

The Theological Support of the Concept of Justice in Plato's Laws

Christos Ath. Terezis*

Olga Chr. Stavropoulou**

RÉSUMÉ

Cette étude porte sur un aspect spécifique de la philosophie platonicienne sur la justice dans *Les Lois*. Les auteurs proposent que Platon, dans ce Dialogue, présente tout particulièrement une vue systématique de la notion de justice et, dès que *Les Lois* soit probablement la dernière œuvre du philosophe, cette vue constitue « le critère objectif le plus significatif » pour les thèses platoniciennes sur la justice. Or, les auteurs examinent, spécifiquement, l'essai de Platon (Livre X) de faire « l'association de la justice avec ses thèses théologiques ».

ABSTRACT

In this paper, the authors study one specific aspect of Plato's Philosophy of Justice in *The Laws*. According to the authors, Plato proceeds to a particularly systematic view of Justice in this Dialogue and, since *The Laws* is probably the latest of Plato's Works, this view constitutes "the most significant objective criterion" for the philosopher's theses on Justice. The authors examine, specifically, Plato's attempts (Bk X) to associate Justice with his theological theses.

Introduction

The concept of justice appertains to the constellation of Plato's favourite themes, which he processes in many dialogues, most systematically and from various angles in *Gorgias*, *Republic*, *Statesman*. The common ground, however, is that justice constitutes (ontological element) and ensures *ad extra* (functional element) harmony, according to the conditions that emerge each

* University of Patras (Greece)

** University of Patras (Greece)

time from whichever conventional settlements are absent. Whether reference is made to major constitutional or minor procedural matters, a rule is by definition and from the current conditions imposed, activated and rendered practically acceptable, as it is estimated to possess elements of universality. In other words, justice projects its rules in the form of an instructive institution because it possesses the elements for such a thing. It thus imposes concrete restrictions on those who accept it and only if they adopt them consciously can they be named just. The dialogue, however, in which Plato lays out a particularly systematic view of justice is the *Laws*, perhaps his chronologically latest work, which for this reason constitutes probably the most significant objective criterion in order to approach his final theses on the matter. In this work, justice has no conceptual autonomy. It is connected in reciprocal manner with other concepts that are related to the theoretical and practical activity of a conscious man. This connection extends the maturity of individual conscience and of social-political life, to the point that leads also to self-criticism.

The pervading matter that Plato examines in the *Laws* and which he considers major from the point of view of political eschatology is the relation and distinction between justice and ethics, two expressions of individual and communicative actions included – more or less – in a wider political frame. Their encounter constitutes a delicate balance, because ethics is originally defined by firm *a priori* regularities, which intermix, regardless of their later extensions or integrations, with the individual duty. Justice emerges mainly in the field of collective activities from shaped or under shaping political subjects or political formations with delimited legislative and juridical bodies. Plato maintains here his theory about the last archetypes and their connection, despite the diversity temporal recurrence of their applications. Even the most unsuspecting reader would realize that during the dialectic development of the *Laws*, justice and ethics are reciprocally completed and included in the same category. They are genuine subsets of a broader unit, one that results from the ramification of Metaphysics and Politics. A little more boldly: they are identified for their aspiring objectives. At the same time, they function under the strict regularities of reason that have permanent regulating power in regard to their recipients. In the conscience of Plato, however, human society is subject to vicissitudes, to which society has been led mainly by its own obscurities or contradictions. The philosopher perceives the social problem in the terms of historical failure;

namely, the weakness of cultural formations to give a complete vision of life to human acts. Therefore, what comes first is to discover the proper solutions that will end its problems. Plato traces these in the field of metaphysical archetypes and in the way they are applied to society. In the study that follows we will view one aspect of this matter. We will examine certain extracts from the X book of the *Laws*, in which Plato attempts to associate justice with his theological theses.

At the beginning of the X book it is indicated that the harmony of the social body's functions and the efficacy of laws or even the non-necessity of their presence depend to a major degree on the interpersonal relations among citizens. Therefore, it is defined as an obligatory rule or as socially and morally proper for someone neither to carry with him nor abstract an object, which does not belong to him nor use any of his neighbour's objects, without having beforehand received his own permission him being their true and rightful owner. It is indeed indicated that from such unlawful interventions have, do and will result many negative conditions for both social and political life. "No one shall carry or drive off anything which belongs to others, nor shall he use any of his neighbors' goods unless he has gained the consent of the owner; for from such action proceed all the evils above mentioned – past, present and to come." (transl. by R.G. Bury, ed. "Harvard University Press", V. XI).¹ In the above quotation it is suggested that the object of private possession or property should be defined as inviolable, in order to avert problems in the city which will arise from competitive or expansively acquisitive dispositions. It is a proposition of deterrent and at the same time conservative nature, which aims at averting a predatory capitalism and maintaining even the slightest of the individual or family financial basis, as a source of social balance. The connection indeed in the shape of the cause and the effect between individual irregularity and public disorder is deduced from historical experience and prejudged – if the same conditions are kept – as an incessant historical treaty. It is a pathogenic state, which corrodes the foundations of the political edifice. Thus, on the basis of comprehending the terms that form a problem, rises a form of historical explanatory realism, which may lead to the appropriate legislative and confirmative actions. Consequently, it results that the expansive disposition of a citizen towards his fellow-citizens is placed outside the horizon of the politically remarkable, or the entelechy of the political formation. Nevertheless, we ascertain almost immediately that the aforementioned are insufficient for the solution of a political problem.

