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Sleepless in Syracuse: Plato and the Nocturnal Council

In his series of seminars, *The Pseudo-Platonic Seventh Letter*, Michael Frede argues that the *Seventh Letter* is spurious on a variety of grounds.² The reasons given are multi-faceted and interlocking, but I will be focusing on one criticism in particular which is somewhat separable from the others and most philosophically compelling. To briefly provide a summary of the other arguments, Seminar 1 advances circumstantial considerations on why we should be skeptical of letters attributed to famous classical authors in general (see esp. 7-13). Seminar 2 continues mounting the evidence by showing that Plato's letters (if genuine) would belong to one of the earliest periods we have "letters" attributed to authors. Scholars (Frede argues) have show every other set of letters from this period to be forgeries, giving us more reason to be especially suspicious of Plato's letters, even compared to other antique epistles. Seminar 3 makes the circumstantial evidence ever closer to the letter by showing that similar letters related to Plato's political activity are dated to similar times as the *Seventh* but are all spurious. He focuses on one, Speusippus' letter to Phillip II, which is close to the *Seventh* in terms of length and aim. Seminar 5 critiques the plausibility that Plato could have thought Dionysius, Dion, or Hiparinus (335e2-336b4) could have the makings of a philosopher-ruler.

Seminar 4, however, levels a more philosophic charge by accusing it of doctrinal inconsistency with the constitutional recommendations of the *Laws*. According to Frede, the *Letter* writer believes that only a philosopher-led state will be acceptable for Sicily. In contrast, the *Laws* takes the idea of a philosopher-less constitution seriously (739a-e; 875d), while constructing a state that would serve as a goal for most *poleis*, even Syracuse.³ Frede describes the point of the letter this way: "The backbone of the apology is an explanation of how Plato came to think that a state had to be a certain way, namely to be ruled by philosophers, and of how he came to be persuaded that Syracuse offered a unique opportunity to bring a state as it should be into being. This, in short, is the answer to why he got involved in Sicilian politics and behaved the way he did."⁴ Assuming this is the correct interpretation of the letter, the *Seventh Letter* holds fast to the ideal of the state as advocated in the *Republic* long after the genuine Plato abandoned it.

Could Plato really have still believed in philosopher rulers at this point in his life, and could he really have believed Dion was the philosopher he had been looking for? The *Seventh Letter* asks us to answer "yes" to both of these questions, but there does appear to be strong reasons to respond "no" to them. In stating his thesis, Frede writes: "I want to attack the question of the authenticity of the *Seventh Letter* head on by trying to argue that (A) Plato at the time that the *Seventh Letter* was written could not possibly have believed that this [constitutional arrangement] is what a state should be like; and (B) that, even if he did believe that this is what a state should

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² Myles Burnyeat and Michael Frede, *The Pseudo-Platonic Seventh Letter*, ed. Dominic Scott, First edition. (Oxford: Oxford University Press, 2015), x.

³ Unless otherwise noted, all translations from the *Laws* are from Thomas L. Pangle, *The Laws of Plato*, University of Chicago Press ed (Chicago: University of Chicago Press, 1988).

⁴ *Ibid.*, 43.

be like, he could not possibly have believed that Syracuse offered an opportunity to realize this state."

This essay will disagree with both claims (A) and (B). I will be focusing on claim (A) here, that Plato at this time could not have believed a state should have a philosopher at its head. I will say he did believe philosophers needed special power in a *polis*. However, my response to (A) will also mitigate the force of (B).⁵ If I am right, this will mean the *Seventh Letter* is cleared of a major inconsistency between it and the *Laws*.

To rebut (A), I will be focusing on the character of the Nocturnal Council, an organization which occupies an enigmatic position in the constitution. One of the strongest and most commonsensical arguments against the existence of philosophers in the *Laws* is to simply point out that the *Laws* never mentions philosophers. However, while the *Laws* never mentions philosophers, the members of the Nocturnal Council are philosophers in all but name. If so, then Plato thought even an imperfect, law-based constitution like that of the *Laws'* Magnesia should still have philosophers occupy an especially powerful, executive role. But if the *Republic's* *Kallipolis* is the constitution we pray for while Magnesia is the one we aim for, and if even this constitution contains philosopher-like people as rulers of some sort, it seems reasonable that Plato thought even Syracuse should aim for some kind of philosophic rule.

