

Review of André Laks,  
*Plato's Second Republic. An Essay on the Laws*,  
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In the past decade, the *Laws* have achieved a prominent position in scholarship on Plato: the number of recent monographs and collections on this work is considerable.<sup>1</sup> After his *Médiation et coercition. Pour une lecture des Lois de Platon* (Villeneuve d'Ascq, Presses Universitaires du Septentrion, 2005) André Laks, a leading expert on the *Laws*, has now published a second monograph on the dialogue. The new book aims to “articulate the conceptual net that the *Laws* weave around the term ‘law’” (p. 154), but shares with the earlier one a very similar scholarly perspective and a focus on persuasion and the preambles.<sup>2</sup> The book is subdivided into an introduction, ten chapters, a summary, followed by three appendices, notes, bibliography, and two indices.

In **Chapter 1 (“The Form of the Laws: An Overview”)** Laks singles out two “focal points around which the entire dialogue revolves” (p. 17, cf. p. 26): the introduction of the preambles (722a7–723b6) and the retreat from the ideal paradigm forced by an acknowledgement of human nature (739a1–e5). Further pillars of Laks’ analysis are the theological foundation of true law, with the notion of the ‘divine’ moving from traditional conceptions to a philosophical level (p. 17–18; cf. Laks, 2005, p. 22), as well as the distinction between the rational, *nous*-derived *content* of the law and its irrational *form* based on order, threat, and violence (p. 19–20; cf. Laks, 2005, p. 23 and 72). Given that structure is the subject of this chapter, I would have expected to read more about what I consider to be a major problem of interpretation, namely the difficult relationship between the first three books, defined as “prologues” (20) by Laks, and the remainder of the dialogue: what is the status of the first three books and in what way is their content related to or integrated into the *Laws*’ political project (which comes into view only in Book

4)? And what is the meaning of the cesura at the end of Book 3?

In **Chapter 2 (“Paradigms and Utopias”)**, Laks focuses on the concept of “possibility” in the *Republic* and in the *Laws*. He observes that the *Republic* introduces a “revisionist” concept of possibility which makes something possible when the realisation is “closest” (ἐγγύτατα) to the model (p. 39 and 44, cf. *R.* 473a5–b1). While emphasising the ambivalence of the text, Laks favours a strong interpretation of this novel concept according to which a realisation of the *Republic*’s project would differ considerably from its model. This revisionist notion of possibility undermines (cf. p. 166) the *Republic*’s fundamental claim that the coincidence of philosophical knowledge and political power is indeed possible (cf. *R.* 499b1–d5, 502c5–7): “what is logically possible may in fact not be feasible” (p. 40). Laks further argues that this reading opens the way to the *Laws*, where a coincidence of knowledge and power is said to be possible only “for a short period” (an apt translation of κατὰ βραχύ, *Lg.* 875d3) and where the “first city” is a city for gods and children of gods (cf. 739d6) but not for human beings of the present day.<sup>3</sup> The chapter ends with a defence of the (anachronistic) use of the term “utopia” to describe both Callipolis and the *Laws*’ first city. Laks’ position, well-known from earlier works<sup>4</sup>, has been variously criticised by specialists (especially Francisco Lisi<sup>5</sup>). Indeed, given that the paradigms of the two dialogues differ from each other (cf. ch. 3, p. 60–62), I wonder whether Laks’ conclusion does not take the comparison too far: “in the light of ‘possibility,’ namely human or real possibility [...] it is in the *Laws*, not in the *Republic*, that we find Plato’s picture of the *really* [...] best city” (p. 64). Yet doubtless the analysis undertaken in this chapter is astute and stimulating: one need not follow

Laks’ strong reading in order to acknowledge that taking the ambivalent concept(s) of possibility as an anchor point for a comparison between the *Republic* and the *Laws* brings the complexity of their relationship neatly to the fore. The exploration of this relationship “in terms of paradigm and approximation” (p. 62) is continued in **Chapter 3 (“Paradigm and Retreats”)**. Laks now concentrates on the use of the term ‘paradigm’ in the *Laws* (which is applied both to the first and to the second city, p. 54, cf. 739e1 and 746b7), and on the ways in which the interlocutors step back from both these paradigms. Following his observations in Chapter 1 he concludes, somewhat cryptically, that “the very setting of the *Laws* as a whole can be counted as a global retreat” (p. 59) and that focusing on the laws “is itself a consequence” (p. 63) of this.

