

Philosopher-King on a Leash:
Combining Plato's *Republic*, *Statesman* and *Laws* in the Justinianic Dialogue *On Political Science*

1 Introduction

Plato's dialogues (especially the *Republic*, the *Statesman*, and the *Laws*) were one of the building blocks of late antique political thought: they were closely studied by philosophers, from Plotinus to Simplicius; but they were also a source of inspiration for political actors, the emperor Julian being but one example.¹ Since Eusebius at least, these texts had been incorporated into Christian political theology.²

There were good historical reasons why Platonism should become the official philosophy of the later Roman empire, what Stoicism had been for its earlier counterpart. There was, of course, the extraordinary development of Neoplatonism, spearheaded by Plotinus; but the evolution of the empire itself played a determinant role. The *Republic's* theory of the philosopher-king lent itself well to legitimizing the emperor's power, especially since Christianity had made philosophy, according to Eusebius at least, more accessible to human beings than Plato **had** thought.³ The emperor, provided he accepted the Christian faith, could quite easily don the garb of Plato's philosopher-king: as the vicar of Christ on earth, he held a power that was securely based on divine foundations.

But the *Republic* was not Plato's last word on political affairs: later dialogues of his, the *Statesman* and the *Laws*, offered a different perspective. The *Laws* especially casts doubt on the possibility that a philosopher-king of the kind described in the *Republic* could ever exist; it frankly denies that, were he to exist, he would be able to resist the temptation of ruling in his own interest.⁴ An omniscient and incorruptible ruler, the *Laws* argues, cannot exist on this earth, because individuals of that ilk must "gods, or sons of gods."⁵ Human rulers need to be constrained by civic laws to ensure that they act for the common good. The *Laws's* withdrawal from the *Republic's* theory of the philosopher-king put imperial ideology, in so far as it was based on the latter, at serious risk: it fragilized the divine foundations of the emperor's power. No wonder Eusebius read the *Laws* as bolstering, not undermining, the *Republic's* account of the philosopher-king.⁶

Late antique readers, however, could resort to other strategies than merely erasing the differences between the *Republic* and the *Laws*. They could, like Proclus and the author of the *Prolegomena to Platonic Philosophy*, see the regimes described in the two works as having different domains of application, with the *Republic* indicating an absolute paradigm and the *Laws*, by contrast, adjusting that model to the specific circumstances of a foundation project.⁷ They could also, in a bolder move, try to *combine* elements of the regimes described respectively in the *Republic* and the *Laws*. The present paper analyzes one instance of this latter kind of reading: the sixth-century anonymous dialogue *On Political*

¹ On Neoplatonic political thought and its use of Plato's political dialogues see O'Meara 2003. On Julian's use of Plato's political theory see O'Meara 2003, 17; Harries 2011; and O'Meara 2018b. Schmidt-Hofner 2019 argues that the *Laws* also influenced Theodosius (or his jurists) in his enterprise of codification.

² Des Places 1967; Schott 2003; O'Meara 2003, 147-150.

³ Bradley Lewis 2017. Remarkably, Julian denied that he was a philosopher, despite Themistius' praises (*Ad Themistium* 2, 254b); see on this point O'Meara 2018b, 406-408.

⁴ *Leg.* 874e7-875d5.

⁵ *Leg.* 739d6, using the plural: θεοὶ ἢ παῖδες θεῶν. In that passage of book 5, divine nature is said to be required for an individual to prioritize what is common over what is private; and this is precisely what book 9 (875a4-d5) denies a human being can reliably do – even if he is a philosopher (I follow Vlastos 1973, 212-217 and Bobonich 2002, 541 n. 86 in taking 875a4-d5 to refer to philosophers, endowed with ἐπιστήμη).

⁶ Schott 2003; Bradley Lewis 2017.

⁷ *Prolegomena to Platonic Philosophy* 26, 45-58; Proclus *In remp.* 1.6.12-16, both commented on by Segonds 1990, 77-78 n. 226. As Segonds notes, this articulation ultimately derives from Aristotle's *Politics*, 1288b21-1289a7, itself interpreting *Laws* 5.739e3-5.

Science (Περὶ πολιτικῆς ἐπιστήμης).⁸ My purpose is to show how deftly περὶ πολιτικῆς ἐπιστήμης weaves together the two Platonic models I have sketched above: on the one hand, the *Republic's* philosopher-king, but also the *Statesman's* "true king," both of whom are entitled to rule, if need be against the city's laws, on account of their superior knowledge; on the other, the *Laws'* insistence on the need for communal rules to protect the city against the dangers of autocracy. Given that the *Laws* calls the philosopher-king a "divine man," and that the *Statesman* ranks the regime of the true philosopher above all others, "as god is to man," I will call the *Republic's* and *Statesman's* model "divine."⁹ By contrast, I will call the *Laws'* model "human." What makes περὶ πολιτικῆς ἐπιστήμης especially remarkable, I argue, is that it manages to put forward a theory of imperial rule that combines both models.¹⁰ It thus secures the emperor's power on both divine and human grounds.

Why does this matter? I see three potential fruits for our inquiry. First, it sheds light on the history of Platonism, especially of its political aspect. **The knowledge of Plato's political works demonstrated by *On Political Science* is quite remarkable in itself, and part of this paper's intended contribution is to make progress in the establishment of the text's sources, building on Dominic O'Meara's pioneering work.**¹¹ Once the dialogue's Platonic sources are made clear, the paper can move to a further, interpretive claim: that the dialogue takes its main three Platonic source texts (*Republic*, *Statesman*, and *Laws*) as not only compatible, but also capable of being implemented within one and the same regime. Yet as André Laks has shown, the most straightforward reading of the *Laws* is that it "is meant to *replace* the *Politeia*" (italics original); Plato's *Republic* presents an "ideal," while the *Laws* limits itself to "the possible."¹² The *Republic's* philosopher-king has no place in the city of the *Laws*, since he can only exist as a god or son of god, and Magnesia, the city sketched in the *Laws*, is one for human beings only.¹³ As to the *Statesman*, Malcolm Schofield has insisted upon the irreducible differences that separate it from both the *Republic* and the *Laws*.¹⁴ Working out the way in which *On Political Science* reads these dialogues, in whole or in part, as capable of being jointly implemented, adds to our knowledge of their ancient reception. The question of the relationship of these texts to each other was a *locus classicus* of ancient philosophy: Aristotle, Cicero, Eusebius, Proclus **and the *Prolegomena to Platonic philosophy*** engaged with it in various ways.¹⁵ The present paper wishes to put *On Political Science* on the map of these ancient responses to the puzzle of Plato's late political thought.

But that puzzle is also our concern: beyond Laks and Schofield, it has sparked much interest in recent scholarship.¹⁶ The present paper does not aim merely at adding to the *dossier* of Platonic reception: it also aims at showing that *On Political Science* offers a reading of Plato that is philosophically interesting. This is the second intended contribution of the paper. *On Political Science* is a *good* reading of Plato's dialogues: it is not only faithful to their letter; it also yields a convincing political model, combining the rule of knowledge, the rule of law, and popular participation. It can

⁸ The most recent edition is Mazzucchi 2002, which includes an Italian translation; an English translation is provided by Bell 2009.

⁹ *Laws* 739d6; *Pol.* 303b3-5.

¹⁰ The dialogue as a whole endorsed Dicaearchus' mixed regime, as we know from Photius' summary of the work (*Bibl.* 32).

¹¹ See especially O'Meara 2003, 171-184.

¹² Laks 1990, 212-213. See also Laks 2023.

¹³ Laks 1990, 217.

¹⁴ Schofield 1999.

¹⁵ Aristotle: *Pol.* 2.3 (1265a2-4) and 2.6, on which see Morrow 1960; Gastaldi 2002; Simpson 2003; Cicero: *Leg.* 1.15 (with the comments of Atkins 2013). Eusebius: see in general Schott 2003 and Bradley Lewis 2017. Proclus: *In Remp.* I, pp. 253, 1 to 257, 6 (see on this point O'Meara 2003, 84-86).

