.793e, the punishment for free-born three-, four- and five-year-old children is the same as the punishment for slaves.

[21] Dover, *Greek Homosexuality,* 16 and Mark Golden, "Pais, Child and Slave," *L'antiquité classique* 54 (1985). According to Golden, in classical Athens, *pais* was a vague word of very broad range of uses which was used for any male citizen who had not yet come of age, a young person ('girl', 'boy', 'daughter' or 'son') and slave.

[22] The active vs. passive dichotomy in the pederastic relationship is part of a near-consensus view in recent scholarship on ancient sexualities that in ancient Greece, sexual behaviors or identities were not categorized by the gender of the participants but by the sexual role played by each participant. That is, sex was understood as a hierarchical act one does to or is done to by someone else (penetrating/penetrated). The active vs. passive

The active vs. passive dichotomy in the pederastic relationship is, of course, a phallocentric and gendered distinction: the dichotomy presupposes that men, who are penetrators, play the 'active' and 'dominant' role in sexual intercourse, while women, who are penetrated, play the 'passive' and 'submissive' role. It further presupposes that anyone who is penetrated (or is in other ways passive in sexual acts) is gendered feminine, while anyone who penetrates is masculine. Despite the gendered and phallocentric nature of this approach, the active vs. passive dichotomy is now part of a widely-accepted view in recent scholarship on ancient sexualities.[23] In the classical period sexual practices were discussed in the same categories as social relationships: the relations between men and women, penetrating and penetrated, 'active' and 'passive' were thematized as relations between high and low, dominant and subordinate, free and unfree, master and slave.[24] Sex in classical Athens, as Halperin puts it, was "a deeply polarizing experience" that divided its participants into these hierarchical and phallocentric dichotomies.[25] This meant that in pederastic relations, the young beloved's sexual 'passivity' was construed as social subordination to the 'active' partner, who was construed as 'master'.[26]

Finally, the asymmetry between the beloved and the lover was apparent on the level of knowledge, for the lover would help the beloved gain wisdom and other virtues as future citizens who would one day participate in ruling the city. As an older male and a member of the citizenry, the lover would act as a teacher and master to pass on knowledge of the virtues of citizenship to the beloved through speeches and poetry. The pederastic relationship was an explicitly hierarchical relationship between the loving master and the beloved pupil, where education was conceived as the transmission of knowledge from the former to the latter.

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dichotomy originates in Dover's seminal work *Greek Homosexuality* (e.g. p.103), is adopted by Foucault (e.g. *The Use of Pleasure*, 215-25), and is sustained by Halperin as a central element in Greek sexual ethics (e.g. Halperin, *One Hundred Years of Homosexuality*, 29-36). On this discussion, see Ruth Mazo Karras, "Active/Passive, Acts/Passions: Greek and Roman Sexualities", *American Historical Review* 105, no.4 (2000).

[23] For a critique of this active/passive and dominance/submission paradigm, see Hubbard, "Popular Perceptions of Elite Homosexuality in Classical Athens" and Calame, *The Poetics of Eros*, 112.

[24] Wolfgang Detel, *Foucault and Classical Antiquity: Power, Ethics and Knowledge,* trans. D. Wigg-Wolf (Cambridge: Cambridge University Press, 2005), 122; see also Dover, *Greek Homosexuality*; Foucault, *The Use of Pleasure*; Halperin, *One Hundred Years of Homosexuality*, 99.

[25] Halperin, *One Hundred Years of Homosexuality*, 30.

[26] Foucault explicitly refers to the lover in pederastic relationships as 'master' in *The Use of Pleasure,* 241. For opposing view that it is a mistake to reduce and assimilate Greek pederastic relations to male/female or master/slave dichotomies, see Hubbard, "Popular Perceptions of Elite Homosexuality in Classical Athens".

Importantly, however, this asymmetry between the *erastes* and *eromenos* was neither a stable nor a permanent one. The younger partner may have the upper hand over the older male in pederastic courtship rituals, as the *erastes* was forced to beseech and woo the *eromenos*, who had the power to reject or accept the *erastes*'s approaches. Plato's rich portrayal of Hippothales's attempts to woo Lysis in *Lysis* is a case in point. Though older than Lysis, Hippothales is completely infatuated with Lysis and showers him with poems and praises. Lysis, however, does not seem to reciprocate his feelings. There are numerous other instances where Plato suggests that the beloved wields greater control over the pederastic relationship than the lover, for instance, *Meno* 76b ("spoilt beauties act like despots when they are in bloom") and *Symp.*219e, where Alcibiades compares himself to a slave in his futile efforts to seduce Socrates.[27] Indeed, the beloved-lover distinction may break down and sometimes be reversed in courtship rituals, as seen most clearly in the example of Alcibiades and Socrates in the *Symposium*, where Alcibiades finds himself in the position of a suitor and a lover, despite being younger and more beautiful than Socrates (*Symp.*222b). It appears, then, that the *erastes-eromenos* distinction was an unstable and temporary one. After all, *paiderastia* was an institution marking the boy's passage from the subordinate status of childhood to membership in the club of free adult male citizens.[28] Once the *pais* became a full grown man, he was expected to abandon the role of *eromenos* and become an *erastes* in turn, in order to get married and have children.[29] This indicates that the roles of *erastes* and *eromenos* were at least partially interchangeable (the *eromenos* would eventually become an *erastes* himself*,* although the *erastes* would normally never become an *eromenos,* for reasons to be discussed below) and that the status of *eromenos* was normally a transitional stage between the subordinate status of childhood and inclusion in adult male society, which implied the status of citizenship.

The status of the young beloved in pederastic relationships was a precarious one because he was susceptible to becoming assimilated to a non-citizen status in two distinct but related ways. First, even as the young boys were in the process of being educated to become adult male citizens, they were also subjected to patterns of courtship and norms of behavior

[27] See Golden, "Slavery and Homosexuality at Athens". For the view that true power in the pederastic relationship lies in the beloved, not the lover, see Hubbard, "Popular Perceptions of Elite Homosexuality in Classical Athens".

[28] Golden, "Slavery and Homosexuality at Athens", 309.

[29] Golden, *Children and Childhood in Classical Athens*, 50-51.

which assimilated them to the socially and sexually subordinate position of women.[30] For instance, the young boys were subjected to the same double standard in norms surrounding courtship as women in their courtship rituals with men and were deemed disgraceful if they yielded too quickly.[31] As a result, insofar as the beloved assumed the role of a woman by playing the 'passive' role in homosexual acts, he was open to the suspicion of potentially renouncing his future role as an adult male citizen.[32] Secondly, the beloved was open to the suspicion of being a male prostitute if he i) expected sensual pleasure from contact with an *erastes*, ii) sought contact with the *erastes* before the *erastes* has proved himself worthy of concession, or iii) permitted anal penetration. Any male who broke the rules of legitimate *eros* (*dikaios eros*, or "just love" in Aeschines's words) risked loss of citizenship by detaching himself from the ranks of male citizenry and classifying himself with prostitutes, who were normally foreigners and slaves.[33] Here, it was not the physical act of anal penetration of one man by another man that incurred loss of political rights but rather, one's deliberate assumption of the role of a prostitute which amounted to the removal of oneself from the citizenry, since prostitutes were non-citizens.[34] If a male prostitute was a foreigner, then there was no formal penalty against him, as long as he paid the prostitution tax which was levied upon both male and female prostitutes. However, any free-born person who was "compelled by great and sudden economic misfortune to do work of a kind normally done by slaves was shamed because his assumption of a role which so closely resembled a slave's role altered his relationship to his fellow-citizens," to quote Dover.[35] The risk of potentially assimilating oneself to the non-citizen status of women, slaves or foreigners was a grave one indeed, as these three groups represented a politically and socially subordinate status in contradistinction to the dominant social group – free adult male citizens of Athens.

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[30] David Cohen, "Law, Society and Homosexuality in Classical Athens" in *Sex and Difference in Ancient Greece and Rome*, eds. M. Golden and P. Toohey (Edinburgh: Edinburgh University Press, 2003), 162; see also Foucault, *The Use of* Pleasure; Detel, *Foucault and Classical Antiquity*.

[31] See, e.g. Pausanias's statement that the beloved must play 'hard to get' in proper courtship rituals (*Symp*.184a7-8).

[32] Kenneth Dover, "Classical Greek Attitudes to Sexual Behavior" in *Sex and Difference in Ancient Greece and Rome*, 125.

[33] Dover, *Greek Homosexuality,* 103. For the view that all subordinate groups at Athens—women, slaves, foreigners, minors, the elderly—tended to be assimilated to each other in contrast with the dominant social group, i.e. adult male citizens before retirement, see Golden, "Slavery and Homosexuality at Athens".

[34] Dover, "Classical Greek Attitudes to Sexual Behavior," 124.

[35] Ibid.