The reason why retreat becomes such a dominant figure in the *Laws*, according to Laks, is the “basic anthropological view [...] according to which human nature [...] is under the compulsion of pleasure and pain” (p. 59–60). This is the focus of **Chapter IV (“What is Human?”)**, a chapter that, in my view, considering the relevance of the *Laws*’ anthropology for the book’s subject, is too superficial. The puppet in *Laws* 1 (644b6–645c6) and the nature of choral dance are here interpreted as occasions of ‘wonder’ (θαῦμα, 644d7) in which “the constitutive irrationality” of human beings and rationality “happen to converge” (p. 72–73, cf. Laks, 2005, p. 85–92). Laks’ observations on the term θαῦμα (p. 67–68) are valuable but, regrettably, the interpretation of the puppet, which he takes to be “Plato’s fullest exposition in the *Laws* of what a human being is” (p. 65) – a claim that would require more evidence than is provided<sup>6</sup> –, engages only narrowly with the vastness of scholarly literature on the image and does not

offer an analysis of the psychological functioning of the puppet. The extremely brief discussion of choral dance leads to the questionable conclusion that choral dance “is an inchoate form of rhetoric” (p. 71). Even granted that the discursive content of song is indeed very important in the *Laws*, this interpretation neglects both the emphatic description of musical art as a kind of *Gesamtkunstwerk* in Book 2 (669a7–670b6) and the prominence of corporality in the treatment of dance in Book 7 (814d7–816d2). Laks’ bipartite reading of the *Laws’* psychology receives some more support in **Appendix B** (p. 169–176), where he argues that the *Republic* “ultimately rel[ies], too, on a dichotomic scheme” (p. 176). Many things, however, remain unclear to the reader, for example the relation between the virtue of σωφροσύνη and the said convergence of irrationality and rationality. And what does “happen to converge” mean: a spontaneous incident (cf. p. 147)? Is moral excellence not a matter of personal effort (cf. 718e2–6)?

Chapters 5 and 6 share a focus on the notion of freedom (cf. Laks, 2007<sup>7</sup>). **Chapter 5 (“The Multiplication of Goals”)** offers a concise but interesting discussion of the differing goals of legislation that the Athenian mentions at various places in the dialogue. Laks’ primary finding is that at one point σωφροσύνη replaces freedom (cf. 693b4 and c2) as one of the goals, suggesting that in Plato’s view the political notion of freedom in terms of the independence of a city may be incomplete, leaving open what freedom means “at the civic level, within the city and for the citizen” (p. 84). The first part of **Chapter 6 (“Mixtures, Blends, and Other Metamorphoses”)** is dedicated to a scrutiny of the *Laws’* ‘mixed’ constitution. Laks argues that the terms ‘mixture’ (σύμμεικτος, κεκραμένος) and ‘middle’ (μέσον) “convey two different,

though surely related meanings” (p. 87). While the notion ‘mixed constitution’ aptly describes the Spartan constitution (p. 87, cf. p. 78), the *Laws’* constitution, by contrast, strives for a middle point between monarchical despotism and democratic freedom, thus creating “a perfect blend rather than a simple mix” (p. 95). As the author admits, this reading is “speculative” (p. 95), because the terminology is not strict. But in view of the importance the term μέσον gains in the *Laws*,<sup>8</sup> it is not implausible. The second part of this chapter is perhaps the most revealing section of the book. In continuation of the argument of the previous chapter, Laks suggests that there is an implicit “re-conceptualization” (p. 102) of freedom at work in the *Laws*. He shows that the notion of ‘free man’ becomes progressively associated with a voluntary servitude to law and reason, thereby re-defining ‘true’ freedom: “[...] Plato, while still operating with a traditional conception of freedom, is opening the way to a view according to which to be virtuous, i.e., obedient to reason, is to be free in a nonconcessive sense” (p. 99). The ascription to Plato of a ‘positive’ concept of freedom must be handled with caution.<sup>9</sup> Yet in its subtlety I find Laks’ reading convincing.