¹⁶ Bobonich 2002 is the main defender of developmentalism about the relationship between *Republic* and *Laws*. Bobonich is mostly interested in moral psychology; but his view of Plato's evolving moral psychology has implications for his interpretation of the different institutional structures of Kallipolis vs. Magnesia. A more economical and compatibilist interpretation has been defended by most other scholars, partly before Bobonich (Gill 1979; Vegetti 1999; Rowe 2001), partly in response to his groundbreaking book (Kahn 2004; Laks 2005; Lane 2010; Rowe 2010).

thus be seen as a contribution to contemporary debates on epistocracy, democracy, and the mixed constitution.¹⁷

Finally, the paper intends to take a stance in debates that have already emerged in the literature dealing with *On Political Science*. Interpreters have either described the regime sketched in the text as a true democracy, where the people rule by elections;¹⁸ or seen the dialogue's democratic features as a sham, meant to mask the sovereign power of the ruler.¹⁹ As I try to show, the dialogue is able to combine a monarchic element (the philosopher-king) and a democratic one (elections, rule by consent, and the rule of law), precisely because it manages to offer a synthesis between the *Republic*, the *Statesman*, and the *Laws*. It is by negotiating such a path that the text offers a plan for the best regime that gives a place to the philosopher-king, while avoiding the dangers inherent in letting him rule unconstrained by the laws. It allows, in other words, to put the philosopher-king on a leash.

To prove my point, I will proceed in four steps. I will start by introducing the text in a few words, as it is still little known by scholars of ancient philosophy and to historians of philosophy in general (section 2). I will then demonstrate that both the "divine" and the "human" models are present in the fifth book of *περὶ πολιτικῆς ἐπιστήμης*, and that we have good reasons to believe that the Platonic dialogues in which they were articulated were known, in some form or another, to the author. I will deal with the divine model in section 3, and in section 4 with the human one. In a fifth section, I will explain how the dialogue can combine these two *prima facie* incompatible models. I will finally draw conclusions about the text's relevance in its political context.²⁰

2 A Platonic Political Dialogue in the Sixth-Century

On Political Science is known to us thanks to Angelo Mai's discovery of its manuscript (*Vat. gr.* 1298) in 1826, and his publication of it a year later.²¹ Our text preserves two of the six original books the work comprised: book 4, on military organization, and book 5 on kingship.²² Even these books, unfortunately, are preserved in parts only. **Any reconstruction of the work's political theory, therefore, can only be tentative, and the one suggested in the present paper is of course no exception.**

The dialogue claims to report a conversation between two men, Menodoros (the senior interlocutor) and Thaumasio (his junior partner) on the topic of political science. These characters have been identified with Menas, praetorian prefect in 528/529, and Thomas, *quaestor sacri palatii* in 529.²³ The text's date and authorship, however, are still debated. Thomas died in 535, which gives a *terminus ante quem* for the dramatic date.²⁴ As to the date of composition, the majority of scholars place it late in Justinian's reign, around 550, even if some would prefer a date earlier in the sixth century.²⁵ The text was ascribed by Mai to Peter the Patrician, Justinian's *magister officiorum* from 539

¹⁷ For a recent case for epistocracy against democracy, see Brennan 2016.

¹⁸ Pertusi 1968; Fotiou 1985; Licandro 2017 (see *infra* n. 26).

¹⁹ Dunbabin 1984, 252: "At the top of the author's hierarchy is the godlike emperor contemplating political science, the divine gift to man; at the bottom are a minority of men so impervious to science's warming rays that they need to be terrorized into obedience." Gusso 2001, 207-208 also denies that the people's judgment plays any part in the regime sketched in the dialogue. With Pertusi 1968 and Licandro 2017, I think the text distinguishes, in good Ciceronian fashion, between the mob and the people (cf. *Rep.* 1.39).

²⁰ For a picture of the philosophical landscape under Justinian see Wildberg 2006.

²¹ *Vat. gr.* 1298 is a palimpsest, with a collection of speeches by Aelius Aristides as underlying text. Licandro 2017 offers an in-depth study of the text's transmission, arguing among others for an early fifteenth-century date for the copy.

²² Photius (*Bibl.* 37) still read six books.

²³ Rashed 2000; McCoull 2006; Licandro 2017.

²⁴ Bell 2009, 12 with further references.

²⁵ Cameron 1985, 250-251, followed by O'Meara 2019; McCoull 2006; Bell 2009. Contra Mazzucchi 1978, who argues for a date of composition **before** 535; Fotiou 1981 and 1985, who sets the Nika revolt as *terminus ante quem*; Gusso

to 565, on the grounds that the Peter was known to have authored a *περὶ πολιτικῆς καταστάσεως*. Mai's attribution of authorship, however, has generally been rejected: as much as we can tell from the surviving excerpts of *περὶ πολιτικῆς καταστάσεως*, it dealt with State protocol, not with the repartition of powers in the State.²⁶ A last bone of contention is the religious affiliation of the author. Some phrases in the dialogue seem to echo the New Testament, but the resemblances are faint.²⁷ As to the characters' religious views, Thomas seems to have been a pagan; we know too little about Menas to be able to tell whether he was Christian or not.²⁸

3 A Godlike Ruler: Traces of the *Republic* and the *Statesman* in *περὶ πολιτικῆς ἐπιστήμης*

3.1 The *Republic's* Philosopher-King in Sixth-Century Byzantium

Plato's *Republic* is the main inspiration of *On Political Science*. Carlo Maria Mazzucchi traced echoes and allusions in almost every page of the fifth book, registering them in his apparatus (many more can surely be found). But the author did not follow the *Republic* blindly: the table of contents prefacing the fifth book tantalizingly indicates that it ended with an "objection" (ἔνστασις) levelled against Plato's *Republic*, and a "comparison between Plato's and Cicero's *Republic*" (παράθεσις τῆς κατὰ Πλάτωνα καὶ Κικέρωνα πολιτείας)²⁹ – Cicero's *De Re publica* being the other main source of inspiration of the dialogue.³⁰ Photius (*Bibl.* 37) also tells us that the author "rightly criticize[d] Plato's *Republic*." What *περὶ πολιτικῆς ἐπιστήμης* does inherit from Plato's *Republic* is the figure of the philosopher-king.

This figure is introduced early on: at 5.22, Menodoros explains to Thaumasio that they are entitled to hope for a philosophical ruler. In a clear allusion to *Republic* 5, Menodoros presents such a man as both excellent (ἄριστος) and capable of existing (cf. δυνατὰ at 5.23). His existence is predicated upon two conditions, that he is born with an excellent nature (φύσις) and that he undergoes the most thorough educational process (παιδεία, 5.23). Menodoros immediately goes through the means of ensuring both: as far as φύσις is concerned, the *Republic's* eugenic practices are taken up at 5.23-27, with the notable exception of infanticide; as for the educational curriculum, it is outlined at 5.29-41. If these two conditions are met, the interlocutors can hope, with Plato, that philosophy and political power will one day come together. They voice this hope one last time at the very end of the dialogue (5.210).

However, the most explicit endorsement of the *Republic's* theory of the philosopher-king comes up elsewhere, in the middle of book 5. After a lacuna in the manuscript, the text starts again at 5.116, filling in the outline of a philosophical education provided at 5.29-41. The apex of this curriculum is the philosopher's contemplation of the intelligible. Here again, echoes of the *Republic* are unmistakable. The philosopher's ascension to the intelligible goes through the various levels of human cognition detailed in book 6 of Plato's work: belief (δόξα), discursive thinking (διανοία),

2001, who sees the work as published between 527 and 529; and Licandro 2017, who sees the text as composed at the end of Justin's reign.

²⁶ Licandro 2017. See however the arguments of Pertusi 1968 in favor of attributing the work to Peter the Patrician.

²⁷ McCoull 2006; Angelov 2012; *contra* Bell 2009, 76. O'Meara 2003, 38 traces the textual echo Angelov takes as most indicative of Christian beliefs — the notion of heavenly homeland, at 5.194 — back to Plotinus. Prächter 1900 finds it unremarkable that a Christian author does not quote the Scripture more, giving Procopius of Gaza as parallel.

²⁸ Bell 2009, 12.

²⁹ Throughout the paper, the translations are mine.

³⁰ With Mazzucchi 1978 and against Dunbabin 1984, I take it that a παράθεσις would not have been undertaken if the author had not had a better-than-average knowledge of these texts; direct access to them is the likeliest hypothesis. Behr 1974 questions the author's knowledge of Latin texts; but his own comparison of *On Political Science* 4.53 with Cic. *Tusc.* 2.37 favors the view that our author knew of the Ciceronian corpus. I see no reason to think that he relied on second-hand sources; it is more likely that he quotes from memory (hence lapses such as 5.202, where the author ascribes to Socrates a saying of Cleanthes).

and finally intellect (νοῦς). Once he has "become intellect" (νοῦς γενόμενος), the philosopher will be "initiated to the most divine visions" (τῶν θειοτάτων θεωριῶν ἐπόπτης, 5.116), i.e. contemplate the intelligible. The use of a mystic language (ἐπόπτης) stresses the philosopher's connection to the divine; this connection enables him, once he has re-descended into the sensible world and "come back to himself" (εἰς αὐτόν αὐτὸς ἄνωθεν ἐπανελθὼν, 5.117), to rule knowledgeably, i.e. with ἐπιστήμη.