1.2 Two models of erotic desire and education in the *Symposium*: Pausanias and Socrates

Traditional scholarship on the *Symposium* has mainly focused on the philosophical sections of the dialogue, i.e. Socrates' speech, the famous 'ascent' to the form of Beauty and its relevance for Plato's theory of Forms, and has dismissed the speeches preceding it as a mere "background of the Platonic doctrine, the raw material that Plato elaborates and transforms," as Foucault puts it.[36] In particular, the speech of Pausanias, which is delivered prior to Socrates' speech at the symposium, has traditionally been dismissed by scholars as a self-serving oration in favor of homoerotic *eros*.[37] In sharp contrast to this dismissive view, I suggest that the speech of Pausanias is worthy of study due to its use of the phrase "voluntary slavishness" (δουλεία ἑκούσιος, *douleia hekousios*) and "voluntary slavery" (ἐθελοδουλεία, *ethelodouleia*) of the beloved to the lover, which he defends as right and honorable because it leads to wisdom and virtue for the beloved, who is taught and improved upon by the lover. The Pausanian slavish model of the ideal pederastic relationship as the beloved's willing and cheerful subjection to the lover for the sake of virtue offers a striking contrast to the Socratic model of pederasty, in which Socrates claims that the "correct way to love boys" is for the lover to beget knowledge and virtue in himself through metaphorical self-insemination. Pausanias and Socrates offer models of erotic education which employ distinct methods appropriate for different kinds of people, i.e. non-philosophic ordinary citizens and philosophers. I argue that Pausanias's conception of education, not the Socratic conception, serves as a useful parallel to education in Plato's second-best state, because it offers a model

[36] Foucault, *The Use of Pleasure*, 230. In contrast to this traditional view, Sheffield argues that Plato finds philosophical value in the earlier speeches, which serve an epistemological function by raising issues to be addressed and resolved by Socrates and Diotima's speech. Sheffield, "The Role of the Earlier Speeches in the Symposium: Plato's Endoxic Method?" in *Plato's* Symposium*: Issues in Interpretation and Reception.*

[37] For example, Nehamas and Woodruff claim that "there is something self-serving and self-righteous in Pausanias's [speech] rather than prim attitude" and interpret Aristophanes' hiccups as a dramatic device which "make fun of Pausanias". *Symposium*, trans. Alexander Nehamas and Paul Woodruff (Indianapolis: Hackett, 1989), xvi. Similarly, Stanley Rosen writes that Pausanias is "engaged in an intricate and sophistic attempt to secure his own erotic advantage". *Plato's Symposium*, trans. Stanley Rosen (New Haven: Yale University Press, 1968), 63. R.G. Bury dismisses Pausanias as "fundamentally a sensualist" who is not concerned with the cultivation of virtue. *The Symposium of Plato*, trans. R.G. Bury (Cambridge: Heffer, 1909), xxvi.

of civic education where permanent, willing subjection of the beloved to the lover is compatible with and essential to the attainment and preservation of civic virtue.

The link between Plato's erotic dialogues and the *Laws* is certainly not obvious at first sight: the *Symposium* is set at an after-dinner drinking party at the house of young Agathon, with speakers (including Socrates) lying down on couches, drinking wine and giving speeches in praise of *eros*; the *Laws* is set on Crete, where we find three old men (Socrates is absent)[38] discussing the nature of correct laws and civic education during their midday pilgrimage to the shrine of Zeus. Although Frisbee Sheffield has recently drawn attention to *Symposium's* relevance for Plato's moral psychology and moral education[39], the *Symposium* and the *Laws* have yet to be studied alongside each other by commentators. The connections between the two dialogues remain relatively underexplored, because the *Symposium* has traditionally been read alongside Plato's other erotic dialogues, i.e. the *Lysis* and the *Phaedrus*, while the *Laws* has been studied alongside Plato's explicitly political works, namely the *Republic*, the *Statesman* and the *Seventh Letter*, and alongside the *Timaeus* on cosmology. However, I suggest that when read together, the two dialogues' discussions of virtue and moral education bring to light the intimate connection between erotic desire and moral education and in particular, the role of erotic desire as an essential component of attainment of virtue in Plato. The educative dimension of the symposium as a social institution and the discussion of the pedagogical role of erotic desire as a prerequisite for attainment of virtue throughout the *Symposium* indicate that the *Symposium* is thematically relevant to the *Laws*, whose central preoccupation is the proper education of citizens in the second-best state. Specifically, I show that the ideal pederastic relationship presented in Pausanias's speech can be used as a fruitful parallel to understand citizens' relation to polis in Magnesia, whose goal is the inculcation of virtue in ordinary citizens through education.

The *symposium*, an after-dinner party for the Athenian aristocracy, was one of the main sites of pederastic relationships and an important educational institution for the

[38] Cf. Aristotle, *Politics* II, where Aristotle speaks of the *Laws* as a "Socratic discourse" (1265a10-13) even though Socrates does not appear in the *Laws*. For the contention that Socrates is not in fact absent from the *Laws*, see also Christopher Rowe, "Socrates in Plato's *Laws*" in *Presocratics and Plato: Festschrift at Delphi in Honour of Charles Kahn*, eds. R. Patterson, V. Karasmanis, and A. Hermann (Las Vegas: Parmenides Publishing, 2012).

[39] See Frisbee C.C. Sheffield, *Plato's* Symposium: *The Ethics of Desire* (Oxford: Oxford University Press, 2011).

Athenian elite.[40] The *symposium* was, above all, a site of education via habituation. At the *symposium*, lover and beloved would recline next to one another on banquet couches,[41] and the adolescents were prepared for adult life through social conditioning, which involved learning to recite poems that glorified the deeds of heroes and ancestors.[42] According to Calame, the symposium was a "place for learning: learning by example, but also learning through poetry, from the praise of aristocratic values or the narration of exemplary tales" which both defined common values of citizenship and praised qualities expected of exemplary citizens.[43] Cultural values, beliefs and norms were transmitted from one generation to the next and reinforced through songs, poetry and stories, and the adolescents were inspired to emulate the noble deeds of their ancestors and themselves become virtuous.[44] The symposium, then, was "a place where one learnt how to value and desire the right sorts of things and in the appropriate manner," as Sheffield puts it.[45] Education at the *symposium* essentially involved acculturation and habituation, whereby adolescents were taught to both learn to love in the right manner, i.e. through pederastic relationships, as well as learn to love virtue by learning what constituted praiseworthy and virtuous civic life. The poems sung at symposia were exhortations addressed to the boys, involving praise and blame; through reciting poetry, the adolescents were taught what was praiseworthy, valuable and good, and they therefore learned to desire the right sorts of values.

The role of erotic desire as a prerequisite for cultivation of virtue and acquisition of knowledge is a running theme in all speeches of the *Symposium*. The speeches, which are given in praise of *eros*, are essentially encomiums to the personal and social benefits of the pederastic relationship to the beloved, the lover, the citizens and the city. For example, in the first speech given by Phaedrus, *eros* is conceived as the best guide to living well which each

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[40] The other main site of pederastic courtship was the *palaistrae* – wrestling schools where elite Athenian boys wrestled and engaged in philosophical discussions and where older males often made sexual advances on younger males. Both the *symposium* and the *palaistra* were important for their educational function in integrating future citizens into the *polis* and acculturating the young.

[41] Myles Burnyeat observes that while reclining started at age eighteen, vases show younger boys sitting or standing by couches. See Myles Burnyeat, "Culture and Society in Plato's Republic", *The Tanner Lectures on Human Values*, vol. 20 (Salt Lake City: University of Utah Press, 1999), 236.

[42] Jan M. Bremmer, "Adolescents, *Symposion* and Pederasty" in *Sympotica: A Symposium on the Symposium*, ed. O. Murray (Oxford: Clarendon Press, 1990) and Sheffield, *Plato's* Symposium: *The Ethics of Desire*.

[43] Calame, *The Poetics of Eros in Ancient Greece,* 109.

[44] Burnyeat, "Culture and Society in Plato's Republic", 236-8.

[45] Sheffield, *Plato's* Symposium: *The Ethics of Desire,* 6.

person needs for his whole life (*Symp.*178c-d) and the source of courage for soldiers on the battlefield. He claims that *eros* is "the most powerful in helping men gain virtue and blessedness, whether they are alive or have passed away" (*Symp.*180b). In short, good things, i.e. virtues, are said to arise from the love of beautiful things, for both the lover and the beloved (*Symp.*178c2-4) and the city (*Symp.*178e-179b). In Eryximachus' speech, *eros* is said to have various great powers because it produces happiness, bonds of human society, and concord with the gods (*Symp.*188d). In Aristophanes' speech, *eros* between men is said to produce the virtues of the best politicians (*Symp.*192b). Finally, in Agathon's speech, *eros* is said to be just (*Symp.*196b), moderate (*Symp.*196c), brave (*Symp.*196d) and wise (*Symp.*196e), among other virtues. Traditionally, scholars like Gregory Vlastos and Luc Brisson have interpreted the dialogue as Plato's rejection of the speeches preceding Socrates' and therefore as Plato's radical critique of *paiderastia* as an educational institution.[46] In particular, they have pointed to the fact that Pausanias's account of education as hierarchical transfer of knowledge from the lover to the beloved leads to acquisition of virtue and wisdom for the *beloved*, in sharp contrast to Socrates' (and Diotima's) account of "correct pederasty" (ὀρθός παιδεραστέω, *orthos paiderasteo*) (*Symp.*211b5-6), which involves bringing forth knowledge that is already present in the soul of the lover through metaphorical self-insemination and which results in acquisition of wisdom for the *lover*. Contra such views, I argue that reading the *Symposium* alongside the *Laws* reveals that Plato does not reject or critique Pausanias's account of erotic education as hierarchical transmission of knowledge, but in fact endorses it as a model for education of ordinary citizens in the *Laws'* second-best state. The ideal pederastic relationship presented in Pausanias's speech can be studied as a useful parallel to understand citizens' relation to polis in Magnesia, because Pausanias's model of education captures the notion of voluntary subjection for the sake of virtue emphasized by the Athenian Stranger in the *Laws*. In particular, by proposing a permanent pederastic relationship where the beloved depends on sustenance and re-inculcation of virtue by the lover, Pausanias offers a model for education as a lifelong endeavor, which the Athenian Stranger proposes for ordinary citizens in Magnesia. In what follows I will first

[46] See Gregory Vlastos, "The Individual as Object of Love in Plato" in *Platonic Studies* (Princeton: Princeton University Press, 1973); Brisson, "Agathon, Pausanias and Diotima in Plato's *Symposium: Paiderastia and Philosophia*" in *Plato's* Symposium*: Issues in Interpretation and Reception*. According to Brisson, Plato engages in a "radical critique" of *paiderastia* by reversing the representation of *eros* by the other guests of the symposium.

closely examine Pausanias's speech, which provides an ardent defense of *paiderastia* as an important educational institution that leads to virtue and wisdom in the beloved. I will show that Pausanias offers a conception of *paiderastia* which revises the traditional Athenian conception of *paiderastia* in important ways. I will then contrast Pausanias's conception of education with Socrates and Diotima's, which proposes that the correct pederastic relationship involves the lover's attainment of knowledge through metaphorical self-impregnation and childbirth.