Plato's continued support of some sort of philosophic rule bears on the believability of Plato trusting Dion because it depends on what sort of philosopher Plato was looking for and thus what sort of candidates he had in mind at all. The view that the *Laws* is devoid of philosopher-calibre people seems false, but one advantage of this view is that it explains why there is so little metaphysics in the *Laws*. There are virtually no mentions of the Forms in Plato's longest work, but there is little reason to mention them. If there is nobody to comprehend the Forms, then they play no actual role in governance.

But there is nonetheless a different sort of governing philosopher who never sleeps in Magnesia, an inquiring, critical kind that is eager to learn from all sorts of sources. This is a person who may not necessarily comprehend the Forms. However, they will be a paragon of education and virtue anyway,⁶ and just as importantly their actions on the council will reflect these characteristics. They will constantly question what is most just, and in the *Laws* this will include inquiring into the justice of the laws themselves. In other words, it is a Socrates and not a Plato who sits on the council.

But if we think Plato the philosopher at the end of the *Laws* ultimately still falls for the temptation of the philosopher-ruler as the most just even among imperfect constitutions but that his vision of a philosopher-king is less demanding and less superhuman than the one found in the *Republic*, then we can imagine Plato the political reformer falling for the temptation of seeing in Dion a young man who might deserve the name of philosopher one day. Dion may not have

⁵ I sadly do not have the time to delve into the content of Seminar 5, which expands on claim (B). The prospects of Hipparinus becoming a philosopher-ruler (324b2) may seem exceedingly dim in retrospect, and I cannot mount a proper defense of Hipparinus. However, if my position is correct then maybe Plato was simply looking for a young person with a lot of promise and intellect (see esp. *Ep. VII* 330b5-6). Hipparinus may not have been all Plato thought he was, but surely a case of a teacher overestimating the promise of a potential student is a familiar and sympathetic one.

⁶ In the *Seventh Letter* 326b we find the familiar claim (cf. *Rep.* 473d, 487e, 499b, 501e) that only a philosopher as a ruler can bring peace to a state, a ruler whom he defines as having learned "by the grace of God, [...] true philosophy," making education a necessary condition for becoming a philosopher.

been perfect, but Plato makes it clear that he at least displayed some significant talent and understanding anyway. My response to (A) mitigates the incredibility of the mistake described in (B). Even if Plato made a blunder in thinking Syracuse had a prayer of establishing a non-tyrannical, nonviolent government, it was at least a mistake we can understand Plato making.

The Rule of Law and the *Laws*

The *Laws* are often presented as establishing a state in which the rule of law functions.⁷ This is presented as a contrast to the absolutist rule of the philosopher-king in the *Republic*. But there is an ambiguity in the phrase 'rule of law.' We might associate that phrase with the concept of liberal democracy, constitutional government, and so on. We assume the law in a regime under the rule of law is changeable and accountable to the wishes of the people. But a state under an unchanging set of laws would also qualify as respecting the "rule of law," no matter how undemocratic the laws might be, so long as everybody is subject to them and changes happen according to that law.

What unites these two understandings is the shared conviction that the law cannot be arbitrarily changed or suspended by those with political power. Laws are changed in liberal democracies, but they are changed in accordance with procedures set by law. Why does this matter for the *Seventh Letter* and Syracuse? Frede appears to argue that the Plato of the *Laws* desires a law-based constitutional government where the people can hold the government accountable and can expect even ministers to obey the law.⁸ In contrast, while the writer of the *Seventh Letter* does appear at times to advocate for a law-based *polis* (e.g. 324b2, 326a3-5, 327c, 335d5-7, 336a, 351a), his simultaneous advocacy of a philosopher ruler and insistence on this being the only acceptable constitution (326a7-b4) would seem to limit the rule of law to a secondary, weak place in the state (328c1).