3.2 The Philosopher-King's Way of Ruling

A subsequent passage gives us a more precise idea of what this knowledgeable rule amounts to. As Menodoros puts it at 5.123:

Once he who reigns philosophically and philosophizes kingly, to speak like Plato, has found who he is, as we said, and what his place in the universe is, we can assume that he will aspire to reign, as far as possible, similarly to that to which he is similar, that of which he is an image; if he does not, he would not be a king truly, but merely in name.

εὐρῶν ὁ κατὰ Πλάτωνα βασιλεύων φιλοσόφως (καὶ) φιλοσοφῶν βασιλικῶς τις τε ἂν εἶη, ὡς ἐλέγετο, καὶ ποῖ κόσμου τεταγμένος, εἰκότως ἂν καὶ ὁμοίως ἐκείνῳ κατὰ τὸ δυνατόν ἐφιοῖτο βασιλεύειν, οὗ ἔστιν ὁμοιωμά τε καὶ εἰκῶν· ἦν δὲ μή, οὐκ ὄντως ἂν εἶη βασιλεύς, ὄνομα δὲ μόνον ἄλλως κενόν.

Once back in the sensible world, the philosopher knows that his task is to assume, there, the place that **the supreme cause of the universe** holds in the intelligible. Slightly earlier, at 5.118, Menodoros has identified **this supreme cause** with the Platonic demiurge (ἡ πρώτη τῶν ὄντων αἰτία, πάντα τὰ ὄντα δημιουργοῦσα). The philosopher-king will therefore have to be a political demiurge: just as the world's demiurge, without ever leaving his transcendent position, starts off the chain of causation that creates and maintains all other beings, the philosophical ruler will appoint the highest officials and impart them the insights he derives from his own ἐπιστήμη, without ever ruling in their stead.³¹ Menodoros had hinted at such a conception earlier in the text, at 5.58:

Royal providence will spend its time constantly arranging and ordering only the essential offices and the first causes of political affairs, shaped after the royal ordering principles it possesses, imitating as much as it can the demiurge, who has **within himself** the ordering principles of the universe.

ἡ γὰρ τοι βασιλικὴ προμήθεια μόνας τὰς συνεκτικὰς ἀρχὰς τε καὶ πρώτας αἰτίας τῶν πολιτικῶν πραγμάτων ἐκ τῶν ἐνόητων αὐτῆ βασιλικῶν λόγων μορφουμένης τῆ τοῦ δημιουργοῦ, ὡς οἶόν τε, μιμήσει ἔχοντος ἐν <ἐαυ>τῷ τοὺς τοῦ παντὸς λόγους, εὖ τιθεῖσα καὶ κοσμοῦσα διατελείτω ἀεὶ.

The text thus uses the *Timaeus* (or at least a Neoplatonic interpretation of it, cf. the notion of formative λόγοι) to spell out the task of the *Republic's* philosopher-kings: just as, in the *Timaeus*, the demiurge starts the universe off while leaving it to lesser gods to create human beings, in the

³¹ Political demiurgy is itself an important theme in the *Laws*, as Morrow 1954 and Laks 1990 have insisted.

political sphere the philosophical ruler is only responsible for initiating orders, which are then specified and applied at lower levels of commandment.³²

On Political Science thus ascribes to the king, in the political domain, the place that the *Timaeus* gives to the divine demiurge in the universe.³³ The king bears in himself an image of this god (θεοῦ εἰκόνα ἐν αὐτῷ, 5.196): he is not a god, but as a philosopher he belongs to the group of "divine men" (θεῖους ἄνδρας) which includes Plato, Xenophon, and Aristotle (5.208). As such, the king is like a god among human beings: part of his similarity to god (θεῖα ὁμοιοτης) consists in being, as king, above the other human beings (ὡς βασιλεὺς ὑπὲρ τοὺς ἄλλους ἀνθρώπους, 5.122).

The king's prime connection to the divine entitles him to preside over the religious institutions of the city: he will appoint the "high-priests" (i.e. bishops, 5.65-66), leaving to them the appointment of priests.³⁴ Whereas a contemporary text, Pseudo-Dionysius' *On the Celestial Hierarchy*, subordinates the State to the Church, the author of *On Political Science* reverses the order because of the king's prime acquaintance with the divine.³⁵ The unparalleled divine legitimacy the king acquires through philosophy puts him at the head of the city's religious system.

3.3 Another Influence: The True King of Plato's *Statesman*

The idea that the philosopher-ruler is like a god among men echoes, I suggest, the conclusion of Plato's *Statesman*. Plato there ranks the regime ruled by the philosopher above all others; that regime stands in relation to the others "as a god among human beings" (οἷον θεὸν ἐξ ἀνθρώπων, 303b3-5). The philosopher is not a god, to be sure (275a1-2; 275b7-c4); but among men he occupies a god-like position. Did our author know of Plato's *Statesman*? The question matters, because his endorsement of it would carry radical implications: Plato's argument in that dialogue is that the rule of a philosopher is always superior to that of general laws, since the former is adjusted to individual circumstances, whereas the second is always **general and imprecise**.³⁶ Were **the author of *On Political Science*** to endorse that view, he would legitimize the emperor's freedom from the empire's laws.

I think the text gives us enough evidence that its author knew of Plato's *Statesman*. Beyond the textual echo I have just adduced, many others attest to a knowledge of Plato's dialogue. First, the *Statesman* is Plato's most extensive engagement with the notion of political science (πολιτικὴ ἐπιστήμη), the topic of our dialogue.³⁷ Another phrase used in both texts, equivalent to that of "political science," is "kingly science" (βασιλικὴ ἐπιστήμη).³⁸ *On Political Science* follows the *Statesman* in describing the philosopher as he who is "truly king" (ὄντως βασιλικός, 5.200; cf. *Pol.* 276e13, 291c4, 295b3, 305a6, 305d1). Other textual echoes are striking: in book 4 (4.69), Menodoros takes up a methodological point of the *Statesman* (277d1-2), to the effect that a model (παράδειγμα) must be used to "indicate" (ἐνδειξασθαι) intelligible realities, in this case the virtue of justice; book 5 (5.2) starts with a metaphor borrowed from sculpture that strongly evokes the end of the *Statesman*'s

³² See *Tim.* 41a3-d3, and on this point Johansen 2021. Another possible source for such a conception of remote rule is the *Statesman*'s idea that the statesman's knowledge is architectonic (261c9), on which see Lane 2020. As Pertusi 1968 and Licandro 2017 put it, the king of *On Political Science* "reigns but does not govern." On the Neoplatonic doctrine of λόγοι see Brisson 2009.

³³ On other echoes of the *Timaeus* in *On Political Science* see O'Meara 2003, 175.

³⁴ Pertusi 1968, 7, Fotiou 1985, 541-542, Gusso 2001, 204, and Licandro 2017, 188, all translate ἐπιλογή as "election" as opposed to "nomination," without adducing any lexicographical evidence to support this. Valdenberg 1925, 67 adduces John Lydus, *Mag.* 12, but John Lydus crucially adds ψήφω.

³⁵ O'Meara 2003, 182-184; see *contra* Mazzucchi 2006.

³⁶ *Pol.* 294a10-295b5. On the similarity (but not identity) between the *Statesman*'s πολιτικός and the *Republic*'s philosopher-king, see Schofield 1999.

³⁷ See *Pol.* 300e8, 303e8.

³⁸ See *Pol.* 261c7, 284b5, 295b3; περὶ πολιτικῆς ἐπιστήμης, summary and 8. The equivalence between "kingly" and "political" sciences is also established in the *Euthydemus* (291c4-5). 5.186-187 strikingly echoes *Euthyd.* 292c4-5. On echoes of the *Euthydemus* in *On Political Science* see O'Meara 2002, 54 n. 20.

myth (277a3-c3); further into the book, the ruler's mission is said to "save" (σώζειν) the ruled, which involves bringing them as close as possible to virtue (5.191); the same idea, in the same words, features in the *Statesman* (297b2).³⁹ We know that the *Statesman* was studied in the Neoplatonic curriculum: its central myth, which includes a description of the rule of Cronus as of a golden age of divine supervision, was a favorite of the Neoplatonists;⁴⁰ it was also pivotal in Eusebius' *Preparation to the Gospel*.⁴¹ If our author did not have direct access to the Platonic text, he could well have studied passages of it during his Neoplatonic studies, or through his personal reading of Neoplatonic works.