Pausanias's encomium to love may be examined in two parts. In the first half, Pausanias traces the mythological origin of *eros* to two different Aphrodites in order to distinguish between two kinds of *eros*, one noble and the other vulgar. The *eros* of Common Aphrodite, a younger goddess who is attached to both women and men, gives rise to sexual desire for the body more than the soul and cares more about the realization of the sexual act than whether or not it is done honorably (*Symp.*181a7–c2). By contrast, the *eros* of Heavenly Aphrodite, an older goddess whose birth depends solely on the male god Uranus, gives rise to love between males, cares more about the soul than the body, and is interested in how the sexual act is carried out more than its realization (*Symp.*181c-d). This latter kind of love presides over both older men's love of boys in pederastic relationships and long-lasting relationships between older men and young men who have started to grow a beard. According to Pausanias, the former kind of love is younger, vulgar, fickle or unstable, because it disappears once the body is no longer in bloom (*Symp.*183e). The love of Heavenly Aphrodite, on the other hand, is "stronger and more intelligent" (*Symp.*181d) as well as honorable because of its permanent, enduring character. In fact, the ideal pederastic relationship involves a lifelong relationship between heavenly lovers according to Pausanias: a man who "loves the right sort of character... remains its lover for life, attached as he is to something permanent" (*Symp.*184a).

In the second half of his speech, Pausanias discusses the nuances in Athenian rules of conduct concerning *paiderastia*, which he claims are both complex and superior to other cultures' norms because they delineate the conditions in which it is honorable for an adult man to declare one's love for a beloved and for a youth to become his beloved. Indeed, a central preoccupation in Pausanias's speech is to specify how a young man might enter a pederastic relationship and accept a lover without being seen as disgraceful or dishonorable. Pausanias's answer to this puzzle is that a beloved's willing subjection to his lover is justified and honorable because it is "subjection for the sake of virtue" (*Symp.*184c): he states, "If

someone decides to put himself at another's disposal because he thinks this will make him better in wisdom or in any other part of virtue, we approve of his voluntary subjection (ἐθελοδουλεία, *ethelodouleia*): we consider it neither shameful nor servile" (*Symp*.184c). At the heart of Pausanias's defense of *paiderastia* as an honorable practice is its pedagogical function: the beloved acquires greater wisdom and virtue by being taught and improved upon by his lover. In the proper *paiderastia* relationship, Pausanias argues, the two principles must coincide: the one concerning the love of young boys (*paiderastia*) and the one concerning the love of wisdom and virtue in general (*philosophia*) (*Symp.*184c-d). The beloved must accord sexual favors (as indicated by the words "favors" and "service", euphemisms implying copulation[47]) to the lover, who must have as impart knowledge and virtue unto the beloved. Pausanias thus argues that the sexual relations between a boy and his older lover are justified if, and only if, they occur in an educative context where the boy is led towards wisdom and excellence by his lover. Where both the beloved and the lover have virtue as their central objective, he claims, "giving in to your lover for virtue's sake is honorable, whatever the outcome" (*Symp*.185b5).

The transfer of knowledge from lover to beloved in Pausanias's model of education is unmistakably hierarchical. In this model, wisdom is likened to water, and *paiderastia* is associated with a flow of seminal liquid from lover, who is wise and virtuous, to beloved, who is "eager to be taught and improved upon by his lover" (*Symp*.184e). This image is conveyed in an earlier exchange between Agathon and Socrates in *Symp*.175d-e, where Agathon invites Socrates to recline next to him on his couch, in a typical symposiastic fashion:

> "Socrates, come lie down next to me, Who knows, if I touch you, I may catch a bit of the wisdom that came to you under my neighbor's porch... Socrates sat down next to him and said, 'How wonderful it would be, dear Agathon, if the foolish were filled with wisdom simply by touching the wise. If only wisdom were like water, which always flows from a full cup into an empty one when we connect them with a piece of yarn—well, then I would consider it the greatest prize to have the chance to lie down next to you. I would soon be overflowing with your wonderful wisdom.'" (*Symp*.175d-e)

[47] Dover, *Greek Homosexuality,* 91.

This image of the transmission of knowledge from a wise man to a foolish person through touching or reclining together suggests that like the flow of water, the transmission of wisdom at *symposia* is a distinctly hierarchical phenomenon: knowledge is passed down from the lover, who plays the part of teacher and master, to the beloved, who plays the part of disciple and slave.[48] Socrates' rejoinder to Agathon's invitation ("*If only* wisdom were like water...") implies that Socrates does *not* share this view of education as the hierarchical flow of wisdom from lover to beloved. For Socrates, as I shall discuss in greater detail, proper education does not involve a flow of wisdom but instead the attainment of insight through rational self-persuasion or self-insemination, which leads to the production of knowledge in oneself. Philosophical knowledge for Socrates is fundamentally un-transferable and cannot be passed on to someone else.

Our understanding of Pausanias's account of the ideal pederastic relationship must be informed, first and foremost, by the fact that this is *Pausanias's* interpretation. Pausanias is known to have formed an enduring couple with his beloved younger partner Agathon; their relationship probably lasted at least thirty years.[49] As fully grown men, their intimacy would have been condemned by the Athenian general public as a violation of the rules of legitimate *eros* that governed pederastic relationships. While Pausanias's speech purports to describe the attitude of Athenian society towards homoerotic acts, Pausanias's account must not be taken as a final authority on *eros* and *paiderastia* in classical Athens or popular views thereof. His model of ideal *paiderastia* does not represent popular Athenian sentiment or norms surrounding it; in fact, he departs from typical accounts of pederastic relationships and manifestly seeks to revise the Athenian customs surrounding pederasty. According to the traditional Athenian conception, pederasty generally involved temporary, not permanent relationships between a child and a full-grown man: a beardless, virtue-less child would be instilled with virtue and wisdom by a bearded, virtuous lover. The former would be dependent on and subordinated to the latter, who does not require sustenance of virtue. In what is a clear violation of this picture, Pausanias depicts the ideal pederasty as involving a

[48] While I follow Brisson in his interpretation of *paiderastia* as an explicitly hierarchical model of education, I do not accept his further conclusion that the *Symposium* should be read as Plato's critique of *paiderastia.* To the contrary, I argue that reading the *Laws* via the *Symposium* suggests that Plato neither rejects nor critiques Pausanias's account of erotic education as hierarchical transfer of knowledge, but in fact endorses it as a model for civic education in the *Laws'* second-best state.

[49] Brisson, "Agathon, Pausanias and Diotima in Plato's *Symposium: Paiderastia and Philosophia*".

lifelong bond between two chronologically mature men, where a bearded man is the beloved.[50]

Pausanias suggests that under this model, the beloved is not a virtue-less child but instead a chronologically mature man whose virtue requires sustenance and re-inculcation by the lover. In order to maintain his virtue, the beloved must subject himself to the lover for lifelong education. Whereas in the traditional Athenian account, the roles of beloved and lover are temporary and therefore partially interchangeable, in the Pausanian model, the pederastic relationship is defined by a permanent asymmetry: the beloved never 'grows up' to become a lover himself. Despite being chronologically mature, the beloved in the Pausanian model remains dependent on the lover in a quasi-servile or quasi-childish state for life. Pausanias thus introduces a third category of persons – the virtuous man who requires lifelong sustenance of virtue – into the traditional bipartite division between the virtue-less child and the virtuous lover in the pederastic relationship. Under Pausanias's revisionist model of *paiderastia,* a tripartite scheme emerges according to chronological maturity and virtuousness, summarized as follows:

> A) the beardless, virtue-less child who is chronologically immature and requires instilment of virtue by the lover;
> B) the bearded, virtuous man who is chronologically mature but requires sustenance and reinforcement of virtue by the lover;
> C) the bearded, virtuous lover who is chronologically mature, and as the paradigm of achieved virtue, does not require sustenance of virtue.

In the traditional bipartite scheme for *paiderastia*, a child would start in the quasi-servile state of A, where he is grouped as a member of a subordinate group, and ultimately grow up to become an active partner in *paiderastia* in state C. In the tripartite scheme offered by Pausanias, there is no passage from beloved to lover: *paiderastia* is not a transitional institution or rite of passage, but a relationship of permanent enslavement or subordination

[50] "But, even within the group that is attracted to handsome boys, some are not moved purely by this Heavenly Love; those who are do not fall in with little boys; they prefer *older ones whose cheeks are showing the first traces of a beard*—a sign that they have begun to form minds of their own. I am convinced that a man who falls in love with a young man of this age is generally prepared to share everything with the one he loves—he is eager, in fact, *to spend the rest of his own life with him*" (*Symp*.181d, italics added).

for the sake of virtue. This scheme, I will argue, serves as an illuminating parallel for the citizenship of Magnesia, which is analogous to the position of the virtuous man in need of lifelong sustenance of virtue in state B.

The second model of education is provided in Socrates and Diotima's speech (*Symp.*201e-211d). Socrates begins the speech by describing his exchange with Diotima, who taught him "the art of love" (literally, the "things of love") (τὰ ἐρωτικὰ) (*Symp.*201d) by refuting his views on *eros* and convincing him to accept her own views on the nature of love and the proper pederastic relationship. Socrates' speech, which is prefaced by a short *elenchus* with Agathon, is itself a recounting of his *elenchus* with Diotima, through which he becomes persuaded (πεπεισμένος, *pepeismenos* (*Symp.*212b)) that the proper pederastic relationship and education involve self-persuasion or metaphorical self-insemination. In this speech, Socrates and Diotima propose a new form of pederastic love as a model for education which relies on rational persuasion as a way of teaching and philosophizing. I shall show that this dialectical model of education, which produces knowledge in oneself through rational self-persuasion, has important contrasts with the Pausanian model, which proposes a hierarchical transfer of knowledge and virtue from the *erastes* to the *eromenos* in return for sexual favors. Unlike the Pausanian model of education, the Socratic model proposes a form of autodidacticism, whereby the lover educates himself through self-impregnation, i.e. giving birth to knowledge he possessed within himself.

