CHAPTER 19

The Argument and the Action of Plato’s Laws

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Leo Strauss waited until late in his life to write a book that focuses exclusively on one of Plato’s dialogues. He does not elaborate why he chose to write that book about the Laws rather than about another dialogue, but he does shed some light on the matter through the epigram that appears at the start of the untitled preface. Taken from Avicenna’s Division of the Rational Sciences, it reads “the treatment of prophecy and divine law is contained in . . . Plato’s Laws.” This epigram says more than that the Laws’ theme is revelation and revealed law, for it claims that Plato wrote the treatment, the only treatment needed, of prophecy and divine law. It suggests that the Laws comprehends what prophecy and divine law are, what they aim to accomplish, and how we come to recognize and believe in them. Because Plato is not said to possess prophetical gifts or to practice mantic arts, it calls into question the claim that prophecy and divine law are known only through miracles, when a god selects a prophet or a lawgiver and conveys to him some wisdom that cannot be discovered by reason alone. What is more, the epigram suggests that the definitive treatment of divine revelation and law was written by a pagan philosopher who did not need to encounter either the Biblical or Koranic traditions in order to know what prophecy and divine law are, as if there is nothing fundamentally new or uncanny about the biblical or Koranic God’s revelation or about the traditions that worship Him. By drawing our attention to Avicenna’s claim that the Laws is the definitive treatment of prophecy and divine law, Strauss reminds us of what he calls the “theologico-political problem,” which is the question whether we should be guided primarily by religious faith and law or whether we should take our bearings solely by philosophic reason and experience. As Strauss says in Natural Right and History, “No alternative is more fundamental than this: human guidance or divine guidance” (Strauss 1953, 74). In the preface to the German edition of The Political Philosophy of Hobbes, he says that the theologico-political problem has been the underlying theme of all his work (Strauss 1965, 3, 8). Bearing in mind all that is implied by the epigram, it is not surprising that Strauss should give great attention to the Laws.
1 The Preface

Because the *Argument and Action of Plato’s Laws* can appear to be a paraphrase of the dialogue, it requires some attention to sort out what Strauss says in his own name from his summaries of the dialogue. To get a better understanding of what concerns Strauss in the book, it is useful to consider the preface carefully, since it does not paraphrase the dialogue but addresses topics and questions that Strauss wants us to bear in mind as we read on.

Instead of following up the epigram by discussing the theologico-political problem, Strauss begins by observing that in the traditional order of the dialogues the *Laws* is preceded by the *Minos*. He says that the *Minos* is distinctive because it is the only Platonic dialogue in which Socrates asks the question “what is law?” He does not summarize how the *Minos* answers this question, but his remark that the *Minos* concludes that not all laws are equally good suggests that it points to a standard for evaluating law. He also reports that the *Minos* leads us to believe that the laws of Crete are the best because they were established by Minos, the son and pupil of Zeus. When Strauss says that it is “the quest for the best laws” that “seems to compel” the Athenians to transcend the laws of Athens and to become pupils of Minos (1), he invites the reader to conclude that in the *Laws* the Athenian stranger also goes to Crete in a quest for the best laws.

When Strauss turns to the *Laws*, he says that it is Plato’s “most political” work and that “it may be said to be his only political work.” He indicates something of what he means by “political” by saying that the Athenian Stranger engages in political activity when he elaborates a code of law for a city that will come into being while the *Republic* shows Socrates founding a city “in speech” rather than one “in deed.” He adds that Socrates founds a city in speech not to present the best political order but to illuminate “the limits” or “the nature of politics” (1). Some might conclude from this that he calls the *Laws* a “merely” political work because it gives practical advice for actual politics and does not lay bare fundamental truths about politics. If Plato wrote the *Laws* solely to give practical political advice, then this might explain why Socrates is absent from it, for he might be too busy studying the natures of things to discuss how to establish and maintain an actual city. But if Strauss thinks that Plato wrote the *Laws* with this sole aim, then it is difficult to say how it could also be the definitive treatment of prophecy and divine law, for we would expect such a treatment to reveal not merely how religion can be used for practical, political purposes but also what prophecy and divine law are, what they seek, and how they are known.