3.4 *On Political Science's* "Divine" Paradigm

To sum up what we have so far: I think there are enough echoes between, on the one hand, the *Republic* and the *Statesman*, and on the other *On Political Science*, to see the latter as taking up commonalities between Plato's two dialogues. They amount to a model where the best regime is the one headed by a philosopher-king, or "true king." The *Statesman* adds that the rule of law, being always general and imprecise, will never equal the government of such a ruler; it should be set aside in favor of personal rule by the true king. In context, an endorsement of such a theory would have legitimized the principle that the *princeps* was "exempt from the laws" (*legibus solutus*).⁴²

Another key feature of this "divine" paradigm of rule is that the philosopher-ruler is godlike. In the *Republic*, philosopher-kings are called "divine" in two instances (383c4; 500d1-2). In both, the epithet is qualified by a proviso "as far as possible."⁴³ The second passage is the best example. Socrates there describes the ultimate steps of the philosopher's education as follows: "spending his time with what is divine and orderly, the philosopher for sure will become orderly and divine, as far as it is possible for a human being" (θεῖον δὲ καὶ κοσμίον ὃ γε φιλόσοφος ὁμιλῶν κόσμιός τε καὶ θεῖος εἰς τὸ δυνατόν ἀνθρώπων γίγνεται, 500d1-2). The proviso is key but ambiguous: the human philosopher is meant to become divine; but his humanity will prevent him from identifying completely with the divine. The same ambiguity characterizes the *Statesman*: the "true king" is definitely a mortal human being, like the people over whom he rules (275b7-c4); but his regime stands to all others in the same relation as god stands to man (303b3-5).⁴⁴ In the next section I show how *On Political Science* exploits this ambiguity.

Even if the philosopher is not fully assimilated to the divine, the *Statesman* argues that he is entitled to set aside the city's laws to rule in their place: the precision of his knowledge will always outdo the laws, which are necessary general (294a6-c4). The same theory is taken up in the *Laws* (875c6-d2): if a philosopher could be relied on to rule constantly in the interest of the ruled, he should never be constrained by communal laws. In the *Republic*, the law does not receive enough attention for us to tell whether a similar conception applies; it seems, however, that the philosopher-kings of Kallipolis will not be constrained by laws.⁴⁵

³⁹ O'Meara 2019 also detects similarities between the two texts on the relationship between military and political sciences.

⁴⁰ O'Meara 2003, 63; Zamora Calvo 2018; Motta 2018; O'Meara 2018a. As O'Meara 2018b, 404 notes: "this curriculum provided a basic reading list, to which diligent students could add further dialogues."

⁴¹ Euseb. *Praep. Evang.* 12.13-14.

⁴² This principle was debated already in the early Roman empire: see Simon 1984.

⁴³ See *contra* Lisi 2004, 15 (with n. 23): "les passages où Platon dit de l'homme qu'il est divin, ou le dit encore de l'âme ou du *noûs* sont particulièrement nombreux." In my view, this unduly downplays the importance of the proviso ("as far as possible"), which is explicit or implicit in the passages from the *Republic* Lisi adduces.

⁴⁴ This does not mean that the *Statesman* is, on all points, closer to the *Republic* than to the *Laws*: by indicating how a "second sailing" should be undertaken absent a philosopher-king (300c2), it certainly paves the way to the *Laws'* "second-best" city (739a1-e5). See on this point Rowe 2001, 74.

⁴⁵ Owen 1953, 90 n. 3, famously insisted on the presence of immutable law in Kallipolis, but his only example (the interdiction to introduce innovation in music at 424bd) is a very special case: innovation is bad there for precise educational and psychological reasons, which need not apply to other domains. Lane (2023, forthcoming) sums up the philosopher-king's position vis-à-vis the law in Kallipolis as follows: "The philosopher-rulers will operate in a city that

And this is where *On Political Science* diverges from the *Republic* and the *Statesman*. The regime sketched in *Περὶ πολιτικῆς ἐπιστήμης* does feature a philosopher-king, as I hope to have shown; but it subjects that very ruler to its laws. **Nowhere in our (admittedly lacunose) text does the king play the role of the *Statesman*'s philosopher, which is to give precise rulings sometimes contrary to the general law of the city. The philosopher-king of *On Political Science* is bound by civic law: this clearly deviates from the *Statesman*, but probably also from the *Republic*.** I argue that *On Political Science* can make such a bold move by stressing the humanity of the ruler, **even if that ruler is endowed with philosophical knowledge**; by exploiting, so to speak, Socrates' proviso at *Rep.* 500d1-2.⁴⁶

4 A Human Ruler: Traces of the *Laws* in *περὶ πολιτικῆς ἐπιστήμης*

In the present section I show how the philosopher-king, or true king, of *On Political Science*, modelled after the *Republic* and the *Statesman*, is subjected to the laws that the dialogue's interlocutors frame. I then argue that the very idea that even a knowledgeable ruler should be constrained by general laws has come to *περὶ πολιτικῆς ἐπιστήμης* from Plato's *Laws*.

4.1 A Ruler Subject to νόμος

The summary of book 5 of *περὶ πολιτικῆς ἐπιστήμης* indicates, as one of the topics it deals with, the demonstration that "kingship needs particular laws, convictions and practices" (νόμων τε ἰδίων καὶ δογμάτων καὶ ἐπιτηδευμάτων). The interlocutors effectively come to grips with the topic of laws at 5.13. The conception of νόμος they put forward is remarkable: its model is the Hippocratean oath. **The physician who swears the oath pledges to abide by the general principles (λόγοις) ensuring that he deals with his patients "moderately and faithfully" (σωφρόνως τε καὶ πιστῶς).** Such "laws" are contrasted with "convictions" (δόγματα), which consist in the ethical principles which the physician imposes on himself.⁴⁷ To some extent, the physician can internalize the law, and not only δόγματα, if he has a well-developed sense of "shame" (αἰδώς); but the laws remain imposed on him from the outside. Later on, at 5.171, the law is called an "external help" (ἔξωθεν βοήθημα) that sets human beings back on the right track whenever they are tempted to diverge from it.⁴⁸ The law can be internalized by those who are subject to it, but it remains as an external constraint.

A good illustration of the irreducible externality of the law is provided by the first specific law (ἴδιος νόμος) applying to kingship: the one which specifies the rules for the king's accession to power (5.17). The process itself is described in detail at 5.50-53: the leading men of the different corporations (τάγματα) of the city designate three candidates each from among the members of the senate; the people then spends three days in prayer, before the priests draw lots.⁴⁹ The process

contains, indeed is defined by law, but their own role is not defined in those terms, nor is their relationship to the law specified, beyond the need to correct or supplement the laws provided by the founder-legislator, a relationship which emphasizes their control over the laws rather than their subordination to them." See also Gill 1979, 150.

⁴⁶ Laks 1990, 215, insists that the "as far as possible" clause is both present in the *Republic* and the *Timaeus*. Laks sees this as the key to the compatibility of the *Republic* (the model) and the *Laws* (the real implementation): our author, as I read him, shares Laks' view.

⁴⁷ *Contra* Pertusi 1968, who sees δόγματα as the expression of the people's needs; and Fögen 1993, 70, for whom δόγματα are "die für die Umsetzung von Politik in soziale Praxis benötigten Regeln." I see no hint that δόγματα should be rendered that way; the *Laws*' context seems to me to give the term a much more secure meaning. **To be sure, δόξα elsewhere in the dialogue designates (unphilosophical) "true belief," which the king implants in the citizens' souls (see 5.189-190; cf. Plato, *Pol.* 309c5-d4; *Laws* 632c4-6, 653a5-7).**

⁴⁸ **This conception of the law likely comes from Plato, *Laws* 644d7-645b8.**

⁴⁹ The popular element in the process is twofold: the τάγματα nominate candidates (against Mazzucchi-Matelli 1985, I see no reason to see the τάγματα as "super-corporazioni," made up only of ἄριστοι; passages such as 5.29 and 5.65

of designation itself is remarkable, but I concentrate here on the very fact that there *is* a law of designation which the philosopher must comply with: that law, Menodoros says, is applied to **kingship** (τῆ βασιλείᾳ αὐτῆ, 5.17). To be sure, it is also enforced **by the kingly office** (ὕπ' αὐτῆς): the king can internalize it through αἰδώς.⁵⁰ But the need for an external law remains. The philosopher's wisdom, apparently, cannot be robustly trusted to determine whether he should rule or not. In the *Republic* and the *Statesman*, by contrast, there is no mention that a regular designation process is a necessary condition for the philosopher to rule: the *Republic* only talks of the practical need of having those in power (kings or democratic peoples) entrust power to the philosopher (473c11-d4; 499e1-500a7); and the *Statesman* explicitly denies that the consent of the ruled is a condition for the legitimacy of the philosopher's rule (296c8-e4). As it happens, Menodoros thinks that the people's judgment is reliable enough that they will effectively give the office to a true statesman (5.219); but the framework of the *Republic* and the *Statesman* is nonetheless set aside.⁵¹

Just as the king's accession to power is regulated by law, his end of office is the topic of a special νόμος. At 5.167, Menodoros and Thaumasios agree that, because the king is liable to old age and disease, he should step down at 57. As in the case of the law of accession, Menodoros mitigates the harshness of the rule of abdication by anticipating that the king will internalize it, and abide by it gladly (5.169). But there will nonetheless be a law: the king's wisdom cannot be trusted too much.