There are three main points of contrast between Diotima's speech and Pausanias's speech. The first concerns the mythological origin of *eros*. Diotima describes *eros* as the child of Poros (the god of Resource) and Penia (the goddess of Poverty) and therefore an intermediary being between man and god, rather than a god himself (*Symp.*202d-203d). This parentage implies that *eros* is defined as a *lack*. In contrast to preceding speeches, which all agree that *eros* is beautiful and good because it gives rise to good and beautiful things, Diotima claims that *eros* is neither (*Symp.*201e). Instead, *eros* is something in between: it lies between wisdom and ignorance, between mortal and immortal, and it is neither beautiful nor good in itself. *Eros* is always in search of wisdom as well as good and beautiful things, and from this Diotima concludes that *eros* must be a lover of wisdom (i.e. a philosopher, as seen in *Symp.*203d and 210d) himself.

Diotima's second departure from Pausanias is that for Diotima, the activity that captures the essence of pederastic *eros* is that of metaphorical reproduction – specifically, self-insemination or self-impregnation which results in childbirth. In his dialogues Plato frequently uses the imagery of mental pregnancy and childbirth as a metaphor for the creation

of knowledge via dialectical questioning. As suggested by Plato's uses of the same imagery elsewhere, this model for teaching is essentially dialectical: it involves eliciting an interlocutor's beliefs and testing, examining and refuting them for thoroughness and consistency, thereby producing knowledge.[51] For instance, in the famous passage *Thaetetus* 148e-151d, Socrates uses the imagery of labor pain and childbirth to describe the bringing-forth of knowledge in the soul. In the *Republic*, the nature of the real philosopher is said to be his struggle toward what is, which occurs through his "intercourse" with opinions which leads to "begetting" understanding and truth through "the pains of giving birth" (*Rep.*VI.490b). Plato therefore suggests that the metaphorical intercourse in the mind is central to the education of the philosopher, who journeys to truth and understanding through the power of the dialectic. Correct *paiderastia* as involving mental reproduction is central to Diotima and Socrates's model of education as the begetting of knowledge and virtue in oneself through *eros*. In response to the question of how lovers pursue the good, Diotima answers that it is by "giving birth in beauty" (*Symp.*206b). All people, including men, are pregnant in body and in soul (*Symp.*206c): when the older partner (*erastes*) tries to educate the younger partner (*eromenos*), the former becomes pregnant in soul with knowledge that he already carried within him. Importantly, the act of insemination is performed by the lover *to himself*: the lover "conceives and gives birth to what he has been carrying inside him for ages" (*Symp.*209c), which suggests that the metaphorical semen or the source of virtue lies within the lover himself. Likewise, the outcome of dialectical inquiry, i.e. wisdom, belongs to the lover as well. The lover is said to give birth to the Form of Beauty –"the Beautiful itself, absolute, pure, unmixed, not polluted by human flesh or colors or any other great nonsense of mortality" (*Symp.*211e), which is equivalent to "true virtue" (*Symp.*212a). Socrates and Diotima's model of education is consistent with Plato's treatment of dialectical inquiry as the key method for the philosophizing and the philosopher's journey to truth and understanding. Plato suggests that this dialectical model of education is essentially reflexive, as the lover educates himself through self-impregnation by giving birth to knowledge from within himself. This model of autodidacticism marks a pointed contrast with the Pausanian picture of education, which involves the hierarchical transfer of knowledge from lover to beloved. Under the Socratic model, there is no transmission of knowledge from one who possesses

[51] In *Rep.*VII 532a-533d, dialectic is said to be that journey out of the cave (532b-c) and "the only inquiry that travels this road, doing away with hypotheses and proceeding to the first principle itself, so as to be secure" (533d).

knowledge to one who lacks knowledge: education is a reflexive process of self-education. Once the philosopher attains wisdom and virtue through self-education, he does not require sustainment or reinforcement of virtue through lifelong training, as the beloved does in the Pausanian model.

This leads to the third point of contrast between Pausanias' and Diotima's models of education, which is that for Diotima, *eros* is the lover (*erastes*), not the beloved (*erastes)*. According to Diotima, Socrates had wrongly held the view that *eros* consists in being loved, when in fact *eros* consists in being a lover (*Symp.*204c). In what is a clear reversal of Pausanias's account, Diotima argues that the outcome of love is, first and foremost, the attainment of knowledge and true virtue for the *lover*, not the beloved. Her formulation of *eros* as desire for one's perpetual possession of the good (*Symp.*206a) clearly suggests that what the lover desires is *his own* possession of the good.[52] This conception of love as leading to the acquisition of the good for the lover is illustrated in the famous metaphor of the ascent to the Form of Beauty (*Symp.*210a-211d), which I discuss only briefly. The correct way to love boys, Diotima argues, involves the lover's ascent through the stairs of love, whereupon he rises to higher forms of beauty until he reaches the transcendent Form of Beauty (*Symp.*212a). As the lover moves up the stairs of love to higher levels, the *eromenos* allows the *erastes* realize that the beautiful bodies of the young boys are merely "images" or examples of the Form of Beauty. Upon reaching "the final and highest mystery" (*Symp.*210a), or the highest stage in the stairs of love, the lover catches a glimpse of the Form of Beauty. Education, for Socrates and Diotima, essentially involves the lover's acquisition of insight or "catching sight of" wisdom (*Symp.*210e): it involves seeing, not the flow of water from a wise person to a foolish person. It appears, then, that *eros* for Diotima is essentially egocentric and acquisitive, as Anders Nygren and others argue[53]: it involves the lover's search to fulfill his desire to possess the good forever. This wisdom gained by the philosopher cannot poured like water from a fuller vessel to an emptier vessel. Unlike for Pausanias, philosophical knowledge for Socrates and Diotima is fundamentally untransferable.

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[52] Vlastos, "The Individual as Object of Love in Plato", 20 n.56.

[53] Anders Nygren, *Eros and Agape* (Philadelphia: Westminster Press, 1953). Vlastos similarly accuses Plato of a "spiritualized egocentrism" in "The Individual as Object of Love in Plato". In this debate, see also A.W. Price, "Loving Persons Platonically," *Phronesis* 26, no.1 (1981); Martha Nussbaum, *The Fragility of Goodness* (Cambridge: Cambridge University Press, 1986).

1.3 The Citizen as Beloved

The *Symposium*, as I have shown, offers two contrasting models of education: in both, *eros* plays a key role as an essential prerequisite for the pursuit and sustainment of virtue, but only Pausanias's speech offers a hierarchical understanding of the beloved-lover relationship involving the former's willing subjection to the latter in return for acquisition and sustenance of virtue. The beloved-lover relationship offered in Pausanias's revisionist account of *paiderastia*, I argue, can serve as a useful parallel to elucidate ordinary citizens' relation to polis in Magnesia, whose goal is the inculcation of virtue in ordinary citizens through lifelong education. According to the analogy, the ordinary citizens of Magnesia stand in an analogous position vis-à-vis the legal authority as the beloved vis-à-vis the lover. That is, the citizens are in the position of the passive beloved who is permanently subjected to the legal code of the second-best state, which is analogous to the active lover. The analogy reveals that Pausanias's *paiderastia* offers a model of citizenship where the lifelong subordination of the citizens to legal authority is compatible with ordinary civic virtue and thus presents one possible way to resolve the paradox of voluntary slavery in the *Laws.* Furthermore, the analogy between ordinary citizens and passive beloved suggests that Pausanias' and Socrates' speeches offer models of education which are appropriate for two distinct kinds of people: Pausanias's model outlines education as habituation and hierarchical transfer of knowledge from lover to beloved, i.e. ordinary citizens, while Socrates' model outlines education as rational self-persuasion for philosophers.

While Sarah Monoson and Victoria Wohl, who have employed a similar analogy between the pederastic relationship and the citizen-state relationship in the context of Athenian democratic citizenship, take the citizen to be the active lover and the state as the passive beloved, I argue that in the case of citizenship in Magnesia, Plato posits the analogy in the reverse manner.[54] In the *Laws,* citizenship is comparable to the position of the passive beloved rather than the position of the active lover, for several reasons. According to Pausanias, what motivates the beloved to voluntarily subject himself to the lover is his desire for virtue and wisdom – that is, desire for knowledge and self-improvement. As Pausanias puts it, the beloved seeks to "become better in wisdom or in any other part of virtue" (*Symp.*184c), and his motivation is described as "the love of wisdom and of virtue in general" (*Symp.*184c). To become wiser and better by being taught by his lover is the primary

[54] See Monoson, *Plato's Democratic Entanglements,* Ch.3; Wohl*, Love among Ruins*.

motivation for beloved's willingness to enslave or subject himself to the lover. Similarly, what motivates the citizen to voluntarily obey the laws in Magnesia is above all the desire to achieve civic virtue by becoming a "perfect citizen" (*Laws* I.644a). In addition, in the Pausanian account of proper *paiderastia*, the central goal of both the lover and beloved is the improvement of virtue for the beloved (*Symp*.185b); likewise, according to the Athenian Stranger, the aim of a state's legislator ought to be the greatest virtue (*Laws* I.630c), virtue as a whole (*Laws* III.688a-b), virtue appropriate to mankind (*Laws* VI.770d), and virtue in all its completeness (*Laws* XII.963d) for its citizens. On both sides of the analogy, this education in virtue is a lifelong, permanent endeavor: Pausanias repeatedly emphasizes that proper *paiderastia* involves a lifelong relationship between mature individuals, and in Magnesia education is designed for children, adults as well as the elderly, as will be shown in 2.1. In both relationships, education is not simply the training of the young to become virtuous, but the maintenance of virtue in grown-ups and elderly as well. Just as the beloved in the Pausanian picture never 'grows up' to take on the role of the lover, the ordinary citizen never becomes the legislator in the second-best state. In *paiderastia* as traditionally conceived, the beloved's enslavement to the lover is a temporary one, for the beloved grows out of his quasi-servile status by becoming an adult male citizen himself. One might point to this as a potential disanalogy between *paiderastia* and citizenship in Magnesia. However, by presenting a revisionist account which posits the ideal pederastic relationship as a lifelong bond between chronologically mature individuals, Pausanias' model of *paiderastia* captures the permanent asymmetry which defines the relationship between ordinary citizens and legal authority in Magnesia: the citizen in Plato's second-best state never takes on the role of law-giver, as the citizens are governed by the laws in nearly every aspect of their life and passively defer control over their lives to the laws.[55]

Most crucially, both *paiderastia* and the citizenship in Magnesia involve a hierarchical relationship involving domination and subordination of one party to the other: the citizens of Magnesia are in a permanent state of 'minority' or 'slavishness' as voluntary subjects of the state, just as the beloved remains in a quasi-servile state as a voluntary subject of the lover. The younger partner in pederastic relationships, as discussed in 1.1, occupied a similar status as slaves and children within the classical Athenian social structure. Like slaves and children, the beloved lacked wisdom, was socially and intellectually dependent on the

[55] For a discussion of the high degree of control exercised by laws over lives of the citizens, see Trevor Saunders, *Plato's Penal Code: Tradition, Controversy and Reform* (Oxford: Clarendon Press, 1991).

older partner, lacked the capacity to reason and was therefore socially and politically subordinate to the lover. Their status of dependence and immaturity vis-à-vis the lover placed them in a distinctly precarious position. This precarity is shared by ordinary citizens of Magnesia, who, despite being free-born and (apart from children) grown-up adults who own slaves, are in a similar subordinate status of dependence and immaturity vis-à-vis the legal code. The citizens of Magnesia are attributed a status of 'slavish minors' because they are incapable of reasoning and dependent on their legislator for rules that govern their lives. The analogy thus collapses the social and sexual roles traditionally maintained in the classical Athenian hierarchy by calling upon citizens of Magnesia, who are free adult men, to become its passive 'beloved', i.e. minors or pupils who are subject to the active guardianship of the laws.