Frede certainly has some evidence to support this view. For instance, in Book IV, discussing the origins of laws, the Stranger makes the following note about his language: "I have now applied the term 'servants of the laws' to the men usually said to be rulers, not for the sake of an innovation in names but because I hold that it is this above all that determines whether the city survives or undergoes the opposite," (715d1-4). The view that law, and not the wisdom of its ruler is what most determines a city's success seems contrary to the spirit, if not the letter, of the *Republic* as it is commonly read, so 715d seems to reinforce the traditional opposition between the *Republic* and *Laws*. However, Frede is assuming at least one, if not two things about Plato's view of law in the *Laws* that are not necessarily true and which, when not assumed, mitigate the force of this apparent tension:

- 1) A law and constitution-based city has accountable laws.⁹
- 2) Philosopher-rulers would not be bound in any way by these laws.

If these assumptions are paired with the explicit requirement from the *Letter* that all should obey the law in a just constitution (334d-336a), then the contradiction follows and the *Seventh Letter* is in trouble. I would like to consider these two assumptions in turn.

What is peculiar about the *Laws*, and absent in Frede's argument, is that Magnesia's laws are intended to be virtually unchangeable. This is unexpected, given Magnesia would contain an assembly, a council, magistrates, and so on. With all these political structures, one would expect a lot of politics and legislating, including amending laws (and even repealing some) to deal with

⁷ Ibid., 51, 55; *Laws* 713a1-4.

⁸ Ibid., 55.

⁹ Ibid., 55.

new demands. Yet the Stranger greatly admires Egypt's stability of laws and institutions, many of which had lasted, including on matters like the arts and music, for thousands of years (656d-657a; 798a-b, 799b). Even children's games are to be codified in law and made unchangeable (656e), echoing concerns found in the *Republic* (377b-c, 378d, 391e). There are numerous places where Plato stresses that a number of regulations must remain fixed including complaints, indictments, and handling of witnesses in trials (846b-d, 957d). At 846b The Stranger admits that there will be myriad such regulations to make, but the elder, greater lawmakers should not bother themselves with it. But while these more mundane statutes will take some time and experience to lay down, the Stranger is explicit that even for these, once "all the details seem to have been satisfactorily laid down" (846c6-7) (πάντα ἰκανῶς δόξη κείσθαι) then the laws should be made totally permanent (846b5-d). This is a remarkably low credence threshold for enacting *de facto* unchangeable statutes.

At 846b-d and 957d the Stranger mentions a number of trial periods. What happens after this trial period? It is not explicitly stated, but there is reason to believe these laws (after being sufficiently modified to reflect the results of the trial period) will become permanent as well. Klosko points out that at 772c, when mentioning regulations related to celebrations and festivals, the Stranger says "This done they shall decree them [sc. the improvements] as fixed rules and employ them as well as the rest of the laws originally decreed by the lawgiver," (tr. Klosko).¹⁰ The trial period is described as a period of open feedback by which magistrates can note shortcomings of the application of the law in their respective positions of influence. 772c appears to be the first mention of a trial period in Magnesian regulations, and he makes the results unchangeable, in fact comparing them with the primordial laws themselves. Finally, at 846d the Stranger seems open to making even self-admittedly trivial regulations permanent. Given the above, it seems reasonable to conclude that nearly all the laws in Magnesia will be made permanent.

This leads me to the so called *nomophylakes* or "Guardians of the laws," who may provide an avenue to amending laws. During these trial periods The Stranger assigns the task of making notes of the complaints and reports of the various magistrates to the guardians of the laws (769a-771a), who then make "touch-ups" (769c) to the initial laws laid down. Notice the way in which deficiencies in these laws are addressed. It is not through some sort of open, democratic process. Instead, magistrates assemble what they take to be questions, ambiguities, and tensions in the law and present them to the guardians who digest the concerns and present a plan to legislators. Perhaps we should not expect much popular influence in technical alterations of laws, but even so I emphasize this fact because "trial period" makes the revision process sound more open than it necessarily is.

But notice as well that the Guardians are presented in an assisting role. The Stranger gives an introduction of the guardians of the laws as the "savior of the laws" (770b4) but then says the Guardians of the Laws' only job is to "fill in the outline" (770c1) of laws as they are established by the original painter (the lawmaker). It should be noted that the role of overseeing the success of laws concerning self-described "small" matters only appears diminutive because their work literally "saves" the laws from criticism, defusing the impetus for political change and making the city appear more eternal. However, the Guardians are compared to a "device" that the lawmaker consults (770b5). This does not sound like a political office with its own independent authority, but it is clearly meant to hold some great value despite this, given the rest of the passage. And

¹⁰ George Klosko, "The Nocturnal Council in Plato's Laws," *Political Studies* 36, no. 1 (1988): 74–88, <https://doi.org/10.1111/j.1467-9248.1988.tb00217.x>, 82.

while there will be strong normative pressure for a lawmaker to accept the advice of this "device," there does not appear to be any clear penalties for ignoring the Guardians' advice.