4.2 The Requirement of Rule by Consent

The content of the law of designation confirms that the regime cannot rely too much on the king's judgment. It requires that the philosopher-king be designated by the citizens; this is a condition for him to reign "justly" (δικαίως, 5.17). Later on, at 5.46, Menodoros insists on this necessity: for the king to rule according to νόμος, he must never do anything without the citizens' consent; he must strive never to enforce a decision of his "if other people are unwilling" (ἀκόντων τῶν ἄλλων); doing otherwise would assimilate him to a tyrant.⁵² As we just saw, the *Republic* and the *Statesman* do not set much store on rule by consent.⁵³ It is only in the *Laws* (832b10-c5) that the citizens' consent is made into a criterion of just rule.

On Political Science does not only make the principle of rule by consent a general requirement: it specifies it in some detail. When appointing bishops, for instance, the king will base himself on the "sworn testimonies of the cities" (ταῖς τῶν πόλεων ἐνόρκοις μαρτυρίαις, 5.19). The king's divine legitimacy does not mean, clearly, that he is allowed to disregard popular perceptions.⁵⁴ Later on, we learn that the king should rule always respecting the judgment (γνώμη) of the ruled (τῶν βασιλευομένων) and the senate (τῶν ἀριστων, 5.49). There seems to be an echo here of the two bases of the Roman Republic, *populus* and *senatus*: the author was well acquainted with Latin sources,

indicates that τάγμα is used of any professional category of the people); the people pray, something the author seems to believe has a real influence on the result of the vote. The procedure echoes Plato's *Laws* (756e9-758a2), where nomination, sortition and prayers to gods ensure that the appointment of the magistrates holds the middle between monarchy and democracy. **But the major role played by the senate in the designation process may reflect Ciceronian influence.**

⁵⁰ If the previous king is meant, it still means that he cannot be trusted with the designation of his successor.

⁵¹ O'Meara 2003, 181: "This stress on law as governing the election and conduct of rulers reminds us more of the level of reform sought in Plato's *Laws* than that described in Plato's *Republic*." Licandro 2017, 243: "nella concezione della *lex* dell'autore del trattato si misura sino in fondo la distanza da quella di Platone, al quale non importava se il *basileus* agisse nel rispetto o meno delle leggi."

⁵² See also 5.49.

⁵³ **The *Statesman* does distinguish the king from the tyrant using the criterion of the citizens' consent (276d11-e4); but consent is only a requirement for non-philosophical rulers. By contrast, the king of *On Political Science* is explicitly presented as a philosopher.**

⁵⁴ Proclus *In Alc.* 182.12 argued that political action required knowledge of the particulars; he therefore took up Aristotle's *Politics* (3.11) to the effect that deliberative assemblies were a necessary feature of good regimes. See on this point O'Meara 2003, 138.

Cicero first and foremost but also Livy, Seneca and Juvenal. Even more striking is the high bar set for the emperor to rule legitimately.

Are these requirements too demanding? After all, they submit the emperor to nothing less than the obligation to obtain the consent of all. Two facts mitigate their strictness. First, the author is of the view that the universe is organized so harmoniously that the judgment and will of all beings tend to converge (5.175); the two sets of γνῶμαι the king has to listen to (people and senate) will apparently not conflict, neither with each other nor with his own. There is a horizon of consensus for the opinions of all. But, crucially, the king cannot presume that his opinion, as well-grounded as it seems to him, is in accordance with the people's and the senators' views: he has to make sure it **actually** is.⁵⁵

Second, Agostino Pertusi and Orazio Licandro have noticed that the text uses two different terms to designate the people: the more disparaging δῆμος, when talking about the unruly mob (5.42; 5.106); and the more favorable πολῖται, to refer to the people as a political body (5.17; 5.46; 5.47). Cicero's *De Re Publica*, one of the authors' main source of inspiration, similarly distinguished between the disordered mob and the constituted people, represented most of all by the centuriate assembly, organized so as to maximize the rationality of the **popular** vote.⁵⁶ We know little about the author's vision of the assembly of πολῖται; but the fact that it is distinguished from the unruly δῆμος seems to indicate an arrangement similar to Cicero's centuriate assembly. Rationality and consensus would, in that case, be much easier to achieve.

4.3 The "Human" Paradigm, from the *Laws* to *On Political Science*

The examples just given make the general principle that the king should submit to the laws more palatable. The principle seems to have been expressed at 5.21, but an unfortunate lacuna in the text prevents us from knowing how the principle was put. What we have, however, indicates clearly enough that the king *is* subject to the laws. One of the first "political laws," a phrase that seems to refer to higher-order norms (cf. *Laws* 734e5), prescribes rules for the enforcement of these very laws. The king is entrusted with them, on the grounds that "a good king [must] think (***) more frightful to him than to the ruled" (οἴεσθαι γὰρ βασιλεὺς ἀγαθὸς φοβερωτέρων οἱ αὐτῷ ἢ τοῖς ἀρχομένοις εἶναι τὴν ἐπι***). With Peter Bell, I take it that the lacuna contained a phrase referring to the violation of the laws.⁵⁷ If this is right, it implies that the king will never be entitled to violate the laws: the paradigm of the *Statesman* is clearly rejected.

Now, there is one Platonic text that explicitly takes distance from the *Statesman's* framework: and this is the *Laws*. The *Laws* casts doubt on the possibility that a philosopher-king, endowed with perfect metaphysical and political knowledge, could ever exist; and it categorically denies that, if such a man existed, he could be trusted to rule unbounded by the city's laws (875a4-b6):

First, it is difficult to know that what matters to true political craft is not what is private but what is common (for what is common binds cities together, what is private rends them apart) and that the common and the private interests, both,

⁵⁵ The point has specific importance in the sixth-century context of the dialogue. As Karamboula 2000, 47, noted, the sixth-century emperor could be overthrown by senators and jurists; he therefore had to present himself as law-abiding. Haldon 2006, 39 insists on the senators' involvement in the Nika revolt, and lists Justinian's measures to ensure their support afterwards.

⁵⁶ *Rep.* 1.39 and 2.39; see also *Flac.* 15-16 and *Sest.* 136.

⁵⁷ Mazzucchi in his edition puts a grave accent on ἐπι, the last word on f. 354r. But the manuscript (as far as I could see) does not have it; and there is no reason to think that ἐπι here must be a preposition, and not a prefix. The copist does break words at the end of a page, for instance at the end of f. 352v. and f. 349r. Various words starting with ἐπι- can express the idea of violation of the law: ἐπιουσία (cf. the fact that the law was associated with oath at 5.13, and that early Byzantine emperors – like Anastasius – sometimes had to swear that they would respect the jurisdiction of office-holders, on which see Pertusi 1968, 564), ἐπιβολή, ἐπιχείρησις, ἐπιθεσις, ἐπιπληξίς, ἐπιστροφή, ἐπιτιμῆσις, ἐπιτιμία.

are benefitted if the common affairs are well managed, rather than private interest. Second, even if someone could, with his craft, sufficiently acquire the knowledge that things are by nature so, if he were, afterwards, to rule the city unaccountably and as sole ruler, he would never be able to stick to this conviction and live continuously, fostering first and foremost the common interest of the city, and his particular interest only in a subsequent position.

