

Nomos, Kosmos & Dike in Plutarch

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(eds.)

POLITICAL REFORMS IN THE *LIVES OF LYCURGUS AND NUMA*: DIVINE REVELATION OR POLITICAL LIE?¹

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Abstract

This paper aims to analyze the political importance of divine inspiration for Spartan and Roman political reforms carried out by Lycurgus (c. 650 BC?) and by Numa Pompilius (715-673 BC). In the former case, the constitution is supposed to have been transmitted to Lycurgus by the Delphic oracle and consequently it was called *Rhetra*, a “ceremonial utterance” or an “agreement” (*Lyc.* 6). Similarly, in the *Life* of the Roman counterpart, the goddess Egeria (*Num.* 4.2) inspires the second king of Rome to carry out a profound religious reform. In fact, this is not a specific feature of these *Lives*, since several other lawgivers were credited with divine assistance, such as Minos, Zaleucus or Zoroaster. The discussion of this issue is designed to reveal the argument that may lie behind these legends: divine inspiration or an artificial way of legitimating the lawgiver’s power? In fact, despite all the effort made in order to sacralise these ancient political institutions, Plutarch himself seems to accept the latter theory. This strategy can be seen as a kind of political lie which had previously been accepted by Plato as an instrument for legitimizing constitutional reforms (*R.* 389b).

In the *synkrisis of Lycurgus and Numa*, Plutarch stated four reasons to justify the placing of these two lives in parallel: “their wise moderation (σωφροσύνη), their piety (εὐσέβεια), their ability for governing (τὸ πολιτικόν) and educating (τὸ παιδευτικόν), and the fact that they both derive their laws from a divine source (τῶν θεῶν ... λαβεῖν)”. While these first three features are related to their characters, the fourth concerns their political activity: both reforms were credited with divine assistance. Both reforms were intended to resolve a *stasis*: in the former, people “felt that their kings were such in name and station merely” (4.5) and in the second, “it is indeed true that it was the pleasure of all to have a king, but they wrangled and quarreled”. Each lawgiver would establish *eunomia* for his community; nevertheless, while Spartan *eunomia* would last 500 years (*Lyc.* 29.6), the peace of Numa would last only until his death. However, such profound reforms would not have been accepted by people without divine sanction, even though they consist of positive laws, rules and institutions that are *postulated* by men among men, a matter of convention.

This paper focuses upon the Plutarchean argument that lies behind the legitimacy of the political reforms carried out by Lycurgus and Numa, the

¹ An earlier version of this paper was given in Coimbra (*Nomos, Kosmos and Dike* in Plutarch, 2011). I am grateful to the audience for their interesting comments and suggestions. I wish to thank to Professor Christopher Pelling for reading an earlier version of this text and for offering many valuable remarks as well as for having improved the English text. I’m also grateful to the scholar Anton Powell and Professor Delfim Leão for their readings and helpful suggestions.

argument that they were undertaken in order to achieve the best interests (τὸ βέλτιστον) of the state. Plutarch insisted that the ruler had to be the best of craftsmen and the maker of lawfulness and justice, as well as being the educator who would discipline an unstable people (*Praec. ger. reip.* 814A-C).

I. Divine assistance, a topos in the legends of Greek lawgivers

In central Italy, the first lawgivers were actually gods – Janus and Saturnus, Picus and Faunus – as B. LIOU-GALLE 2000: 177 stated: “ces rois anciens représentent à leur manière le passage du monde sauvage à la civilisation”². Accounts of the lives of early lawgivers of Greece, such as Zaleucus, Charondas, Lycurgus, and Solon, have always been filled with a rich mixture of myth and invention. In 1893, Julius Beloch, based on the general Indo-European belief in the divine origin of law, argued that Zaleucus and Charondas were personifications of sun gods. In a similar way, Eduard Meyer and Wilamowitz identified “Lyko-orgos” with the ubiquitous figure of the Arcadian wolf-god Zeus Lykaeos and the Arcadian light-God Lykaon. Thus, the cult of Lycurgus (like the cults of Helen, Menelaus...) was a relic of the ancient Laconian religion that had survived the early invasions.