Chapters 7–9 concentrate on the preambles. The primary function of the preambles, the author persuasively writes in **Chapter 7 (“Construing the Preambles”)**, is “to strip the command from its tyrannical character” (p. 123). By reducing the coercive dimension of law, the preambles thus help to minimise the contradiction between its rational content and its irrational, violent form (mentioned above, see my text on ch. 1). The “lawgiver’s ideal”, yet only within the scope of a “legislative utopia”, would be “to dispense with the law altogether” in favour of a philosophical discourse (ibid.). Of course, whether the idea

of rendering the laws superfluous is really ideally imaginable for the Athenian is entirely speculative, given that even Callipolis has laws. **Chapter 8 (“A Rhetoric in the Making”)** looks closer into the “flexible nature of the preambles” (p. 30), their “scalarmity” (p. 125), with regard to both their persuasiveness and their intellectual level. On the basis of several examples Laks distinguishes between preambles that appeal to reflection, those that draw on praise and blame, others that bring in ‘incantations’, and a final, almost law-like group that reintroduces threat. The aim of this (probably not exhaustive) list is to show “the tension between extreme forms of persuasive discourse” (p. 133) and to prove that the preamble is “an open form” (p. 133). This, in Laks’ view, “is the only way to respond to the rather confused debate about whether Plato’s preambles are ‘rational’ or ‘irrational’” (p. 125). While Laks is right to emphasise the diversity of the preambles, I am not fully convinced by his rejection of this very influential debate: for example, does not the preamble on marriage (721b6–d6), which according to Laks appeals to reflection, also address religious feelings? And if so, in what way is a reflection induced on the basis of feelings and the desire for immortality ‘rational’ or not? **Chapter 9 (“Two Exceptional Preambles”)** is dedicated to the general preamble in Books 4–5 (cf. Laks, 2005, 138–146) and the preamble to the law on impiety in Book 10. The interpretation of the general preamble is based on a structuring which is, I believe, mistaken: Laks assumes that there is a subdivision into “A. Relationships” (ὁμιλήματα) and “B. Personal character” (ποιός τις ὦν αὐτός, 730b1–5). This structure is present in the text (and it implies a notable two-fold perspective on the self, cf. p. 138), but it is subordinate to a different subdivision into a ‘divine’ and a

‘human’ (pleasure-based) perspective on the good life.<sup>10</sup> This also affects Laks’ claim (p. 138) that sections A and B are modelled on the Aristotelian difference between things to be honoured (τίμια) and praiseworthy things (ἐπαινετά, NE 1101b10–27): rather, both notions form part of the divine perspective which deals with (a philosophical hierarchy of) values whose observance brings a good reputation (εὐδοξία, 733a1) to each citizen. In fact, τίμιος reappears in Laks’ section B (730d2–4). Too little space is dedicated to the ‘human perspective’. The respective paragraph contains only a blunt rejection of the – much-debated – view that the Athenian’s argument here is based on (ethical) hedonism (p. 141). Concerning the preamble to the law on impiety, Laks argues that it is a “rational preamble” (p. 148) which, despite some disanalogies, virtually reproduces the free doctor’s conversation with his patient (p. 146, cf. the medical analogy: 719e7–720e6, 857b9–e1). It therefore is closest to a philosophical discourse and to realising a ‘legislative utopia’ (148).