γνώναι μὲν γὰρ πρῶτον χαλεπὸν ὅτι πολιτικῆ καὶ ἀληθεῖ τέχνῃ οὐ τὸ ἴδιον ἀλλὰ τὸ κοινὸν ἀνάγκη μέλειν—τὸ μὲν γὰρ κοινὸν συνδεῖ, τὸ δὲ ἴδιον διασπᾷ τὰς πόλεις—καὶ ὅτι συμφέρει τῷ κοινῷ τε καὶ ἰδίῳ, τοῖν ἀμφοῖν, ἦν τὸ κοινὸν τιθῆται καλῶς μᾶλλον ἢ τὸ ἴδιον· δεύτερον δέ, ἐὰν ἄρα καὶ τὸ γνῶναι τις ὅτι ταῦτα οὕτω πέφυκεν λάβῃ ἱκανῶς ἐν τέχνῃ, μετὰ δὲ τοῦτο ἀνυπεύθυνός τε καὶ αὐτοκρατῶρ ἄρξῃ πόλεως, οὐκ ἂν ποτε δύναιτο ἐμμεῖναι τούτῳ τῷ δόγματι καὶ διαβιῶναι τὸ μὲν κοινὸν ἠγούμενον τρέφων ἐν τῇ πόλει, τὸ δὲ ἴδιον ἐπόμενον τῷ κοινῷ.

If the author of *On Political Science* knew this text, it would have provided him with a strong argument in favor of subjecting the king, even a philosophical one, to the city's laws. The text argues that it is unlikely, but not impossible, for a philosopher to exist. *On Political Science*, as we saw, endorses the same view (5.23). What *is* impossible (οὐκ ἂν ποτε δύναιτο) is for the philosopher to stick to his insight and resist the temptation of ruling in his private interest: he is bound to act like a tyrant at some point.⁵⁸ That is why civic laws are needed.

The *Laws* would thus account for the dual picture of kingly rule our dialogue puts forward: a philosopher can exist, and he should be given power in virtue of his superior knowledge; but his irreducible human nature makes it necessary to subject him to civic laws. This idea is absent from the *Republic* and the *Statesman*: in the *Republic*, the only flaw that can mar the rule of philosopher-kings is a kind of perceptual mistake (542b2-3), not the Sirenes of private interest. As André Laks argues, the philosopher-king of the *Republic* has to be divine: he cannot be approximated at the ordinary human level without losing his defining mark.⁵⁹ As to the *Statesman*, it argues that the rule of law is only superior to "the arbitrary rule of individuals masquerading as scientific rulers," as Christopher Gill put it.⁶⁰ But the king of *On Political Science* is not pretending to be scientific: he explicitly (5.190) possesses political science.

As in the case of the *Statesman*, I think we have good reasons to think that traces of the *Laws* can be found in *On Political Science*. In the passage just quoted, we find a contrast between self-imposed δόγματα and externally enforced νόμοι: *On Political Science* takes it up in its opening discussion. The point is crucial: just as the *Laws* casts doubt on the ruler's ability to stick to his self-imposed δόγμα, demanding instead that he be subject to externally imposed law, *On Political Science* insists on the externality of law (ἔξωθεν βοήθημα, 5.171) to make up for the fragility of the ruler's δόγματα.

Other echoes abound, at the level of words as well as content: the city's salvation depends on a proper allocation of praise and blame (4.25, cf. *Laws* 697a10-b2, possibly echoed in *Cic. Rep.* 5.7); the senators will be lodged on the "acropolis" of the city (5.35, cf. *Laws* 969c1-3); the ruler should imitate the divine, which involves respecting the city's laws (5.45, cf. *Laws* 713e6-714a2); he should also foresee the critical times (καιροί) at which the polity runs the risk of being dissolved, the most important being when rulers start misbehaving (5.144, cf. *Laws* 945c3-e2); the king should educate the citizens by his rhetoric, inspiring them to "fall in love with the πολιτεία" (5.165, cf. *Laws* 643e4-5); human beings are pulled by strings leading in opposite directions (ὀλιγὴ τε καὶ

⁵⁸ Schofield 1999, 42.

⁵⁹ Laks 1990, 217.

⁶⁰ Gill 1979, 150, quoting *Pol.* 300a-301e.

ἀνθολογῆ at 5.178, cf. *Laws* 644d7-a4).⁶¹ The *Laws* was read by the Neoplatonists: even if their attention focused on book 10 and its theology, many other passages were commented on by Plotinus and Proclus. Syrianus and Damascius wrote commentaries on the *Laws*; Damascius taught both the *Republic* and the *Laws*.⁶²

I argue, therefore, that *On Political Science* endorses the "human" paradigm of the *Laws*, next to the "divine" model of the *Republic* and *Statesman*.⁶³ But given that the *Laws* takes distance from the *Republic*'s theory of the philosopher-king, how can these two models be combined? I suggest that the answer lies in the anthropology of *On Political Science*: its theory of the dual nature of human beings, philosophers-kings included.⁶⁴ Ultimately, this places *On Political Science* much closer to the *Laws* than to the *Republic*.⁶⁵

5 The Ruler's Dual Nature

5.1 Between the Intelligible and the Sensible Worlds

It is in the middle of book 5 that Menodoros and Thaumasioi spell out their anthropology. Their explanation is embedded in the sketch of the philosopher's ascent to the intelligible. Once he has contemplated the highest being, **the philosopher re-descends "from above" (ἀνωθεν) and "comes back to himself" (εἰς αὐτὸν ἐπανελθὼν, 5.117). Menodoros' phrasing is telling enough: the true identity (αὐτός) of the king lies at a level below the Forms. This is exactly what he should realize once he has re-descended: what his place in the universe is (ποῖ κόσμου τεταγμένος) and what the responsibility ascribed to him by the divine amounts to (ὅποιαν τάξιν εἰληγώς, 5.117).** He is a demiurge in the political world, but this world is sensible: as Menodoros puts it at the end of the dialogue, politics is nothing but the government of embodied souls (5.180).⁶⁶ The king belongs to the sensible world; he has a body, with all that this implies.

The king is thus a chain between two ends: the intelligible, which he has contemplated; and the sensible, to which he returns. The one is the proper place of his soul, at least of his νοῦς (5.116); the other is his because he has a body: he remains a "corruptible thing" (φθαρτὸν χρεῖμα, 5.122). As having had access to the divine, he is "above the other human beings" (ὑπὲρ τοὺς ἄλλους ἀνθρώπους); but as having a body, he is "a human being among human beings" (ἄνθρωπος μετ' ἀνθρώπων, 5.122). As such, he is liable to old age and sickness (γῆρα τε καὶ νόσοις, 5.160). This prevents him from ever identifying completely with the divine: he can only be "similar" to it (ὅμοιος), and even that "as far as possible" (κατὰ τὸ δυνατόν, 5.122). Such qualifications abound

⁶¹ Schmidt-Hofner 2019 argues the author of *On Political Science* knew the *Laws*, but the textual echoes he adduces are at best vague (e.g. between 5.12-16 and *Laws* 628d). Licandro 2017 traces 5.46 back to Cic. *Rep.* 1.31, but the parallel with Plato's *Laws* seems to me to be stronger.

⁶² Dillon 2001; O'Meara 2002; O'Meara 2003, 23 et *passim*; Wildberg 2006, 317.

⁶³ Of course, the fallibility of unaccountable human rulers is a lesson our author could glean from other of his sources: see e.g. Cicero's analysis of unmixed monarchy at *Rep.* 1.44.

⁶⁴ To be sure, Plato's philosophy provided resources for thinking of (divine) law as a paradigmatic norm of justice and, hence, of human moral and political action: as O'Meara 2018a shows, the cosmic law talked about in the *Timaeus* for instance (*Tim.* 41e2-42d4) was seen by Plotinus as an ultimate norm of justice (*Enn.* 4.3.13.1-32). Another important source was the *Critias*: at 121b7-8, *Critias* presents Zeus as "ruling lawfully" (ἐν νόμοις βασιλεύων). Both Plotinus (*Enn.* 4.3.15.17 and 4.3.24.10) and Proclus (*Platonic Theology* 5.21; see also *In remp.* 2.99.10-100.24) took the laws in question to be the laws of fate, i.e. the system of retribution by which souls get what they deserve mentioned in the *Timaeus*. The *Timaeus*' laws, however, are revealed by the demiurge: they have divine status, which the civic, positive laws to which the king of *On Political Science* has to submit lack.

⁶⁵ O'Meara 2003, 183-184 already placed the dialogue nearer to the *Laws*, though for other reasons.