The scarce historical data about early Greek lawgivers has led to a process of “infiguration”, as Cornford³ put it, when “facts shift into legend, and legend into myth”. Thus, as A. SZEGEDY-MASZAD 1978: 210 has pointed out: “This concept of infiguration allows us to treat the stories as a genre, unified and controlled by certain conventions.” In fact, this scholar identified some *topoi* that became attached to the names of great legislators: firstly, the state’s progress from initial *anomia* to *eunomia*; secondly, the main methods of acquiring instruction, i.e. extensive travel and study with a great philosopher; thirdly, when the lawgiver is selected to establish order, he must apply all the knowledge he has acquired on his travels as well as his acquaintance with philosophers. In addition, some of the lawgivers were credited with divine assistance⁴. The material provided by this tradition can be summarized in this schema: at an initial stage, there is a crisis in the state and a man rises due to his virtue, education and experience; secondly, there is an intermediate stage, when the crisis is suspended; finally comes the last phase, when the code is firmly established and the lawgiver departs⁵.

² On this matter, see the chapter of B. LIOU-GALLE 2000.

³ *Thucydides Mythistoricus*. London, 1907 (repr. New York 1969); apud A. SZEGEDY-MASZAD 1978: 210.

⁴ See A. SZEGEDY-MASZAD 1978: 204-205.

⁵ This reflects a dynamic of *physis*: one is born, grows up, and declines. The biological model is applied to the forms of government succession by Polybius (6. 8.10). See also J. ROMILLY 1991: 9-12.

This pattern is one that we can see in Lycurgus and Numa. Lycurgus had traveled in Crete, Egypt and maybe Libya and Iberia to study their various forms of government, making the acquaintance of distinguished men like the poet and lawgiver Thaletas; Numa had lived in the country, far away from the city, and passed his days with a δαίμων, the goddess Egeria, and might have been a pupil of Pythagoras⁶. Besides, both legitimise their reforms through a divine source, the former with Apollo's blessing and the latter with Egeria's wisdom.

Despite all the energy expended in order to make sacred the first Spartan institutions and Roman religious reforms, Plutarch sought to rationalize this notion of divine inspiration as a source of law:

ἄρα οὖν ἄξιόν ἐστι, ταῦτα συγχωροῦντας ἐπὶ τούτων, ἀπιστεῖν εἰ Ζαλεύκῳ καὶ Μίνῳ καὶ Ζωροάστρη καὶ Νομᾷ καὶ Λυκούργῳ βασιλείας κυβερνώσι καὶ πολιτείας διακοσμοῦσιν εἰς τὸ αὐτὸ ἐφοίτα τὸ δαιμόνιον.

Is it worth while, then, if we concede these instances of divine favour, to disbelieve that Zaleucus, Minos, Zoroaster, Numa, and Lycurgus, who piloted kingdoms and formulated constitutions, had audiences with the Deity? (*Num.* 4.7)⁷

οὐδὲ γὰρ ἄτερος λόγος ἔχει τι φαῦλον, ὃν περὶ Λυκούργου καὶ Νομᾷ καὶ τοιούτων ἄλλων ἀνδρῶν λέγουσιν, ὡς δυσκάθεκτα καὶ δυσάρεστα πλήθῃ χειρούμενοι καὶ μεγάλας ἐπιφέροντες ταῖς πολιτείαις καινοτομίας, προσεποιήσαντο τὴν ἀπὸ τοῦ θεοῦ δόξαν, αὐτοῖς ἐκείνοις πρὸς οὓς ἐσηματίζοντο σωτήριον οὔσαν.

Indeed there is no absurdity in the other account which is given of Lycurgus and Numa and their like, namely, that since they were managing headstrong and captious multitudes, and introducing great innovations in modes of government, *they pretended to get a sanction from the god, which sanction was the salvation of the very ones against whom it was contrived.* [emphasis added] (*Num.* 4.7-8)

At this point, Plutarch was seeking to justify this legend about Egeria and its traditional credibility, as well as other divine inspirations of earlier constitutions. According to Plutarch, if it is hard to believe in Numa's celestial marriage, it is equally doubtful that lawgivers who managed to resolve a *stasis* would not have attributed their political measures to a divine source. From this very point we therefore understand how Plutarch takes this divine inspiration

⁶ On this matter, see R. M. OGILVIE 1978: 89. On the Pythagorean tradition in Rome and its influence on the legend of Numa, see FERRERO 1955: 109-174 and MARINO 1999.

⁷ All translations are from The Loeb Classical Library with some modifications.