**Chapter 10 (“Plato’s Best Tragedy”)** is a shortened version of Laks, 2010<sup>11</sup> and argues that the *Laws*’ constitution is “a tragedy in the more usual sense of the term ‘tragic’” (p. 152) both because it deals with serious matters and because it contains a law-code which stipulates that transgressions are followed by punishment. In the lawgiver’s perspective, this is ‘tragic’ also in the sense that punishment, due to human nature, is inevitable. The book closes with a helpful summary (“**In Retrospect**”), in which Laks emphasises especially his position regarding the fundamental consistency between the *Republic* and the *Laws*, and three appendices, two of which I have already mentioned: “**On the Status of the Statesman**” (A), “**On a Supposed Evolution of Plato’s Psychology**” (B), and “**Aristotle**

and Posidonius on Plato's Preambles" (C, cf. Laks, 2005, p. 126–128).

Although heavily based on earlier work, Laks' monograph remains a valuable contribution to current debates on the *Laws*, offering a more complete picture of his influential perspective on the *Laws* as well as some new arguments for claims that have been criticised in the past. Some of the author's claims are convincing, others are too speculative but still thought-provoking. With a view to the importance of anthropology and human motivation for the focus of this book, I would have welcomed a more thorough examination of these issues in the respective chapters (ch. 4, 8, and 9). Especially in this context, several important debates are too hastily put aside. In addition, the book would have benefitted from closer involvement with some recent publications:<sup>12</sup> Folch, 2015 (who has a chapter on the puppet image) as well as the collections by Recco & Sanday, 2013 (with a paper on the Great Preamble) and Knoll & Lisi, 2017 are entirely absent from the bibliography. And the challenging claims of Bartels, 2017 deserved more attention than two brief footnotes: as Laks observes himself (p. 198, note 6), her position is opposed to his own regarding the *Laws*' relation to Plato's earlier work, and she has much to say both on the dialogue's moral psychology and on its structure.<sup>13</sup>

## ENDNOTES

1 In order of appearance: PEPONI, A.-E. (ed.) (2013). *Performance and Culture in Plato's Laws*. Cambridge, Cambridge University Press; HORN, C. (ed.) (2013). *Platon: Gesetze – Nomoi*. Berlin, Akademie Verlag; RECCO, G.; SANDAY, E. (eds) (2013). *Plato's Laws: Force and Truth in Politics*. Bloomington/Indianapolis, Indiana University Press; PRAUSCELLO, L. (2014). *Performing Citizenship in Plato's Laws*, Cambridge, Cambridge University Press; MAI, H. (2014). *Platons Nachlass:*

*Zur philosophischen Dimension der Nomoi*. Freiburg/München, Alber; FOLCH, M. (2015). *The City and the Stage: Performance, Genre, and Gender in Plato's Laws*. Oxford, Oxford University Press; MEYER, S. S. (ed.) (2015). *Plato: Laws 1 and 2* (translated with introduction and commentary). Oxford, Oxford University Press; SCHOFIELD, M. (ed.) (2016). *Plato: Laws* (translated by T. Griffith). Cambridge, Cambridge University Press; BARTELS, M. (2017). *Plato's Pragmatic Project: A Reading of Plato's Laws*. Stuttgart, Franz Steiner; KNOLL, M.; LISI, F. (eds) (2017). *Platons Nomoi: Die politische Herrschaft von Vernunft und Gesetz*. Baden-Baden, Nomos; FRIEDLAND, E. (2020). *The Spartan Drama of Plato's Laws*. London, Lexington Books; NOACK, L. (2020). *Religion als kultureller Ordnungsrahmen in Platons Nomoi*. Wiesbaden, Harrassowitz; CENTRONE, B. (2021). *La seconda polis: Introduzione alle Leggi di Platone*. Roma, Carocci; REEVE, C. D. C. (ed.) (2022). *Plato: Laws* (translated, with introduction and notes). Indianapolis/Cambridge, Hackett; BALLINGALL, R. A. (2023). *Plato's Reverent City: The Laws and the Politics of Authority*. Cham, Palgrave Macmillan; PFEFFERKORN, J. (2023). *Platons tanzende Stadt: Moralphysikologie und Chortanz in den Nomoi*. Leiden, Brill.