Through this analogy (should it stand), Plato suggests that as dependents who lack knowledge as well as the capacity to reason independently, the citizens of the second-best state ought to live in a state of permanent immaturity with respect to the laws of the state. Indeed, in Magnesia all citizens are enrolled in a lifelong system of education and re-education that continues from before birth, youth to old age. Citizens are shown to be passive and subordinate to legal authority, not active reasoners in the rational ordering of the city. By claiming that citizens of Magnesia ought to become voluntarily enslaved to the legal code and, by analogy, become its beloved, Plato is clearly responding to and rejecting the Periclean rhetoric of the model citizen of the Athenian democracy as inappropriate. According to Thucydides, Pericles in his funeral oration speech urges the Athenians "to gaze, day after day, upon the power of the city and become her lovers" (i.e. *erastai*) (2.43.1). In what appears to be a clear allusion to and rejection of the Periclean model of citizenship, Plato radically reverses the democratic rhetoric of Pericles: proper citizens ought to be passive beloved, not active lovers.

There are a few worries one might raise regarding the appropriateness of this analogy. The biggest and most serious critique one might make is that my analogy is contradicted by the text of the *Laws*, where the Athenian suggests quite clearly in I.643d-e that the citizen of Magnesia is the desirer, i.e. the agent of erotic desire, because through correct education, the citizen is made to become a lover (*erastes*) of perfect citizenship (ἐραστὴν τοῦ πολίτην γενέσθαι τέλεον). According to this passage, the citizen feels an erotic attachment for perfect citizenship, which suggests that the citizen ought to be positioned as active lover and not the passive beloved. Indeed, this passage seems to lend support to the claim made by

various commentators that Plato understands the nature of citizenship in Magnesia as a volitional one[56]; that political authority of Magnesia derives from the voluntary consent of citizens in some sense[57]; and that the emphasis on the motivational agency of ordinary citizens is a sign of Plato's increased confidence in their ethical and political capacities.[58] To be sure, the civic role of ordinary citizens is not that of *complete* passivity, and in fact this is paralleled by the beloved's role in *paiderastia*, as the beloved is not completely passive either. After all, the beloved has the power to reject courtship offers from the lover, and as discussed previously, his desire for growth in virtue and wisdom suggests that the beloved is not *merely* a passive subject. However, I argue that in the *Laws* Plato maintains a fundamental distinction and hierarchy between the non-philosophic ordinary citizens and the philosophic ruler elite, to whom the former are subordinated in a quasi-servile or quasi-childish state. Although citizens of Magnesia *do* have an erotic desire for civic virtue and may actively participate in elections, the hierarchical asymmetry which defines their relationship vis-à-vis legal authority remains unchanged. Plato in the *Laws* maintains a clear hierarchy in civic virtue: the fragile, corruptible virtue of ordinary citizens stands in a lower order of virtue than the virtue of ruler elite, i.e. members of the Nocturnal Council, and these rulers in turn look to the wisdom of legislators for guidance. Thus, the ordinary citizens are not active reasoners who participate in law-giving but instead, passive subjects of habituation and acculturation by the laws. They are governed by the legal code throughout life, and while they may elect rulers, the ordinary citizens themselves never become legislators who shape the legal code of Magnesia. I shall discuss this issue more fully in 2.3.

In addition, one may point to additional disanalogies between *paiderastia* and citizenship. For example, in the pederastic relationship, the lover receives sexual favors in exchange for teaching the beloved to be virtuous. The beloved's performance of sexual favors has no clear analogy in the citizens' relationship to laws of Magnesia. Furthermore, in the pederastic relationship the lover feels erotic desire for the beloved; it is unclear whether the Magnesian state has something parallel to this vis-à-vis its citizens. I do not claim that the analogy is perfect. However, despite its imperfections, I shall show that the analogy is useful for elucidating the notion of voluntary slavery to the laws in Magnesia for it captures the essence of citizenship as a permanent minority status based on subjection to authority, and it

[56] Prauscello, *Performing Citizenship in Plato's Laws.*

[57] Malcom Schofield, *Plato: Political Philosophy* (Oxford: Oxford University Press, 2006).

[58] Bobonich, *Plato's Utopia Recast.*

offers a model of citizenship where such ‘slavishness’ may be compatible with ordinary civic virtue.

Chapter 2:
Education and Legislation in the *Laws*

Having set up the parallel between *paiderastia* and citizenship in Magnesia in Chapter 1, in the present chapter I support the analogy between the passive beloved and ordinary citizens by examining the citizens' relationship to the laws in two aspects: education and legislation. In Books I-II of the *Laws*, the Athenian Stranger outlines a model of civic education as acculturation and habituation, which comprises an elaborate, lifelong system of physical, intellectual and artistic training whose aim is to produce and sustain virtuous, law-abiding citizens, both young and old. In Book III and thereafter, the Athenian presents an extensive legal code, which uses a mixture of persuasion and coercion to ensure citizens' complete and willing subjection to the laws. In both aspects, I shall show that ordinary citizens are not to actively participate in the rational ordering of the city but instead ought to subject themselves to legal authority in a slavish and quasi-childish manner for the sake of acquiring and maintaining virtue. Education and legislation subordinate the citizens to the legal code as a 'citizen-child' and 'citizen-slave', respectively. I argue that citizenship is analogous to the status of the beloved in the pederastic relationship, who is subordinated to the lover as a pupil and minor in a quasi-servile fashion. Like the Pausanian beloved, who is permanently subjected to the training and guardianship by the lover despite being a fully-grown man, the citizens are attributed a permanent status of minority and slavishness because they are incapable of achieving or sustaining independent virtue.

In 2.1, I show that Plato's conception of civic education as habituation in virtue in the *Laws* embodies Pausanias's account of education as voluntary enslavement for the sake of virtue, which involves a hierarchical transmission of knowledge from lover to beloved. Plato's repeated emphasis on proper education as involving 'enchantment' or 'incantations for souls' suggests that education in Magnesia involves habituation rather than rational persuasion. The lifelong nature of education in Magnesia highlights the essentially fragile and corruptible nature of ordinary civic virtue, which necessitates its reinforcement and sustainment by the laws. In 2.2, I query the Athenian's claim that legislation in Magnesia is at least partly persuasive, showing that the legal code does not truly persuade but instead commands the citizens to become virtuous. I take the Athenian's second free vs. slave doctor analogy to reveal that Plato attributes a slavish state to the ordinary citizens, who cannot

achieve independent virtue. Finally, in 2.3, I examine the civic role of ordinary citizens and the extent of their active participation in the ruling of the city. I argue that citizens are twice-enslaved in Magnesia: first to the political rulers, whom they have the power to elect, and second to the legislator.

2.1 *Eros* and Civic Education in the *Laws*

What is the particular relevance of Pausanias and Diotima's speeches discussed in the foregoing chapter for reading the *Laws*? Towards the end of his speech, Pausanias suggests that the *paiderastia* relationship has crucial significance for the city and specifically, the citizens' relationship to the city, because the city's aim is to nurture civic virtues. He states, "Love's value to the city as a whole and to the citizens is immeasurable, for he compels the lover and his loved one alike to make virtues their central concern" (*Symp*.185b). Here, Pausanias indicates that the pedagogical significance of the pederastic relationship is not limited to the upbringing of individual boys, but important for the whole city, given that the chief aim of the city is the upbringing of virtuous citizens. Just as in the Pausanian model of the ideal pederastic relationship, the shared objective of the beloved and the lover is the beloved's growth in virtue, the citizens and the city both have the nurturing of civic virtues as the central objective.

Pausanias's notion of "love's value to the city as a whole" is seen most clearly in the *Laws*, where Plato's main task is to construct a social and political system best conducible to the virtue of citizens. In outlining the ideal social and political system, Plato's chief concern is education: the upbringing and training of free citizens who are to become as virtuous as possible. Books I, II and some of XII of the *Laws* are devoted to the question of the proper cultivation of virtue in the citizen body. In addressing this question of proper civic education, Plato draws an explicit link between erotic desire and civic virtues which must be instilled in citizens through education, suggesting that erotic desire plays a key role in the upbringing of virtuous citizens. The three old men's discussion of the aim of correct laws in the *Laws* begins with a discussion of the Athenian custom of drinking parties, for which the Athenian gives a long and spirited defense as beneficial and important for the correct education of citizens (*Laws* I.638e-653a), suggesting that the drinking party is an important forum for the development of civic virtues in future citizens. Indeed, to the initial surprise and disbelief of Kleinias, the Stranger argues that the correctly managed drinking party is a great contribution

to correct civic education.[1] That the *Laws*, often called Plato's "most sober dialogue", should begin with a defense of drunkenness and drinking parties has puzzled many readers[2]; however, understanding the intimate connection between erotic desire and the aim of education as the cultivation of virtue clarifies the relevance of the Athenian custom of *symposia* for a discussion on proper education. Just as the Athenian *symposium* was an important site of education for aristocratic boys, who were taught to desire the right sorts of things through habituation, correct civic education in the *Laws* involves a training in correct *eros* which leads to the cultivation of virtue. The discussion in Book I shifts from the Athenian custom of drunkenness and drinking parties, to the great benefits of the correct usage of drinking parties for the city (*Laws* I.652a-653a), and thereafter to a definition of proper education (*Laws* I.643a-644b) because the *symposia* are paradigmatic of education as habituation or acculturation and the benefits of correct education to the city. Drinking parties, when correctly managed, teach male children to channel their desires and pleasures to the right sorts of values and activities such that they become "good men" (*Laws* I.641c). Both *symposia* and proper education involve, in short, a training in correct *eros* that leads to virtue.