– as something that was probably an invention, one that was necessary in order to carry through the planned political reform. Despite Plutarch’s disapproval of δεισιδαιμονία, “an emotion engendered from false reason” (*de superst.* 165C) or “the most impotent and helpless is superstitious fear” (*de superst.* 165E), some scholars such as A. PÉREZ JIMÉNEZ 1987, 1996, D. BABUT 1969: 428 and T. DUFF 2005: 131, have already explored the approval of political manipulation through superstition in order to achieve a greater end⁸. Besides the frequent use of superstition, especially in Numa’s case (cf. A. WARDMANN 1974: 88-89), we will argue that the well-known Platonic instrument, the noble lie, is behind these political reforms of both lawgivers. In fact, if we take a look at the lives of Lycurgus and Numa, we will see that political artifice is present from the very beginning.

I.1 Lycurgus, “beloved of the gods, and rather a god than a man” (*Lyc.* 4.5)

Lycurgus, “the best example of a lawmaker” (*De lat. viv.* 1128F) as Plutarch describes him elsewhere, after his travels returns to his people, who sees in him “a nature fitted to lead” (φύσιν ἡγεμονικην), and a “power to make men follow him” (δύναμιν ἀνθρώπων ἀγωγὸν οὔσαν). The first answer from the Delphic oracle legitimised him as a legislator and promised him a “constitution, which should be the best of all”. Blessed with Apollo’s approval⁹, Lycurgus ordered thirty of the chiefs to strike terror into those of the opposite party, and therefore both kings (Charilaus and Archelaus) accepted the new political institution: the Gerousia (κατάστασις τῶν γερόντων), which would function like a “ballast for the ship of the state” (ἰσορροπήσασα τὴν ἀσφαλεστάτην τάξιν ἔσχε καὶ κατάστασιν), avoiding democracy and tyranny. Having established this first institution, there would be a second oracle from Delphi, which was the so-called “rhetra”. This oracle established that the people should be divided into groups, some into *phylai* and *obai*; the council of the elders (*gerousia*) was also confirmed, including the two kings (*archagetai*). Although the people could not initiate a motion, they had the power to accept or reject the proposals of the Gerousia. Later, however, when the people perverted this political mechanism, senators and kings made a proposal which would increase their power: they could dissolve the session when the people did not ratify the vote so as not to prejudice the best interests (τὸ βέλτιστον) of the state. Would Apollo, the first author of this constitution, allow this correction? Plutarch

⁸ *Fab.* 4.4-5.1; *Dion* 24.1-10; *Non posse suav.* 1101D. *Contra* M. CEREZO 1996: 162-163 argues that the description of people’s manipulation through superstition by Numa Pompilius represents an aggressive criticism against this kind of political practice.

⁹ On the way in which Plutarch and his erudite circle saw Apollo in the first (and second) century A.D., see A. G. NIKOLAIDIS 2009.

answered that both kings “were actually able to persuade the city that the god authorized this addition to the *rhētra*” (ἔπεισαν δὲ καὶ αὐτοὶ τὴν πόλιν ὡς τοῦ θεοῦ ταῦτα προστάσσοντος: 6.5). However, none of these changes would be more definitive than the educational reform, “which he regarded as the greatest and noblest task of the law-giver” (14.1). According to Plutarch (21.1), the contents of law would be revealed during this public education, by examples of social behaviour, poetry and music, whose “themes were serious and edifying”. In fact, it is very suggestive that Lycurgus’ first measure to initiate his political reform would be the invitation of the Cretan poet Thaletas, who was also a Cretan lawgiver, as J. D. LEWIS 2007: 50 states, “he is said to have brought certain norms of justice to Crete through his poetry and his music, perhaps using choral lyric poetry with dance to promote aristocratic norms”. Only a highly regulated and demanding educational system for both sexes, from birth until adulthood and even older, would obviate the need for written laws: the law would have its origin in each Spartiate, but also in each free woman; each one should sanction the practice and guarantee the endurance of the law. In fact, one *rhētra* had forbidden the writing of the laws (13.1). We may regard this process as a way to *naturalize* a political program in order to become a matter of custom, which is traditionally stronger than positive law: the *rhētra* should become an ἔθισμός (29.1) and take its place among those hallowed by age¹⁰. Furthermore, we might suggest another political motivation to justify the preference for unwritten law, because if it is not written, it can change whenever political power desired¹¹. In fact, that would happen, when senators and both kings changed the voting process; this therefore became another strategy to secure the lasting success of a reform.