The Stranger does allow for one political means by which a law could be significantly changed: it requires the entire population of Magnesia (along with the oracles of the gods) to unanimously agree on the changing of the law. But it has to be initiated by the Guardians of the Laws and even a single dissenting voice will scuttle the reform (772c6-d4). The Stranger explicitly includes magistrates and offices of state in the consultation, but these political institutions are considered insufficient to amend a law. Only when these magistrates act in agreement with the entire people can the law be substantially changed. Changing this law *via* this method is of course conceptually possible, but practically it would likely be easier to find a Philosopher-King.

This legal fixedness might appear to be a peculiar position for Plato to take, given his criticism of law as inherently general in the *Statesman*. At 293 the young Socrates compares laws to an absent doctor: "We believe in them where they cure us with our consent or without it, by cutting or burning or applying some other painful treatment, and whether they do so according to written rules or apart from written rules, and whether as poor men or rich," (*Statesman* 293b1-4). Their methods might appear painful and unpleasant, but they are just the established rules designed to treat an average set of conditions. They are designed for anybody but not for any particular person. Yet despite this position in the *Statesman*, Plato has the Athenian Stranger in *Laws* endorse the political gamble of having malformed laws with little recourse to change them. Indeed, for a text supposedly devoid of people with philosopher-level wisdom, the Athenian Stranger seems remarkably optimistic about a group of people within a finite period establishing laws for even bureaucratic and judicial matters that will withstand the test of time.

So, the laws hardly appear popularly accountable, though it is clear that even the Guardians of the Laws have to obey them and they will be highly stable. However, one could imagine the laws' fixedness leading to a sort of proceduralism in application, given that every contingency (ideally) would need to be hammered out. Guaranteeing the goal of these laws is important, and somebody with "intelligence and senses" needs to respect and study these laws (and the society they govern) well enough to truly steer them towards that end. What makes the Stranger so sure a certain mindless dogmatism will not take over in a constitution with virtually unchanging laws?

Night School: The Education of the Councilors

This leads me to Frede's next assumption: that a philosopher-ruler is incompatible with a law-based constitution. I argue that in fact these philosophers do exist in Magnesia, they sit on the Nocturnal Council, and are the ones who study the laws and remember their role in cultivating virtue. One reason to think this is their education and upbringing. If wisdom (especially as knowledge of the unchanging and eternal, what truly possesses being) is what makes a philosopher in Plato's eyes, then we should look at the education of this Nocturnal Council and see if Plato thinks it is a philosophic one.

To see why education matters at all to how we understand the Nocturnal Council, we can simply look at its role as described at *Laws* 962a9-c3:

Then it's likely that in the present case, if our founding of the country is to have an end, there must be something in it that knows, in the first place, this goal we're speaking of (whatever our political goal might happen to be), and then in what way it ought to attain this, and who -- first among the laws themselves, and then among human beings -- gives it advice in a noble or ignoble way. But if some city is devoid of such a thing, it won't be surprising if, lacking intelligence and senses, it acts haphazardly each time in each of its actions.

Even under the rule of law, there needs to be a human element that understands what the *telos* of the laws actually is, something with "intelligence and sense." The Stranger (and Plato elsewhere) makes it clear that he considers the point of the state and the laws to be cultivation of virtue, so it follows that the council members must study the nature of individual virtues (962e-963a) along with their unity (965c-d), the very sort of issues explored in the Socratic dialogues. Related to this, the Council comparatively studies the law by learning from certain authorized foreigners. As described at 950c-d, this would entail also sending out distinguished (but not too elderly) citizens as emissaries to these other states.

That there should be an office that studies how to improve public policy may not seem surprising. However, the Stranger adds a number of other subjects that make the Nocturnal Council more than just an ancient think tank that likes to interrogate atheists. They must study the philosophic and theological arguments presented in Book X, presumably including the discussion of the soul as self-mover (966c-d). The Stranger also alludes to a constellation of other subjects including psychology, music, and astronomy (also 818c-d), all things that "intelligence is the master of, having arranged the whole in an order."