⁶⁶ For the Neoplatonists, "political virtues" can only be exercised by embodied beings; see on this point O'Meara 2003, 9.

throughout the text.⁶⁷ They fit, after all, what had become in Hellenistic doxography the formula for Plato's highest good, "assimilation to god as far as possible" (ὁμοίωσις θεῷ κατὰ τὸ δυνατόν, *Theaet.* 176b1-2).⁶⁸

As we saw, the proviso κατὰ τὸ δυνατόν was discretely present in the *Republic* (500d1-2); in the *Laws*, however, it took center stage. This is a strong indication that *On Political Science* owes more to the *Laws* than to the *Republic*. However, *On Political Science* preserves one element from the *Republic* which the *Laws* leaves out: the figure of the philosopher-king, echoed in the *Statesman's* "true king." In Magnesia, the city sketched in the *Laws*, there is no place for a philosopher-ruler.⁶⁹ This has to do, I suggest, with the *Laws'* specific moral psychology. If, with Christopher Bobonich, we can agree that Plato in the *Laws* thinks that virtue is more accessible to ordinary human beings than he admitted in the *Republic*, this comes at a cost: the notion of virtue is made less demanding, and does not include a perfect alignment of non-rational drives with reason, which is explicitly said to be impossible.⁷⁰ The *Laws'* ruler remains a human being, hence fragile and prey to passions.

5.2 Diseases of the Ruler's Soul

The diseases that might affect the king are not just bodily. Immediately after mentioning the possibility that the king falls ill, Menodoros quotes Seneca and Livy, to the effect that the passions of the ruler can wreak havoc in the political community (5.161). Passions are diseases, but of the soul, not of the body. Deftly, Menodoros suggests that the human nature of the ruler makes him prey to passions, i.e. to the irrational. Slightly later, he reminds Thaumasioi that human nature partakes of both reason and the non-rational (ἔχον τι λογικῆς τε καὶ ἀλόγου φύσεως, 5.176).⁷¹

One characteristic passion of rulers is their lack of moderation: this was the passion that affected Nero in the quote from Seneca. The ruler is especially prone to it if he is to assume a god-like role; and, as we saw, *On Political Science* does assign him such a role (section 3). The king, for instance, has to foresee crises affecting the commonwealth, whether they come from natural or from political events (5.143-147). This puts him in the position of the demiurge, who knows events to come. Menodoros must therefore warn the king, quoting this time Pindar: "let him not try to be god" (*Ol.* 5.24, at 5.156). The king should be "like God" (θεῷ ἐναλιγκιος, 5.157, cf. ὁμοιος at 5.206), not God. He is, after all, a human being.⁷²

Even "divine" men, such as Socrates, knew that they could one day succumb to passion. Menodoros wrongly ascribes to Socrates the famous prayer Cleanthes, the second scholarch of the Stoa, addressed to Zeus, but what matters is the message it conveys: "may you lead me, o Zeus, and you Fate, wherever you have assigned me a place, so that I follow you gladly, and that if I don't consent because I have become bad, I follow nonetheless" (ἄγοις με, φησίν, ὦ Ζεῦ, (καὶ) σὺ γ' ὃ περρωμένη, ὅποι ποτ' ἂν ὑμῖν εἶμι διατεταγμένος, ὡς ἔψομαι γε πρόθυμος, ἦν δὲ μὴ θέλω κακὸς γενόμενος, οὐδὲν ἦττον ἔψομαι, 5.202). Being the paradigmatic philosopher, a god-like man, did not prevent Socrates from (potentially at least) falling into vice. He was wise enough to recognize this; he therefore wished for external help if the case presented itself. The philosophical king of *On Political Science* should imitate Socrates: he should admit that he could one day stop being virtuous,

⁶⁷ 5.117 (τὴν ἀλήθειαν ὡς οἶόν τε λαβών); 5.121 (κατ' ἄξιαν τε καὶ δύναμιν); 5.122 (κατὰ τὸ δυνατόν); 5.134 (ὡς οἶον τε μιμούμενον).

⁶⁸ Lévy 1990.

⁶⁹ See on this point Schofield 1999.

⁷⁰ 653c7-9. See Bobonich 2002 (*passim*), and Laks 1990, 217.

⁷¹ Laks 1990, 221: "Man as a god in the *Politeia* also means, if not man without pleasure, or city without producers, at least both of them without the rebellious elements within pleasure and demos that cannot but be a threat to the political constitution." *On Political Science* sides with the *Laws* in denying that a god-like man can rid himself of these "rebellious elements," which the *Laws* famously describes in the "puppet" passage (644d7-645b8), as Laks also notes.

⁷² Cf. Cic. *Rep.* 1.45: the man able to foresee political changes is only *paene divinus*.

and that the city's laws would help him act justly. Even he does not admit to this, however, the laws will be in place to constrain him.

5.3 Mechanisms of Accountability

But how will the constraint concretely work? The text does not mention any precise mechanism of accountability; it only hints at two, and here again we witness the duality of the king's situation.

On the one hand, the king is accountable to God, who has appointed him (τεταγμένος, 5.117) to be the demiurge of the political realm: his kingship is a "service that is certainly not unaccountable before divine justice" (λειτουργίαν οὐκ ἀνεύθυνον παρά γε τῇ θεῖα δίκῃ, 5.47). This itself is Platonic: every human being, says the *Laws*, has to give an account to the gods after his death (959b4-5; cf. also the *Gorgias*' final myth). But Menodoros adds a second and vaguer possibility: "kingship may also be accountable to men" (ἴσως δὲ καὶ ἐν ἀνθρώποις). No specific institution is mentioned; but later on, at 5.99, Menodoros insists on the strength of the people in the commonwealth. As he puts it, "does not the force (κράτος) of the commonwealth reside first and foremost in the bodies, most of the times" (ἢ οὐκ ἐν σώμασι μάλιστα τὸ τῆ[ς] πολιτείας ὡς τὰ πολλὰ κράτος)? Menodoros mentions this as part of his argument for a strong supervision of the common citizens, especially circus factions. But the same observation could serve as a warning to the emperor: the riots caused by the factions could cost the emperor his throne, as Justinian bitterly experienced during the Nika revolt in 532.⁷³ **Historians have debated the nature of factional riots in sixth-century Byzantium: Alan Cameron famously argued against seeing the circus factions as political forces, but as essentially sporting bodies; more recent scholarship, however, has emphasized the political motivations that sometimes fueled their uprisings.⁷⁴ Michael Whitby has stressed the role circus factions played in the new model of imperial legitimacy that emerged in fifth-century Byzantium: as the emperors became sedentary and much less involved in military campaigns than their fourth-century predecessors, the hippodrome became the main locus of interaction between emperor and people. It is at the hippodrome that the people's demands would be voiced, using the chanting techniques the circus factions had developed; there too that the emperor could receive much-needed proofs of popular support.⁷⁵ On the last day of the Nika riot (January 18 532, in Greatrex's reconstruction), Justinian apologized in the hippodrome for not listening earlier to the people's claims, implying that they could justifiably revolt when their legitimate demands were left unanswered.⁷⁶ It is not clear whether Menodoros and Thaumasius, who loathe circus factions, would establish them as an institution of popular accountability; but these factions, at least, palpably demonstrate that popular dissatisfaction can overthrow the emperor.⁷⁷**

⁷³ Cameron 1976, 278: "the Nika revolt...all but cost Justinian his throne." **On the Nika revolt, see also Greatrex 1997.**

⁷⁴ See in particular Liebeschuetz 1978; Roueché 1984; Hatlie 2006; Booth 2012.

⁷⁵ Whitby 1999, 235-236.

⁷⁶ See the *Chronicon Paschale*, 623.15-20. As Whitby 1999, 236 puts it: "Justinian's statement had at least to be plausible to the crowds in the Hippodrome, even if it did not represent his actual views." Greatrex 1997, 81 suggests that Justinian may have in mind a Diocletian ruling taken up in the *Codex Justinianus* (9.47.12) to distinguish between legitimate and excessive popular demands.

⁷⁷ We know from Procopius that Justinian, under his uncle Justin's reign, sought the support of the Blue faction to pave the way for his own accession to power. According to the historian, Justinian condoned widespread urban violence that the Blues directed at the upper class (*Secret History* 7). Menodoros and Thaumasius, who probably represent the views of the upper class (Cameron 1985, 251), would thus have a reason to fear circus factions. However, given that the Nika riot was importantly caused by Justinian's quite sudden turn to severity against the Blues after 527 (Greatrex 1997, 63; Whitby 1999, 243), Menodoros and Thaumasius could also use the episode as a good reminder, addressed to the emperor, that misbehavior on his part could easily lead to his fall.