Throughout the content of the *Laws*, according to which Metaphysics constitutes the archetype defining the principles of Ethics and Politics, Plato formulates in an almost authoritative manner a thesis on human behaviour. He remarks that the person who believes gods exist, according to what the laws define, shall never willingly proceed to a profane act or utter an unrighteous word. “No one who believes, as the laws prescribe, in the existence of the gods has ever yet done an impious deed voluntarily, or uttered a lawless word.”² It is suggested here, as in other points of this work, that faith in the existence of the gods does not result simply from an inner human need. It is also confirmed by the decreed rules of the state, which, as they are regulated by good sense, approach – if not fully state – the truth. Therefore, we could say that faith also comprehends an objective nature, which emanates from the subtractive and synthetic deduction of all citizens’ opinions on a common point of reference. This point in fact arises as such from the amplifications of the lawful institution. Thus, laws do not regulate simply the relations among people, but also formulate propositions on metaphysical matters, from which they derive supreme rules and constructive regulations for both private and public life. Man’s personal relation with the divine is not included in prayer, occultism or secret inner searches and deductions alone. Instead it is within its province to avert acts and words violating those that are defined by laws. Hence a proposition or conviction regarding the theological enactment of the political system may be given. Here, as in other thematic units of the *Laws*, Man’s weakness to acknowledge moral values by his own standards becomes evident. The intervention of religious devotion is thus required, which assumes the nature of political necessity.

Similarly, it is stated as a political and simultaneously rational duty to accept and teach with sound arguments that gods do exist and express authentic moral values to the highest point. This conviction may be seen as forming a qualitative relation that is free from expediencies between mortals and gods. This relation will be such that it will not lead men to do deeds which would impel the gods to deviate from the application of justice, as it would upset the absolute properties of their ontological core. Moreover, the gods would be ‘in divergence’, if they allowed themselves to be allured by votive offerings. “You should first try to convince and teach us, by producing adequate proofs, that gods exist, and that they are too good to be wheedled by gifts and turned aside from justice.”³

It is indicated here that the quality of the gods – as authentic sources of moral principles – is defined with acts in accordance with justice. They are not influenced by fortune, variables, expediencies or ostensible acts, which characterize everyday life and often the degradation of human life. This conviction evidently emanates from accepting that ontological stability constitutes a property of the metaphysical world. Namely, the immutable essence of the gods is indirectly acknowledged which as a consequence leads to the integrity of their moral superiority. The divine “being” produces an absolutely authentic moral rule. All emotional irresolution and utilitarian intentions are thus compulsively excluded from the gods and their activity is characterized by the austere criteria of reason. Consequently, we could define it as transcendental. The projections on human acts thus correspond. Men and gods should not have any financial retribution or transaction. Their commercial encounter violates the system of values. Justice ought to be preserved as an anthropological as well as a metaphysical value, which also validates the ontological stability. Where the supreme rules prevail, men should not address the divine in order to gain more but rather become something more as spiritual beings.

Such a deduction corresponds to the mystical nature of prayer and must be stated with criteria of existential evolution and not quantitative efficacy. Nevertheless, the aforementioned do not refer to occultism. In order to acquire the idiom of rational rules and become adequate for teaching they must take the form of strict arguments. The syllogistic procedure is required to validate them. The question regarding divine justice is thus stated with rational criteria and on the principle of what can be proved, at least as for its social projections. Even though it falls under the metaphysical rules, it becomes approachable to experience, which may constitute a matter of didactic proposition. What is here stated is developed as follows: divine justice, as an ontologically authentic state, has its own terms of self-validation and justification of its existence. This however does not remain an unapproachable territory by human standards, but consequently it constitutes a social, political and moral rule. Therefore, we are in a position to draw two conclusions concerning this passage, which are found in other thematic units of the *Laws* as well. First of all, there is an attempt to construct rationally a particular aspect of Metaphysics. Secondly, Ethics – in particular the one that is projected in a pedagogical manner by the state – forms all the presuppositions so as to prevent violating those that are

considered as necessary regularities. Therefore, it constitutes the anthropological, social, political and concisely cultural reflection of Metaphysics.