Earlier in the *Laws* at 818a1-4, Plato restricts advanced mathematics to only an exclusive group (cf. *Rep.* 535a-e), whose identity "we shall say when we approach the end - since that will be the natural place." Elsewhere, at 747b we find mathematics described as the most powerful part of education in a political regime as well, again reserved for the select few (cf. 525d525d). 809e refers to astronomy and specifically assigns the role of an undefined "lawgiver" to study and explain these matters. These references all make the most sense when seen as foreshadowing the Nocturnal Council, and they also appear very similar to the general curriculum of the *Republic*.

The Athenian Stranger sadly does not develop the curriculum in more detail (968e), but one thing is clear: The Nocturnal Council is meant to study not just the laws but the higher, eternal things that law is supposed to replicate. The Stranger confirms this impression at 966b-c when he says the "true" guardians of the law (the Nocturnal Council) must "[judge] by the standard of nature what things come into being in a noble fashion and what things do not," and one of the most noble aspects of nature that the council member has to know is that the gods exist, are interested in us, care for us, and rationally order the universe. Indeed, at 966d the Stranger makes this recognition about the gods a precondition even for consideration for membership on the council. This is also possibly why one of the dirtier jobs ascribed to the council is the imprisonment of atheists in the "Moderation Tank" (908a, 909a) as the council is the authority most keenly aware of the importance of belief in a rational, benevolent creator.

The Nocturnal Council is clearly interested in pursuing intellectual discovery and contemplation, and their education contains many of the same subjects that the Kallipolis' curriculum does, including the priority set on mathematics (whose truths are eternal) and astronomy (whose movements are mathematically predictable and eternal). However, dialectic and by extension the grasp of the Forms are both absent in the Nocturnal Council's curriculum. What we end up with is a Council composed of extraordinary people devoted to the philosophic life but none of whose membership is quite in possession of the perfect knowledge (specifically direct knowledge of the Forms, especially the Good) which would render any sort of discussion or collaboration with other members unnecessary. The conditions are here for philosopher-ministers but not quite a Philosopher-King.

The Possibility of Philosophers

So, it seems the Nocturnal Council does in fact have philosopher-like people, but Frede could respond that I have only shown the *Laws* intends to have a philosopher-like curriculum. I haven't

shown something stronger, that people who reach the divine level of virtue attributed to the Philosopher-King actually exist in Plato's view. Supreme gold souls remain to be found. I believe I have found them at 951c:

The fact is, there are always among the many certain divine human beings -- not many -- whose intercourse is altogether worthwhile, and who do not by nature grow any more frequently in cities with good laws than in cities without. These the inhabitants of cities with good laws, if he's uncorruptible, must always seek and track down, by going over sea and land, in order to place on a firmer footing those legal customs that are nobly laid down, and correct others, if they are lacking something," (tr. Pangle 951b4-c3)

This is a fascinating passage that does not receive the attention it deserves. It takes place in the description of the Nocturnal Council's powers and appears to commit the Stranger to the proposition that exemplary people who would clearly qualify as philosophers do exist. Furthermore, even in bad constitutions (e.g. Syracuse) these people will arise, possibly at the same rate as in good constitutions. Such a possibility is also presupposed by the *Republic's* argument that philosophers arising in a bad constitution would understandably not have to engage in state affairs (520a9-b4). Between these two passages, the only difference is that the *Republic* describes the philosopher ruler as arising "against the will" of a constitution, while the *Laws* is not phrased in such oppositional terms. The basic commitment to the possibility of philosophers existing in bad constitutions remains.

Aristotle also makes mysterious references to such "divine people" (*NE* VII.6 1145a17-30; 1150a1-3; *Pol.* I.2 1253a3-9, IV.2 1289a38-b2), but he characterizes them similarly to how Frede thinks they function in the *Laws*, as curious counterfactuals but irrelevant to the interests of the *Politics*. In contrast, The Stranger believes they do exist, even in the world of the *Laws*, and are very relevant. Moreover, finding these extraordinary people is worth sacrificing the time and comfort of an "incorruptible" (ἀδιάφθορατος) citizen (951c1-3). Why? Because these divine people are vital to providing input on their laws and their own ideas of how a city should live, and there is an actual chance Magnesia will locate them. Needless to say, Aristotle's ideal *polis* in *Politics* VII-VIII has no such emissaries.