The king will therefore have to secure his power by managing public opinion. A city, after all, is "a common affair of the multitude" (πολλῶν τι κοινόν, 5.41); many among the people "judge [the king] according to the results of his actions, in a fault-finding way" (πρὸς τὰς ἀποβάσεις τὰς κρίσεις φιλαίτιως ποιουμένων, 5.41). The king might well be a divine philosopher; he still has to obtain the people's support.⁷⁸ Even if flawed, the people's judgment will have to be considered: the king's tool to assuage them will be rhetoric. In good Ciceronian fashion (cf. *Rep.* 5.8 and frg. 1 Ziegler), the king will resort to epideictic rhetoric (τὸ ἐπιδεικτικόν, 5.42) to "sell" his action to the crowd.⁷⁹ Literally, he will "give an account" (διδόναι λόγον) of his rule: this can be seen, I suggest, as a form of accountability.

6 Conclusion: True King, Rule of Law and the Authority of Philosophy in Sixth Century Byzantium

The political model sketched in *On Political Science* is that of multiple bases of imperial power. Given the Byzantine setting of the work (cf. the mention of circus factions), it is clear that the name of "king" (βασιλεύς) is a Platonic fig leaf for the late antique emperor. As I have tried to show, the emperor envisaged in the dialogue is marked by a fundamental duality: he has both divine and human elements within himself. The author's dual anthropology probably bears a rich relationship to centuries of theological controversies: the "true king" is different from the Monophysite Christ, whose humanity has been swallowed by divine nature; he is not even like the Chalcedonian Christ, whose divinity makes immune to sin. Whatever the author's relationship to Christianity may be, his conception of the philosopher-ruler has good Platonic credentials.

In conclusion, I would like to move away from the question of sources and paradigms, to focus on the political implications of this duality. For the dialogue's model emperor, it is the source of a double constraint, but also of a double legitimacy.

On the constraints side, the emperor is accountable to God *and* the people. He has been in close touch with the divine: God has therefore appointed him to be an image of Himself on earth; the emperor will have to render an account of this "service" (λειτουργία) to Him. But because the ruler remains a human being, he is always liable to fault. He must therefore obey the law, obtain the citizens' and the senators' consent, and try to convince them; if he fails, he risks being overthrown, and legitimately so.⁸⁰

These requirements are heavy; but they are only the flipside of the emperor's double legitimacy. Seen in this way, *On Political Dialogue* can be read as parenetic, not subversive. The text sometimes sounds critical of sixth-century emperors, for instance when it sets 57 as the age limit for ruling (Anastasius ascended the throne at 61, Justin I at 68; Justinian was 57 in 539, probably before the date of composition). But the text also gives the law-abiding emperor the means to secure his power. He can, and should, use Eusebius' Platonic framework, presenting himself as a philosopher-king; but he should also rule lawfully and by consent: this will preserve him against his own passions, and ensure the stability of his rule.

This means two things for the dialogue's place in its context, both intellectual and political. First, *On Political Science* assumes a remarkable place among the political writers of the time: as Pertusi put it, it stands between Agapetus, who insists on the emperor's divine legitimacy and sees him as only morally obliged to abide by the laws; and John Lydus, who endorses the "Roman" tradition of popular sovereignty and insists on the emperor's legal obligations.⁸¹

⁷⁸ On this predicament of the early Byzantine emperor see Diefenbach 1996, 40.

⁷⁹ Karamboula 2002, 56.

⁸⁰ O'Meara 2003, 181: "The legitimacy of the ruler depends therefore on his intrinsic moral and intellectual qualities, on his designation by the subjects in whose interest he is to rule, and on the divine sanction to which he is subordinate in the cosmic order." Licandro 2017 sees in the author's insistence on rule by consent a trace of Cicero's rejection of violence (*vis*) in favor of law (*leges, ius*): this would be compatible with an influence of the *Laws*.

⁸¹ Pertusi 1968. See also Valdenberg 1925, 69-70.

As far as the political context is concerned, it is easy to see how the text could have targeted Justinian's practice. Justinian sometimes advertised in his legislation that he stood above the laws, justifying this position in terms that recall Plato's arguments in the *Republic* and the *Statesman*.⁸² Justinian thus claimed to have a divine mission, which gave him command over the laws (*Nov.* 105.4). Like the Athenian Stranger in the *Statesman*, Justinian argued that natural and human circumstances are constantly changing and always particular (*Nov.* 2, pr. 1; *Nov.* 73 pr. 1; *Nov.* 107, pr. 1); he concluded that they had to be completed by his own wisdom (*Nov.* 39, pr. 1).⁸³ *On Political Science* rejects such a model: the dialogue interprets the king's divine mission as one of law-abidingness, not legislative activity.⁸⁴ On the one hand, the king is externally constrained to obey the laws, as opposed to the "gracious self-binding" that characterized early Byzantine emperors (to borrow a phrase of Dieter Simon); on the other, the "king" is never presented in the text as a legislator.⁸⁵ This is particularly striking since the *Timaeus*' demiurgic paradigm was used, in late antique Neoplatonism, as a model of legislation.⁸⁶

Who, then, is the legislator in *On Political Science*? I argue that this role is filled by the interlocutors themselves.⁸⁷ They have two credentials for doing so: their experience, and their philosophical insight.

As to experience, we know that Menas was a lawyer, instrumental in the composition of the *Digest*.⁸⁸ Thomas seems to have been a lawyer as well (5.102). This extra-textual authority lends credibility to the two men's proposals. But within the text itself, the two men make clear that they have the philosophical capacities to give an account of the philosopher-king. Just as, in Plato's *Timaeus* (19c8-20a7), Timaeus and Critias are said to be capable of talking about philosopher-kings because they are both experienced statesman and excellent philosophers, in our dialogue Menodoros and Thaumasioi combine political experience and philosophical skill. They demonstrate the latter by their methodologically rigorous approach to political science. At the end of the dialogue, Menodoros names the three bases on which his arguments have been grounded: opinion (δόξα), reason (λόγος), and testimonies (μαρτυρίαι).⁸⁹ Opinion (δόξα) has proceeded analogically, making statements about political science on the model the other sciences, such as medicine, which are also defined by laws (5.5). Reason (λόγος) has gone through the philosopher's ascent to the intelligible, concluding that the king once re-descended should be mindful of his all-too-human place in the universe (5.205). Finally, the testimonies (μαρτυρίαι) of prominent philosophers, especially Socrates, Xenophon, Aristotle and Cicero, have been adduced and registered (5.208-212). The laws to which Menodoros and Thaumasioi subject the king are the fruit of reasoning: analogical, scientific, and doxographic.

Reasoning is, so to speak, the third base of imperial power in *On Political Science*. But it also includes and combines the two others: it reflects the consensus between two human beings, the interlocutors, and their predecessors; it is also a pronouncement of philosophical reason, which is divine. The interlocutors have had, like the king, some access to intellect (νοῦς, 5.205); just enough

⁸² On early Byzantine emperors' relationship to law see Simon 1984.

⁸³ Simon 1984, 478; Karamboula 2000, 49-50.

⁸⁴ It is in fact not clear what institution will legislate once the regime sketched in *On Political Science* is founded. The regime might feature, as Magnesia in Plato's *Laws*, a procedure for amending the constitutional laws (for that procedure in the *Laws*, see Reid 2021); or it might stick to the laws framed by Menodoros and Thaumasioi, leaving it to the magistrates or the senate to apply them to particular cases. This would not be the role of the king, who has to remain a remote overseer of the regime (5.58).

⁸⁵ By contrast, McCoull 2006 sees Justinian as fitting the model king of *On Political Science*.

⁸⁶ O'Meara 2018a.

⁸⁷ This would have a precedent in Plato's *Laws*: the interlocutors of the dialogue are collectively legislating for the colony Clinias is to found (see e.g. 853c4-7).

⁸⁸ Licandro 2017.

⁸⁹ On the first two methods see O'Meara 2002, 57.

to frame laws to palliate the deficiencies of the king's superior but fallible intellect.⁹⁰ The regime they sketch is in a sense, like that of Plato's *Laws*, a noo-cracy.⁹¹

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⁹⁰ See O'Meara 2003, 99 (with n. 329) for the Proclean notion that law comes from intellect, but from a subordinate one.

⁹¹ *Laws* 714a2; see on this point Laks 2000, 262. A further source of authority for the laws of *On Political Science* would be that they are direct expressions of natural law: the phrase $\varphi\upsilon\sigma\omega\varsigma$ νόμος does come up at 5.112, but it applies to natural phenomena only.

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