2 The new book contains "several self-quotations of variable length" (8) from the 2005 monograph and other published articles. While I will occasionally indicate parallelisms to Laks' 2005 book, a comparison between both monographs is beyond the scope of this review. I mostly take the book as it stands. The practice of extensive self-quotation may be questionable but doubtless Laks' new book will have a greater readership.

3 See also **Appendix A** ("On the Status of the Statesman") where Laks argues that the *Statesman* opens the way to the *Laws*.

4 Apart from Laks, 2005, 79–84, see also e.g. LAKS, A. (2000). *The Laws*. In: ROWE, C.; SCHOFIELD, M. (eds). *The Cambridge History of Greek and Roman Political Thought*. Cambridge, Cambridge University Press, p. 258–292; and LAKS, A. (2001). In what sense is the city of the *Laws* a second best one?. In: LISI, F. (ed.). *Plato's Laws and its Historical Significance*. Sankt Augustin, Academia, p. 107–114.

5 Cf. e.g. LISI, F. (2004). Héros, dieux et philosophes. *Revue d'Études Anciennes* 106, p. 5–22, and Violence and Law in Plato's Second-Best Constitution. In: BOSCH-VECIANA, A.; MONSERRAT-MOLAS, J. (eds) (2010). *Philosophy and Dialogue: Studies on Plato's Dialogues*. Vol. 2. Barcelona, Barcelonesa d'Edicions, p. 157–168.

6 For the opposite view cf. e.g. FREDE, D. (2010). Puppets on strings. Moral psychology in *Laws* Books 1 and 2. In: BOBONICH, C. (ed.). *Plato's Laws: A Critical Guide*. Cambridge, Cambridge University Press, p. 108–126: "the 'puppet analogy' serves only a limited purpose and may not fully disclose Plato's

psychology in the *Laws*" (p. 118). I side with Laks, but I think it cannot be taken for granted, cf. Pfefferkorn, 2023, esp. ch. 3.

- 7 LAKS, A. (2007). Freedom, Liberality and Liberty in Plato's *Laws*. In KEYT, D.; MILLER, F. (eds): *Freedom, Reason, and the Polis: Essays in Ancient Greek Political Philosophy*. Cambridge, Cambridge University Press, p. 130–152.
- 8 See e.g. 728d6–e4 on the good body or 792c8–d4 on the good state of mind.
- 9 Cf. COOPE, U. (2020). *Freedom and Responsibility in Neoplatonist Thought*. Oxford, Oxford University Press, p. 8–18 (not referenced by Laks).
- 10 This seems clear to me because in the sentence that marks the transition between the divine and the human perspective (732d8–e3) – B1 to B2 in Laks' structure – both 'ways of conduct' and 'personal character' are mentioned (περὶ μὲν ἐπιτηδεύματων, οἷα χρὴ ἐπιτηδεύειν, καὶ περὶ αὐτοῦ ἐκάστου, ποῖόν τινα χρεῶν εἶναι, λέλεκται σχεδὸν ὅσα θεῖά ἐστι). Consequently, the divine perspective extends beyond Laks' section B and includes the entire first part of the general preamble (as well as the address to the citizens in Book 4). Cf. Pfefferkorn, 2023, p. 140–141 with note 86.
- 12 LAKS, A. (2010). Plato's 'truest tragedy' (*Laws*, 817a–b). In: BOBONICH, C. (ed.). *Plato's Laws: A critical Guide*, Cambridge, Cambridge University Press, p. 217–231. See Pfefferkorn, 2023, p. 284–285 with notes for a critical assessment of this paper.
- 12 See note 1 for the bibliographical references.
- 13 I am very grateful to Stephen Halliwell for reading a draft of this review and for his support.