Recall the political route by which laws in Magnesia can be changed. It required unanimity among the citizens, yet the thoughts of one non-citizen is enough to spur any sort of reform. One presumes Plato would not want his constitution to accidentally leave out divine people who have a reasonable chance of appearing in Magnesia. Frede may be right that a philosopher in the *Republic* sense of the word - somebody who has true access to the Forms including the Good - does not exist in the *Laws*. But there can be two reasons such people do not figure in the *Laws*: 1) because there is nobody of such high virtue that they may be able to be educated enough to reach the Forms directly, but also 2) Plato wants to see how far he can build a feasible law-based state without positing these superior people as political agents.

Given the above passage, it would seem 1) is false; while the Nocturnal Council itself does not receive an education in the Forms, this does not imply there is nobody who can comprehend the Forms.

But we can also affirm these peoples' existence while preserving the truth of 2) if putting philosophers on the council represents Plato's conclusion about just how plausibly a state based on laws can be founded. He thinks laws can handle the vast majority of societal problems and even overcome widespread, near universal social conditioning (781a-c). But these laws necessarily require the input, if not the direct administration, of philosopher-caliber people.

I turn to my last piece of evidence, which is that the Nocturnal Council is described in the same language as these divine people. They are given various superlatives: at 961c, they are the "anchor" of the city; at 960e8 they are its "savior." Most important, at the very end of the dialogue, the Stranger says:

Now if, indeed, this divine council should come into being for us, dear comrades, the city ought to be handed over to it; (ἐάν γε μὴν οὗτος ἡμῖν ὁ θεῖος γένηται σύλλογος, ὧ φίλοι ἑταῖροι, παραδοτέον τούτῳ τὴν πόλιν) of the present day lawgivers, none, so to speak, have any quarrel with this. (969b1-b3)

This is a strong statement to make, as shown by the present general construction. The council is described as divine, the same language used to describe the extraordinary people whose wisdom specially guides Magnesia's legal development. It has to be admitted that Plato is sometimes loose in his language, but the divine predicates function similarly here: their personal wisdom and virtue are so great as to afford them special say over Magnesia's laws. It does not matter if they are citizens; their excellence is sufficient to afford them influence. Further, 951 clearly implies such people likely exist in Magnesia already, making the construction of a Nocturnal Council with people like these feasible through proper education and cultivation, enough to become φύλακες ἀποτελεσθῶσιν, "perfected guardians," (969c3). This explains why the Nocturnal Council accepts some young citizens on the basis of great merit (951e-952a; 961a-b), those already good enough to be Guardians of the Laws (957a-b).

This may make the *Laws* seem inconsistent. The rest of Magnesia's constitution (and Books I-XI generally) is a complex, legally ossified structure. The Nocturnal Council is in contrast a small body that is always inquiring into the laws and possessing a plenitude of power. Furthermore, at 966b the Stranger refers to the council as the "real" guardians of the laws, leaving the other Guardians of the Laws' place in question. In order to overcome this incoherence, some describe the council more as a nonpolitical advisory body that the state would simply listen to as a matter of course. In effect, the Academy. This idea is most influentially advanced by Glenn Morrow.¹¹

But there is reason to think that this does not capture the strength of the text's emphasis on the Council's role. Under the "institutional" interpretation of Klosko, they truly will hold dominating political power inside the constitution. This would square with some of the council's coercive duties such its maintenance of the atheist prison. It would also account for how the Stranger takes it as obvious among the three speakers that the "divine" Nocturnal Council's very composition would warrant it unique power. However, it would prove Aristotle (*Pol.* 1265a2-4) correct when he accuses Plato of rehashing the philosopher-king in a collaborative form. Deciding whether this is how the Nocturnal Council functions, or whether there is an actual contradiction at the end of the *Laws* like the one Klosko proposes,¹² is beyond the scope of this paper.

