DIVINE INSPIRATION AND THE ORIGINS OF THE LAWS IN PLATO'S LAWS

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Plato’s Laws opens with an Athenian Stranger asking his two companions about the origins of their cities’ laws, and asking in particular whether the laws of their cities were instituted by men or by gods. His companions each attribute their laws to patron gods and the legendary lawgivers inspired by those gods. As the discussion proceeds the divine origins of these laws are tacitly called into question, and alternative views of the origins of law are presented. But Plato nowhere spells out his view on the divine-inspiration of law; even the Athenian, who is not necessarily Plato’s mouthpiece, does not present his own view of the matter in any clear-cut way. What does Plato mean by presenting multiple origins of the laws, and how does this relate to his own view of the traditional notion that laws might be divinely inspired?

This paper finds evidence in the text of the Laws relevant to determining what Plato’s own view regarding the divine-inspiration of law might be. As we will see, the evidence is somewhat ambiguous. In what follows, passages that might be taken as tacit criticism of the idea that the laws are from the gods will be examined, and then considerations will be brought forward to show that, after all, Plato does believe in a kind of divine inspiration of the laws.

The Origins of the Laws and the Problem of Divine Inspiration

That the question of the divine inspiration of law may be an important sub-text in the Laws is suggested not only by the fact that the first question of the dialogue relates to this idea but also by the dialogue’s setting. As the three old men converse about laws and government they are on their way to a temple of Zeus. Their destination is probably the
cave-temple of Zeus at Mt. Ida, one of the oldest and most important sites of traditional Greek worship, and the place in which, according to legend, the highest god was born. Every year corybantic rituals were performed there to commemorate the birth.¹ Their destination, the goal of their physical journey, is linked to the first question of the dialogue, and to the goal of the philosophical journey this question initiates.²

Megillus and Clinias are representatives of the two ancient cities reputed to have the best laws, both rivals with Athens - the one in the mythic past, the other in recent history. Both Clinias and Megillus subscribe to a traditional view according to which the laws of their cities were created by divinely-inspired lawgivers; Clinias, in particular, holds to a Cretan tradition according to which the laws of Crete were the creations of the legendary king Minos, son of Zeus, whose legislation was the result of inspiration by his divine father. Clinias is from Cnossus, where the legendary Minos had his palace; the laws ascribed to Minos had a reputation for being the most ancient in the Greek world.³ Also, although the three men are discussing laws and politics, their entire conversation takes place outside any city; this may represent that their discourse lies "outside" the accepted conventions of any city. The fact that they converse outside the context of the polis, that their philosophical journey takes place in Crete, the place of the most ancient laws, and that they are headed towards a cave of Zeus that seems to represent the divine source of those laws, suggests perhaps that through the philosophical criticism of laws and philosophical thought about the principles of law, one arrives as close as possible, perhaps without ever finally reaching, the divine source which is the inspiration of all law.

The idea of divine inspiration appears in the first exchange between the Athenian and his interlocutors. Before the Athenian suggests to his companions at 625a6 that they discuss government and laws, there is an introductory passage in which the Athenian asks his companions about the origins of the laws of their cities (624a1-625a3). He asks: "Is it a god