In the following passage, the matter takes a more concrete form. Based on everyday social experience, we see that most men aim at concealing the unjust deeds they have committed. They do not attempt their qualitative change so as to cease doing wrong. In other words, the preparation of an antidote on behalf of the state against this pathogenic superficiality is necessary.

Legislators are therefore expected to use the method of persuasion before all others. This expectation regarding the efficacy of the sound argument against the misleading acts of the unjust is based on particular anthropological theses. Moreover, it is justified by accepting that the inner world of every individual has tranquillity as its main property rather than ferocity. "And consequently most of us, instead of seeking to avoid wrongdoing, do the wrong and then try to make it good. Now from lawgivers like you, who assert that you are gentle rather than severe, we claim that you should deal with us first by way of persuasion."⁴

A psychological analysis of the motives that direct human acts and behaviours against the verifying criterion of society is presented here in a concise manner. Reference is made to a negative condition that moves in the field of the hidden, the secret and the unclear. Furthermore calculating perceptions and intentions express human subjectivity and also lead people to plan schemes or even use ingenious rhetorical figures, in order to conceal or justify correspondingly the illegal acts they commit. Consequently, not only do they mislead society and probably its authorities, but they also maintain an invariable attitude and thus exclude self-regulation. Instead of trying to improve, they commit acts which violate honesty, ethics and legitimacy. They constitute, namely, an anthropological model that should be avoided. This brings forward the authority of legislators, or those who represent the clarity of reason. The expectations regarding the way they appear or intervene are analogous to their abilities or to the means that their political mission possesses. Citizens consider them as people distinguished for their sober-mindedness and relieved from the control of their instincts.

The balance of their inner world excludes every possibility of aggressiveness on their part and offence of social harmony, namely whatever is opposed to the deviations of violators. With such properties legislators are projected as authentic reflections of the gods in the political society. In our view, the inquisitive hypothesis stated in the previous and following passages is not foreign in that it examines the possibility of introducing the divine into the human “being” in certain persons of authority. Therefore, the work of legislators is to indicate in a sound manner what is politically and morally correct, and by using arguments they may make it credible to the citizens and rule of their conduct. Indirectly, it is also stated that legislators should serve as models of a rational way of living that will set aside those choices that degrade political decency. At the same time, however, they will be the ones to have founded those institutions that will reveal the opacity or prevent its strengthening. With their regulating intervention in every case they will avert its multiplying growth.

Plato refers again to the relation there should be between private and public life and the divine and indicates that it is necessary at first to project the repugnance to impiety by using arguments. Consequently, proper laws should be enacted in order to validate this rational-didactic achievement. At this point, the set of laws protects values within the frame of political planning. Namely, what happens here is values are acknowledged by the social body and consequently take on an official form; they become laws. Therefore, laws do not constitute an exclusive panacea for every social and political pathogenic condition that arises. They are not enacted as an immediate measure with the beginning of political formations or when dealing with a matter of major importance. Their hierarchical consequence is defined differently. Priority is given to the qualitative moral improvement, not only for evaluative-regulative reasons but also temporal. Such a systematic goal is not achieved mechanistically. The dysfunctions that will arise from certain actions should be indicated beforehand. The fear of imminent punishments is not sufficient in a society with prospects of political maturity. The citizens’ occupation with prime matters of ethics and legitimacy should constitute the basis of the legislation that frames them.

For instance, the distinction between piety and impiety is based on clearly evaluative criteria. These criteria determine in a justified manner which of the two inner situations predominates according to their content,

application and results. Therefore, the citizen should comprehend the reason why a rule with moral and religious principles becomes a state law. This understanding is necessary so he does not adopt himself conditions in a mechanistic way. Metaphysics appears again as the criterion in order for the political legislation to come up to the surface. However the following question arises: which stage of cultural development is mentioned here? Also, how feasible is the religious maturation in an early stage of cultural life? There is a great possibility here that Plato handles the matter in its systematic and not its historical dimension, attempting to define theoretically and in a strict methodological manner the principles of political life.

In other words, we are urged to express our views on the existence of the gods in a persuasive manner. This becomes all the more important when we refer to virtuous gods, who evaluate with particular significance men's justice. Moreover, the above condition constitutes the foundation in order to formulate the most moral and completed preamble for the set of laws.