Whichever it is, at the end of the *Laws* we still find an embrace of philosophic rule of some kind. If there is a contradiction at the heart of the *Laws*, then the similar confusions found in the *Seventh Letter* are not so incriminating. On the other hand, if there is no contradiction and the council holds some sort of consistent advisory role inside Magnesia like a state-sponsored Academy, then that undercuts ascribing such a confusion to the *Seventh Letter*. Under Morrow's "informal model," Plato has provided us with such a stable constitution based on laws but with

¹¹ Glenn R. Morrow, *Plato's Cretan City: A Historical Interpretation of the Laws* (Princeton, N.J.: Princeton University Press, 1960)

¹² Klosko, "Nocturnal Council," 84 ff.

an element of non-political philosophic rule. Frede's argument proceeds on the basis that philosophers and laws do not mix for Plato, while Morrow's model shows they can. Whichever is the case for the Nocturnal Council (all-powerful contradiction or collaborative advisor), the charge of incoherence in the *Seventh Letter* is no longer so threatening. The *Letter* may fall for other reasons Frede and Burnyeat lay out, but it is acquitted on this one.

Doctrinal Consistency and Plato's Political Life

Now, one final objection that could be levelled against my interpretation is that my argument is founded on the false premise that we should expect Plato to have doctrinal consistency at all between the *Laws* and *Letters*. The *Laws* is a massive work which Plato spent years carefully writing. In contrast, *Seventh Letter* presents itself as being composed in the heat of political upheaval. Why should we expect that Plato stays consistent between these two works given the radically different circumstances of their compositions? The *Seventh Letter* may be genuine, so this argument would go, but not because of the reasons I give.

It is possible that Plato is just inconsistent and my explanation itself is merely a likely story that is simply not the case. However, consider that (among other events) Plato lived through the death of Periclean democracy, the rise and fall of the Thirty Tyrants (who invited him to join them, see 324d), the restoration of moderate Thrasyllyian democracy, and the emergence and decline of the Second Athenian League. Through all of this Plato came to adopt a highly idealistic and utopian political ideal, as seen through the *Republic*. These are undoubted facts about Plato, but when taken together these facts should make us doubt Plato would (if also still committed to the philosopher-ruler in the *Laws*) suddenly drop his desire to have a philosopher-ruler when faced with yet another instance of political upheaval, at least the fourth he had experienced intimately due to his prominence or aristocratic background.¹³

Moreover, this objection can go the other way as the argument that Plato could not have possibly believed in the Philosopher-ruler at the time of the events in Sicily operates on the same premise that works from the same author within the same rough period of time ought to be consistent with each other. The argument that the *Letter* contradicts the *Laws* (even if true) has no force without this assumption, so if this assumption is false then the *Letter* may be fake but not due to anything Plato says in his works about politics including the Philosopher-ruler. The contention that there is such a contradiction is the core of Frede's argument against the *Letter*, however, so if my argument falls due to this historical fact then Frede's does too. Rejecting this assumption is consistent with my interpretation of the Nocturnal Council; the rejection just makes the correctness of my interpretation irrelevant to the *Letter's* authenticity. A consolation prize, however, would be that I have shown (at least in his authentic, published writings) even very late Plato believed only a constitution with philosophers at the head can bring peace and prosperity to humanity, if not in deed then at least in word. Founding a state on the basis of the rule of law may create a temporary simulacrum of justice, but the contradictions and shortcomings of static,

¹³ Sometimes discussions of authenticity bottom out to readers' baseline, conflicting intuitions about the personality of the author under discussion. Plato strikes me as a committed political idealist. He has perhaps nuanced his position with age, but he has never abandoned his radical project. I find the idea that he acted contrary to this to be as difficult to believe as Frede finds it dubious Plato was so naïve as to see anything worthwhile in Dionysius, Dion, or Hipparinus. Rejecting the assumption that Plato has consistency between the *Laws* and *Seventh Letter* is to deny this essential aspect of Plato's character, which to me is improbable. I acknowledge, however, that this last argument is reliant on one's own impression of Plato and I do not have the space to provide more support for this view other than what has been given throughout this paper.

written law will always become apparent. Only the direct rule of reason, made manifest in the flesh and blood of the philosopher, can overcome the deficiencies of law. Given this, Dion may have been a rather poor candidate as a philosopher-ruler in the end, but it is highly probable Plato was looking for candidates nonetheless.