Two passages are particularly relevant to understanding the role of *eros* (and specifically, correct *eros*) as a prerequisite for virtue in proper education of citizens. In the first passage, 643d-644b of Book I, the Athenian Stranger defines education as that training in virtue from childhood which instills citizens with a passionate desire (*eros*) to become a "perfect citizen" (*Laws* I.643e4-5). He states that the core of education is "a correct nurture, one which, as much as possible, draws the soul of the child at play toward *an erotic attachment* to what he must do when he becomes a man" (*Laws* I.643d) and defines correct education as "the education from childhood in virtue, that makes one desire and love (*eros*) to become a perfect citizen who knows how to rule and be ruled with justice" (*Laws* I.644a). Those who are given a correct education will become good (*Laws* I.644b), and everyone ought to undertake this training in virtue "throughout the whole of life" (*Laws* I.644b). The passage establishes a clear link between erotic desire as a love of excellence that must be nurtured from young and sustained throughout life in the citizen body in order to make the

[1] Kleinias's perplexity is seen clearly in *Laws* I.641b-d, in which he asks the Athenian Stranger what good the correctly instructed drinking party could accrue to the city and how drunkenness, correctly managed, could be a contribution to education.

[2] Thomas Pangle, "Interpretive Essay" in *The Laws of Plato* (Chicago: University of Chicago Press, 1980), 403-4.

attainment of 'perfect citizenship' possible by all citizens. Erotic desire plays an essential role in education because proper civic education consists in cultivating the desire for the right sorts of things: a child becomes a 'perfect citizen' only through proper habituation – that is, by learning to take pleasure in and to desire the activities in which they will engage when they are adult (*Laws* I.643d), and not by learning to pursue money, strength or any wisdom lacking intelligence and justice which the Stranger deems "vulgar, illiberal, and wholly unworthy" (*Laws* I.644a) to be desired. When one's desire is thus channeled towards the correct objects of love, and only then, does one become a 'perfect citizen' in the second-best state.

In the second passage, 653b-d of Book II, the Athenian Stranger further elaborates on the nature of correct education and what this 'channeling' of erotic desire entails. He begins by observing that virtue and vice first come into being in the soul through the sensation of pleasure and pain, and education is first and foremost that initial acquisition of virtue in children, who have yet to develop the ability to reason (*Laws* II.653a). The aim of proper education, he argues, ought to be the correct acculturation and habituation of children to pains and pleasures in accordance with the legal code. This "correct habituation in the appropriate habits" (*Laws* II.653b) involves the training of pains and pleasures such that children learn to "hate what one should hate from the very beginning until the end, and also to love what one should love" (*Laws* II.653c) – that is, learning to distinguish the correct and incorrect objects of love, and learning to desire the former. When the habits are developed such that pleasures and pains are correctly arranged in the souls, they will constitute virtue ("this consonance in its entirety is virtue" (*Laws* II.653b)). Education thus consists in teaching children to feel pleasure in what is right and worthy of desire according to the legal code and what is also believed, on account of experience, to be correct by those who are most decent and oldest (*Laws* II.659d). The Athenian Stranger points to choral performances and gymnastics, which arouse erotic desire in the souls through songs and dances, as the key elements of this training in correct habits. Collective singing and dancing impart the correct physiology of pain and pleasure to future citizens through arousing erotic desire in performers and audiences and therefore play an integral role in realizing Magnesia's aim of cultivating 'perfect citizens'.[3]

[3] Prauscello, *Performing Citizenship in Plato's Laws*. For this discussion see also *Performance and Culture in Plato's Laws*, ed. A. Peponi (Cambridge: Cambridge University Press, 2013).

This training is not limited to children but required for adults as well. As the Athenian stresses, education is to be a universal and lifelong endeavor, and he calls upon the whole city – "every man and child, free and slave, female and male" to "never cease singing..." (*Laws* II.665c). He suggests that the aim of Magnesia is not simply the education and persuasion of the young, but the sustaining and reproduction of virtue in the adult citizens as well. The latter is especially important because, as he emphasizes, "education which consists in correctly trained pleasures and pains tends to slacken in human beings, and in the course of a lifetime becomes corrupted to a great extent" (*Laws* II.653c). Ordinary civic virtue is essentially corruptible: as citizens become older, their correct habituation 'slackens' and becomes 'corrupted', and when correct habits fall apart, so does virtue. This fragile nature of ordinary civic virtue thus necessitates re-education and reinforcement for the adult citizens. Hence, in Book II, the Athenian outlines both "first education" (*Laws* II.654a) for children, which fall under the graces of the Muses and Apollo, and the education of adult citizens, which will take place through Dionysus. Together, these gods "set humans right again" and "sustain" civic virtue in Magnesia (*Laws* II.653d). Indeed, a large part of Book II is devoted to describing the Chorus of Dionysus, a chorus of elders which consists of thirty and fifty-year-old men and men over fifty. This chorus, which involves dancing and singing in Dionysus' honor, is responsible for re-educating the older sections of the populace. The Athenian argues that the members of this chorus ought to learn about rhythms and harmonies in order to chant songs, which in turn teach children and younger men to desire what is right and worthy of desire: "by singing, they [the older men] will themselves enjoy harmless pleasures at the moment and will lead the younger men to take the proper enjoyment in worthy characters" (*Laws* II.670e). The Chorus of Dionysus thus re-educates and sustains virtue in the older members of the populace and in doing so helps educate the young, because the songs constitute "incantation (ἐπῳδός, *epodos*) on behalf of virtue" (*Laws* II.671a) which teach the young about what is noble and praiseworthy. Education in the second-best state is therefore shown to necessarily be a lifelong process, which involves the instilment of virtue in the young and a re-instilment of virtue in the old (*Laws* II.644b). In addition, the Nocturnal Council has a re-educative function similar to the Chorus of Dionysus.[4] One of its functions

[4] On Chorus of Dionysus and the Nocturnal Council as parallel institutions, see Luc Brisson, "Le Collège de Veille (nukterinòs súllogos)" in *Plato's Laws and Its Historical Significance*; Annie Larivée, "Du vin pour le Collège de veille? Mise en lumière d'un lien occulté entre le Choeur de Dionysos et le νυκτερινὸς σύλλογος dans les Lois de Platon," *Phronesis* 48, no.1 (2003).

is to educate atheists who have violated Magnesia's laws against impiety by reforming their beliefs (*Laws* X.909a), and members of the Nocturnal Council are to also meet with the 'observers' who have travelled abroad to check whether they have been "corrupted" from their overseas travel (*Laws* XII.952c).

This conception of civic education in Magnesia as correct habituation in virtue does not amount to the model of philosophical education proposed by Socrates and Diotima in the *Symposium*, which is a form of autodidacticism through rational self-persuasion. Instead, Magnesian education embodies Pausanias's account of education as voluntary enslavement for the sake of virtue, which involves a hierarchical transmission of knowledge from lover to beloved via habituation. The Athenian Stranger repeatedly characterizes proper education as *epode* or "incantations" (*Laws* II.659e, 665c and 671a), suggesting that education in Magnesia is not truly persuasive but instead involves acculturation and habituation in accordance with the legal code.[5] The Athenian states,

> "education is the drawing and pulling of children toward the argument that is said to be correct by the law and is also believed, on account of experience, to be really correct by those who are most decent and oldest. So, to prevent the child's soul from becoming habituated to feeling delight and pain in a way opposed to the law and to those who are persuaded by the law, to make the child's soul follow and feel the same joys and pains as an old man, the things we call songs, but which are really *incantations for souls* (ἐπῳδαὶ ταῖς ψυχαῖς), have now come into being..." (*Laws* II.659d-660a, italics added).

The songs and dances, which make up the core of Magnesian education, are a kind of enchantment that inculcates citizens with correct habits such that they are trained to desire the praiseworthy and virtuous civic life set out by laws. For Plato, proper education does not involve rational persuasion; such a model of education is appropriate for philosophers, not for

[5] For this discussion, see Glenn Morrow, "Plato's Conception of Persuasion", *Philosophical Review* 62, no. 2 (1953). Morrow argues that education in Magnesia, which essentially relies on 'spell', 'enchantment' or 'incantation', is not truly persuasive. Similarly, Richard Stalley emphasizes that the "overtones of a magical process" in the word *epode* suggest that education in Magnesia ensures that citizens develop the right kind of character by "influenc[ing] people without their knowledge or consent". Richard F. Stalley, "Persuasion in Plato's *Laws*", *History of Political Thought* 15, no. 2 (1994), 168.

the non-philosophic ordinary citizens of Magnesia who are passive subjects of enchantment or incantation by the laws. Citizens achieve virtue not through active reasoning but through lifelong participation in choruses, which inculcate them with habits to live in accordance with the legal code. As outlined thus, Plato suggests that civic education in Magnesia attributes a permanent minority status to the citizen as a 'citizen-child'. The citizen is incapable of achieving or sustaining virtue independently of instilment and re-instilment throughout life, and he remains dependent on the laws for re-education. This picture of citizenship in Magnesia as a permanent minority status in fact parallels Pausanias's conception of the beloved in *paiderastia.* The ordinary citizen corresponds to the 'bearded, virtuous man' in state B of the tripartite scheme offered by Pausanias, who is dependent on the lover for acquisition and sustainment of virtue because his virtue is fragile or susceptible to corruption (1.2). Just as the beloved in the Pausanian pederastic relationship is a kind of 'citizen-child' who is dependent on the lover for re-inculcation of virtue despite being a bearded adult man, the ordinary citizen in Magnesia stands in need of re-education throughout life despite being chronologically mature.