In the above, the legislative system has metaphysical grounds. Thus, the primarily rational conviction that virtuous – and not certain impersonal – gods are favourably disposed towards human justice, constitutes an essential proposition for the transition from anomy or neutral conventional coexistence to legal coexistence. Provided that the final cause for the political system of laws is the realization of justice, its metaphysical – and not its anthropological or simply administrative – foundation justifies much more why it should constitute an institution. The deduction to a metaphysical reality, which is acknowledged as a model of moral rules, demonstrates the necessity for a proper institutional organization of the social system or the political application of moral rules.

Conclusion

According to what we have examined in this article, Plato attributes ontological and evaluative superiority to the metaphysical in comparison with the human. Therefore, we would say that it brings to the surface elements that prove – with Hegelian terminology – that the world Spirit is rendered the spirit of history or that history expresses the way in which the Spirit is manifested. More concretely, we would say that in the metaphysical

world freedom is found in an absolute manner and that it is introduced into the political practice, offering it its possibilities in order to be transformed. Legislation thus constitutes a political system directed with solid rules by a principle of supernatural order, which is its superior.

NOTES

1. *Laws*, 884a. A. Espinas, referring to the meaning of private property in this passage, remarks the following: « Platon restaure la propriété sous de telles conditions qui lui enlève ce que nous regardons comme essentiels, à savoir la faculté pour celui qui la possède de l'aliéner de la transformer ou de l'étendre » (“L'art économique dans Platon”, *Revue des Études Grecques*, 1914, pp. 244). The indication here regarding the owner's possibility to administer himself must have apparently resulted indirectly and therefore J. Luccioni expresses certain reservations as to whether it is valid as a whole and moreover, based on passage 842d-e, he indicates also the following:

« L'État des Lois est essentiellement un État agricole où l'on doit avoir le respect de la propriété qui est sous la garde de Zeus, protecteur des limites, qui ne doivent pas être déplacées, et des peines sont prévues pour ceux qui enfreignent cette loi » (*La pensée politique de Platon*, éd. “P.U.F.”, Paris 1958, pp. 306-307).

2. *Laws*, 885b. J. Luccioni, analysing and interpreting impiety – and indirectly in contradistinction faith – in the political-legal frame of the republic that Plato visualizes, remarks the following: « L'impiété ne peut s'expliquer que par trois causes: ou bien l'impie ne croit pas à l'existence des dieux; ou bien tout en croyant à leur existence, il pense qu'ils ne s'occupent pas des affaires humaines; ou bien enfin, il croit qu'on peut les fléchir ou les séduire par des sacrifices et des prières. Or, pour Platon, il ne saurait y avoir d'ordre et de justice – et la justice n'est pas autre chose à ses yeux que la forme supérieure de l'ordre – si l'on ne croit pas à l'existence de dieux qui veillent sur les affaires humaines et dont on ne saurait fléchir l'immuable justice; faute d'y croire on se laisse aller à ces deux passions, l'amour de l'argent et l'amour du pouvoir, qui sont la source des plus grands désordres » (*La pensée politique de Platon*, pp. 232-233). We maintain the researcher's view on the relation between justice and faith or non-faith in the gods, in order not to confine it only in the perspective of ethics and political order.

3. *Laws*, 885d. J. Luccioni, referring to the syllogisms about the gods that Plato begins to state from this passage, remarks: « Parce que les causes de l'impiété sont celles qu'il a indiquées, Platon va fonder la religion de la cité sur des principes qui sont directement opposés aux opinions qu'il condamne » (*La pensée politique de Platon*, pp. 233). In the same interpretative frame – and with the necessary

theoretical extensions – L. Robin remarks: « L'intellectualisme de Platon est en effet tout pénétré d'esprit religieux: ce caractère, pourrait-on dire, s'exprime dans presque toute l'œuvre; nulle part cependant il ne s'affirme avec plus de force et de netteté que dans les Lois où, pour des sages vieillards qui ne sont pas philosophes, la philosophie sera surtout religion. Tous les emprunts qui précédemment ont été faits au X^e livre proviennent en effet d'un développement dans lequel, pour justifier les peines très sévères qu'il édicte contre les impies, Platon expose en quoi consiste l'erreur d'où naît l'impiété » (*Platon*, éd. "P.U.F.", Paris 1988, pp. 177-178).

4. *Laws*, 885d-e. J. Luccioni, referring to the dangers that according to Plato threaten the republic with the rise of atomism, remarks: « Il sait que l'individualisme, dont il constate autour de lui les effets grandissants, représente une force hostile à l'État social...Platon comprend, en effet, tout le danger que comporte cette attitude individualiste qui consiste à ne voir dans la justice, la morale et la religion, véritables fondements de la cité, que de simples créations humaines, donc artificielles et dépourvues de ce caractère respectable qu'on prétend leur conférer » (*La pensée politique de Platon*, pp. 233-234).