In the present section I have discussed the role of civic education in nurturing the erotic desire of citizens to become perfect citizen, and I have argued that in the second-best state Plato offers a model of education which corresponds to the Pausanian model of education as involving a hierarchical transfer of knowledge via habituation. What emerges from this picture is a parallel between ordinary citizenship and passive beloved: the citizens are attributed the permanent minority status of a 'citizen-child' who is subjected to authority. In what follows I will discuss legislation in Magnesia, which, alongside education, ensures that citizens remain subjected to legal authority for the sake of virtue. By examining the free vs. slave doctor analogy in the *Laws,* I shall show that despite the Athenian's claim that the laws of Magnesia are both persuasive and compulsive, in fact they merely command. The analogy suggests that in order for ordinary citizens to become virtuous in Plato's second-best state, they ought to obey the command of the legislators just as slave patients would follow the orders of the slave doctor willingly and completely in order to become healthy. Through this analogy, I argue, Plato suggests that the ordinary citizen of Magnesia ought to be a 'citizen-slave' who is permanently subjected to the command of legislators.

2.2 Laws as a Mixture of Persuasion and Compulsion

In Book IV of the *Laws,* the Athenian Stranger argues that the laws of Magnesia are to be both intrinsically persuasive and compulsive: "Sometimes the law will persuade, and sometimes—when dispositions are recalcitrant—it will persuade by punishing, with violence and justice" (*Laws* IV.718b). On one hand, laws must have preambles, or prefaces at the beginning of every legislation which persuade the citizens to obey and become virtuous, while on the other, laws must employ command and threat of penalty in order to prevent transgressions from virtue. A failure to mix persuasion with compulsion, the Athenian argues, leads to laws which use "tyrannical command" (*Laws* IV.723a) and rely on unmitigated violence alone (*Laws* IV.722c). The mixture of the two methods of persuasion and compulsion in legislation, the Athenian claims, is crucial to achieving ordinary civic virtue. The Athenian's emphasis on the dual nature of legislation is closely tied to the notion of voluntary slavery or willing subjection to laws as the principle of correct government, which itself is a median principle or a mixture between the two extremes of authoritarianism and uncontrolled liberty. In the second-best state, the citizens are to subject themselves to legal authority not merely because they are compelled to do so, but because they have been persuaded by laws and are willing to obey the legal imperatives. Only when a proper balance achieved through a mixture of the two methods will citizens become virtuous and the city become "blessed and happy" (*Laws* IV.718b).

The Athenian Stranger elaborates on the dual nature of laws analogically through a contrast between slave and free doctors and their respective methods. The free and slave doctor analogy is presented in two distinct passages, IV.720a-e and IX.857d-e. In both passages, the doctor-patient relationship serves as an analogy for the legislator's relationship to citizens, and the free doctor is said to use persuasion to cure his free patients, while the slave doctor uses command to do the same for his slave patients. Although the analogy is the same, the two passages draw very different conclusions on the proper method of legislation which will lead to civic virtue in Magnesia. Whereas in the first passage, the Athenian argues in favor of the dual method in legislation, the second passage seems to reject this method as ludicrous, suggesting that legislation in the second-best state ought to rely on command alone, not persuasion. While the Athenian's conclusion in the second passage is more suggestive rather than decisive, I take it to suggest that persuasion is an illusory goal in Magnesia, where citizens ought to be permanently subjected to the command and

guardianship of legislators through compulsion or command, akin to slave patients vis-à-vis their doctors. Plato therefore reveals that the appropriate method of legislation for the ordinary citizens is the language of command or orders fit for slaves, not rational persuasion, which is fit for free citizens. For Plato, citizens are comparable to slaves, who are incapable of independent virtue and stand in perpetual need of guardianship through orders.

In the first iteration of the free vs. slave doctor analogy in *Laws* IV.720a-e, the Athenian argues that there are two species of doctors – free doctors and slave doctors – who employ two different modes of procedure to treat the sick. Free doctors use persuasion to treat their free patients, while slave doctors use orders to treat their slave patients. The slave doctor, he claims, "orders" (προστάξας, prostaxis) and "commands just like a headstrong tyrant" (*Laws* IV.720d) instead of caring for the sick, giving orders to patients on the basis of opinions derived from experience. He fails to give any account of the sickness of the patient and hurries off to the next patient. In contrast, the free doctor investigates maladies and teaches the patient through persuasion (*Laws* IV.720d). This persuasive process is a learning process, both for himself and the patient, who is led back to health as a result. After outlining the analogy as thus, the Athenian asks which of the two modes of procedure – persuasion or command – is superior, and whether they should be mixed. Kleinias and the Athenian agree that the ideal doctor would use a dual method to care for and treat patients, and that the ideal legislator ought to do the same vis-à-vis citizens.

In the second iteration of the same analogy in IX.857d-e, the Athenian claims that slave doctors practice medicine on the basis of experience rather than reason, while free doctors use reason to philosophize with their patients: the latter use arguments on the origin of the disease and nature of bodies to engage in a dialogue with a free patient, which "comes close to philosophizing" (*Laws* IX.857d) and practically amounts to "educating" (*Laws* IX.857d) the free patient. From this he goes on to claim,

> "if one of those [slave] doctors ... should ever encounter a free doctor carrying on a dialogue with a free man who was sick... he would swiftly burst out laughing and would say nothing other than what is always said about such things by most of the so-called doctors. For he would declare, 'Idiot! You're not doctoring the sick man, you're practically educating him, as if what he needed were to become a doctor, rather than healthy!'" (*Laws* IX.857d).

When Kleinias asks whether this slave doctor would be speaking correctly when he said such things, the Athenian's response is slightly ambiguous – "maybe—if, at any rate, he went on to reflect that this man who goes through laws in the way we're doing now, is educating the citizens but not legislating. Would he not appear to be saying this too in the right way?" Kleinias responds, "Perhaps" (*Laws* IX.857e). Despite its somewhat ambiguous conclusion, the passage elucidates Plato's view on the proper relationship between citizens and the legislator quite clearly. Unlike in the previous passage, where the Athenian's concludes that legislation ought to mix command and persuasion, in the present passage the Athenian dismisses this as a ridiculous approach, because persuasion is essentially educative, whereas legislation is necessarily coercive or compulsory by nature. Here, the Athenian suggests that persuasion is essentially inappropriate as a method of legislation, because rational persuasion is appropriate only for those who have a free status. Persuasion and compulsion, he suggests, are mutually exclusive, as they are to be used in fundamentally different tasks (education and legislation, respectively) and different sorts of people (free patients and slave patients, respectively). They should not be mixed or confused, and to use one where the other is appropriate would be a foolish mistake. It follows from this that legislation in the second-best state ought to give the ordinary citizens the sort of treatment given by a slave doctor to a slave patient: the laws are meant to treat citizens as slaves, not as free persons, and they ought to be employ command only, not persuasion.[6] This passage thus strengthens the comparison between ordinary citizens and passive beloved by revealing that the proper relationship between citizens and legislators is one of slavery or subjection: like slave patients who willingly and completely subject themselves to be cured by the slave doctor, the ordinary citizens ought to do the same vis-à-vis legislators in order to become virtuous. The Athenian clearly offers a slavish model for the cultivation of ordinary civic virtue and attributes the status of 'citizen-slave' to the free citizens of Magnesia. In addition, the slave doctor's comment "as if what he [the sick man] needed were to become a doctor" suggests that just as the slave patients never become doctors, the citizens of Magnesia should never become legislators. Citizens are permanently in the role of passive, sick patients who must be cured and cared for by the active guardianship of the doctors or legislators. The aim of medicine is not to turn patients into doctors but to make them healthy; likewise, the aim of

[6] Cf. Bobonich, *Plato's Utopia Recast*, 105. In Bobonich's view, the passage suggests the opposite: rational persuasion is indeed appropriate for the citizens of Magnesia, and the citizens ought to be given the kind of treatment given by a free doctor to a free patient.

law-giving is to make citizens virtuous, not to turn them into legislators. The permanent asymmetry and hierarchy which define the relationship between passive citizen and active legal authority is thus emphasized in this important, albeit somewhat ambiguous, passage. Furthermore, this passage suggests that there is a fundamental divide between philosophers and ordinary citizens: a philosophic education is appropriate only for those who are to become legislators themselves, i.e. philosophers, and Plato suggests that this is not the case for ordinary citizens.

I have tried to show that Plato understands citizenship as a permanent 'minority' status which is essentially a condition of subjection to authority. This conception of citizenship as subjection rests on education and legislation in Magnesia: civic education in the *Laws* attributes citizens the status of a 'citizen-child', who must necessarily undergo lifelong production and reproduction of virtue by participation in choruses, while legislation attributes them the status of a 'citizen-slave' by using the language of command appropriate for slaves in order to produce virtuous citizens. In both aspects, Plato stresses the passive role of the citizen who, like a minor or a slave, is subjected to the active tutelage or guardianship of the legal code for the sake of virtue.

2.3 The Passive Role of the Citizen

I have thus far argued that Plato envisions citizenship as a permanent passive, quasi-childish or quasi-slavish status, as the ordinary citizen is incapable of achieving virtue independently of guardianship and training by the legal authority. It is necessary at this stage to clarify the extent of political activity or participation of citizens in ruling Magnesia. In his discussion of the nature of proper education in Book I, the Athenian Stranger states that a "perfect citizen" is one who "knows how to rule and be ruled with justice" (*Laws* I.643e-644a). This raises the question of the extent to which ordinary citizens are not merely subjects but also *rulers* in Plato's second-best state. In the *Laws,* the most important active political capacity of ordinary citizens is that of electing the city's officers and magistrates, which include members of the Nocturnal Council, the guardians of the laws, various military officials, and other more minor magistrates, where such appointments to offices are made according to one's obedience to the established laws (*Laws* IV.715c).[7] Ordinary citizens elect most of Magnesia's rulers and are eligible to hold most political offices. Scholars commonly

[7] Bobonich, *Plato's Utopia Recast*, 379.

take popular elections to be a sign of Plato's 'democratic turn' from the *Republic* and increased optimism about the ethical and political capacities of ordinary citizens. As observed by Richard Kraut, whereas the *Republic* gives unlimited power to a ruling elite and none to those governed by them, in the *Laws* the rulers of Magnesia are elected by the ordinary citizens.[8] Bobonich, in particular, emphasizes that "the Athenian's willingness to rely on popular election to fill such important offices in the city is evidence of his confidence that the citizens' education... will enable them to make good judgments about candidates and to be motivated to act in accordance with these judgments".[9]

At first glance, the Athenian's discussion of universal suffrage in Magnesia suggests that Plato is considerably more favorable to the ethical and political capacities of ordinary citizens than in the *Republic*. To be sure, the civic role of ordinary citizens in Magnesia is not that of *complete* passivity, given that they can choose their rulers. This, however, does not imply that political rule in Magnesia is based on popular consent, as scholars like Malcolm Schofield have claimed.[10] Throughout the *Laws,* Plato stresses that there exists a rigid hierarchy which divides the ordinary citizens from political rulers such as members of the Nocturnal Council, as well as the legislators who set out laws for Magnesia. The citizens possess a lower order of virtue and knowledge than the rulers, the political elite of Magnesia. The rigid hierarchy and asymmetry between the ordinary citizens and rulers is made explicit near the end of the dialogue, when the Athenian states, "He who is incapable of acquiring these attributes in addition to the popular virtues would almost never become an adequate ruler of the city as a whole, but would be an assistant for the other rulers" (*Laws* XII.968a). He indicates that the rulers are to receive a special education in higher virtues: indeed, members of the Nocturnal Council, who are to act as the legal protector of the safety of the

[8] Kraut, "Ordinary Virtue from the *Phaedo* to the *Laws*" in *Plato's Laws: A Critical Guide,* 63.

[9] Bobonich, *Plato's Utopia Recast*, 381.

[10] Schofield takes consent by free citizens to the legislative framework of Magnesia to be central to Plato's political project in the *Laws,* which he argues is in line with Hobbesian, Rawlsian and Habermasian projects of consent-based self-legislation. He claims, "At the end of his life as a writer, we find Plato developing a piece of actual theorizing about the foundations of a good society which incorporates something rather like the Habermasian ideal" (p. 57). See Schofield, *Plato: Political Philosophy*, Ch. 2. Klosko and Lane disagree with this interpretation. See George Klosko, *The Development of Plato's Political Theory* (Oxford: Oxford University Press, 2006); Melissa Lane, "Persuasion et force dans la politique platonicienne" in *Aglaïa: autour de Platon. Mélanges offerts à Monique Dixsaut*, eds. A. Brancacci, D. El Murr and D. P. Taormina (Paris: Vrin, 2011).

state (*Laws* XII.968a), acquire a deep understanding of the cosmological truths by receiving a philosophically sophisticated education (*Laws* XII.967d-968a). The ordinary citizens cannot be rulers and must be subjected to the elite class which possesses those higher virtues. These rulers are themselves subjected to the legislators, who compose the laws which the rulers serve as "servants" (*Laws* IV.715d) or "slaves" (*Laws* VI.762e). That these rulers look to the legislators, i.e. the three interlocutors of the *Laws*, for direction and guidance in ruling is indicated throughout the dialogue. For example, the Athenian Stranger claims that all of the speeches the three men have offered since dawn (that is, the entire dialogue) should be written down, praised and taught as part of the legal code of Magnesia, and that the Guardian of the Laws should look to these speeches as a model for decision-making (*Laws* VII.811b-e). He also suggests that the magistrates ought to use the writings of the lawgiver as the basis of sound judgment concerning good or bad poems, among other things (*Laws* XII.957d). This suggests that in Magnesia, ordinary citizens are in fact twice-enslaved: first to the rulers, whom they elect, and second to the legislators, whom they can neither elect nor become. Plato thereby maintains a fundamental divide and hierarchy between the philosopher elite class which rules Magnesia, and non-philosophic ordinary citizens, who are subjected both to the rulers who possess a higher order of virtue, as well as the founding legislators, i.e. the three old men of the *Laws*.

Conclusion
Significance for Plato's Political Theory and Beyond

My central aim in this thesis has been to suggest that reading the *Laws* via the *Symposium* may be a fruitful approach for addressing the puzzle of how voluntary slavery to the laws can serve as a model of virtuous citizenship. Pausanias's revisionist account of the pederastic relationship offers a way of resolving the paradox of voluntary slavery in the *Laws* by proposing a model of citizenship where ordinary citizens' permanent enslavement or subjection to legal authority can be compatible with their acquisition and maintenance of virtue. The analogy between passive beloved and citizenship suggests that for Plato, virtuous citizenship consists in a quasi-servile state of perpetual immaturity vis-à-vis the legal code. Moreover, Plato suggests this lifelong subordination to legal authority is appropriate for ordinary citizens, who can neither attain nor maintain virtue by themselves. Just as the beloved's subjection to the lover is "honorable" in Pausanian *paiderastia*, the subjection to legal authority is "noble" for the ordinary citizens, who, as 'citizen-slaves' or 'citizen-children', ought to obey legal commands in order to attain and sustain virtue. The analogy between passive beloved and citizenship suggests that the proper relationship between ruler and ruled consists in the passive role of the citizen under the active guardianship of the laws.

This approach, as I have tried to show, suggests a re-reading of the *Laws*. Many interpreters have read the *Laws* as Plato's 'democratic turn' from the *Republic*. By attributing a permanent minority status to the ordinary citizens, Plato presents what is clearly an anti-democratic understanding of the civic role of ordinary citizens in Magnesia. Contra claims that the *Laws* decreases the ethical and cognitive gap between philosophers and non-philosophic ordinary citizens in the *Republic*, I have argued that Plato's vision of proper political rule in Magnesia preserves, not decreases, the traditional schism between philosophers and ordinary citizens with regard to the capacity for acquisition of virtue. Unlike philosophers, who acquire virtue through rational self-persuasion, ordinary citizens of Magnesia are habituated to become virtuous through lifelong training. Given the essentially fragile and corruptible nature of their virtue, they remain permanently dependent on the legal code to sustain their virtue. In addition, while they possess the power to elect the rulers of Magnesia, the ordinary citizens never become legislators. Thus, there remains a fundamental asymmetry and hierarchy between the philosopher elite class or the legislators and the non-philosophic ordinary citizens: only the philosopher can be a true lover of the city, while

ordinary citizens ought to be passive beloved who are permanently subjected to the authority of the laws. The Athenian Stranger, the most prominent legislator of Magnesia, is thereby revealed to be the ultimate lover, to whom ordinary citizens are subjected and enslaved for life. In this way, Plato reveals that citizenship in the second-best state is a permanent minority status which is essentially a condition of subjection to authority. This reading of the *Laws* deepens the challenge to democratic values that many contemporary readers have found in Plato. It highlights what appears to be an unchanging preoccupation with the necessity of wisdom and philosophical expertise in political rule in Plato's political thought.

Reading the *Laws* via the *Symposium* not only offers a re-reading of the *Laws*, but also offers a potential re-reading of the *Symposium.* Contra the traditional interpretation of the *Symposium*, which assumes that Socrates is the mouthpiece for Plato's views and that through him, Plato debunks the earlier speeches, my reading suggests that the earlier speeches are an important, integrated part of Plato's views on erotic education and deserving of study in their own right. In this reading, the speeches preceding Socrates and Diotima's are more than a mere survey of the current views on eros and education. I have argued that Pausanias's speech, in particular, forms an important part of the *Symposium* as it offers a model of education appropriate for ordinary citizens, in contradistinction to Socrates and Diotima's speech, which offers a model of education appropriate for philosophers. Read as such, the *Symposium* offers two distinct models of education: education as habituation, as suggested by Pausanias, and education as rational self-persuasion, as posited by Socrates. Plato suggests that the former model of education, which involves lifelong *paiderastia* or lifelong training in virtue, is noble and appropriate for a certain kind of person who is incapable of independent reasoning. Taking the analogy between the beloved and the ordinary citizen seriously therefore reveals that for Plato such subjection for the sake of virtue is in fact noble and appropriate for a certain kind of person, i.e. the ordinary citizen.

The interpretation of the *Laws* offered in this thesis contests the supposed evidence for what some scholars have referred to as Plato's deathbed conversion to democracy, and in so doing reanimates the debate concerning Plato's attitude towards democracy and the *Laws'* relationship to earlier dialogues. Underlying Plato's vision of the second-best state in the *Laws*, I suggest, is a fundamental divide and hierarchy between the philosopher elite class and non-philosophic ordinary citizens and the idea that the latter are unfit to legislate. The Platonic challenge to democracy offered by this interpretation invites renewed attention to the question of ordinary civic virtue, the role of philosophical experts in political rule, and the proper relationship between citizens and legal authority.

Beyond Plato, I hope that the findings of this thesis make a contribution to studies on the nature of citizenship and the political significance of hierarchies and their justification more generally in the history of ideas. In particular, the analogy comparing citizenship to passive beloved is of potential relevance for the "tutorial theory" of guardianship in Roman law, which was adopted by medieval theories of government to analyze the relationship between a king and his kingdom.[1]

[1] According to this theory, a *respublica* had "minority status" because it was incapable of generating a collective will, and kingship was defended as something like a tutor or guardian which acts as a necessary fiduciary for the *respublica.* Proponents of this "minority thesis", e.g. medieval jurists Hugolinus de Presbyteris and Odofredus, stress that a *respublica* must be in perpetual need of guardianship due to its perpetual minority. See Daniel Lee, "'The State is a Minor': Fiduciary Concepts of Government in the Roman Law of Guardianship" in *Fiduciary Government,* eds. E. Criddle, E. Fox-Decent, A. Gold, S. Kim, and P. Miller. (Cambridge: Cambridge University Press, 2018).

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