When the primitive lawgiver saw that his main institutions were firmly fixed and that his civil policy had grown enough to preserve itself, he rejoiced

¹⁰ One of the most distinguishing features of natural right/custom consists in the fact that it is unwritten, but inscribed in the memory of the community and revealed by its practices and social sanctions. Concerning the superiority of custom unwritten law over the positive law, we can mention Antigone’s well-known discourse in the discussion with Creon, symbol of legality of the state (vv. 495-508). We do not intend to discuss here the complex semantic sphere of *agraphoi nomoi*. On this matter, see J. ROMILLY 1971. On the traditional idea of the divine origin of justice from Hesiod onwards, see the text of F. BECCHI in this volume.

¹¹ M. FLOWER 2002: *passim* demonstrated that many traditional Spartan features were actually invented in order to legitimise specific political reforms, such as: the ban on the ownership of precious metals by a group hostile to Lysander (p. 193), the whole concept of inalienable and indivisible lots of equal size (p. 196), the abolition of debts (p. 197) were invented by the King Agis, the general ban on foreign travel (*ibidem*) which is mentioned by several fourth-century sources (Xenophon, Isocrates, Plato and Aristotle), but there more specific restrictions are elsewhere unattested and finally the re-evaluation the role played by Sphaerus, a friend and advisor to King Cleomenes, in reinventing the *agoge* (pp. 199-200), among others.

at seeing his “cosmos come into being and have its first motion”, just as the Platonic demiurge (τὸν θεόν)¹². Then, in order to make his system of laws immortal, Lycurgus reveals once again his ἀνθρώπινη προνοία, “as far as human forethought could accomplish the task” (ὡς ἀνυστὸν ἐξ ἀνθρωπίνης προνοίας: 32.2): he assembled the whole people to tell them that the εὐδαιμονία of the city depended on their respect for those institutions, which should remain unchangeable until his return. Thus, the shape of the Spartan constitutional cosmos would depend on the observance of this original archetype.

Finally, there came the third and last inquiry to Apollo, who gave the final ratification of the Lycurgean constitution. The lawgiver would never return home and his civil policy would last for five hundred years¹³. Thus the people were misled one more time.

I.2. Numa Pompilius, “honoured with a celestial marriage” (*Num.* 4.6)

Plutarch does not engage in such historical polemics with the second king of Rome as he does with Lycurgus¹⁴, even if the only historical fact about this figure is his own name: it is even possible to study the stages by which his legendary biography was constructed¹⁵. Recently, some archeological evidence has come to support his existence, namely, the discovery made by Clementina Panella in 2007¹⁶. The excavation team led by this archeologist from Rome’s Sapienza University uncovered a temple or sanctuary (probably dedicated to the Goddess of Fortune), which, accordingly to Panella, dated from the period of Numa Pompilius (8th-7th BC). In addition, no statues or figures were found, a fact that Panella explains by the suggestion that it has to do with the prohibition of images of the gods in his temples. In fact, Plutarch in the *Life of*

¹² Cf. Pl., *Ti.* 37c, principle of autonomy, καθ’αὐτὸν.

¹³ Modern scholarship is increasingly convinced that Sparta did change profoundly over the four centuries (6th-3rd BC), culturally as well as demographically. See A. POWELL 2010: 87, 129 n. 5.

¹⁴ According to Plutarch (*Num.* 3.4), this man of Sabine descent was born in the very day when Rome was founded by Romulus, that is, the twenty-first of April due to κατὰ δῆ τινα θεῖαν τύχην.

¹⁵ See R. M. OGILVIE 1978: 88.

¹⁶ The archaeological campaign began in 2006, with the help of 130 students and volunteers, and has been led by this archeologist, who had been also excavating in the Forum for twenty years. According to this scholar, the wall of the temple was found seven meters below the surface and lies between the Palatine and Velian hills, close to the Colosseum, the Arch of Titus and Via Sacra. Besides the temple, were also found two wells, both full of thousands of objects, such as votive offerings and cult objects, including the bones of birds and animals, ceramic bowls and cups. In 2006, Andrea Carandini, Professor of Archeology at La Sapienza, announced that he had discovered the remains of a royal palace dating to the time of Romulus, which had a monumental entrance, ornate furniture and tiles, having ten times the size of ordinary homes of the period. Sources: Richard Owen, *Times Online* (October 8, 2007).

Numa (8.7)¹⁷ does ascribe this practice to Numa, regarding it as a Pythagoric influence. Still, even if this important discovery seems to confirm this ancient religious Roman practice in a period which legend attributes to Numa's reign, it is not yet truly definitive concerning the historical existence of Numa himself.

After Romulus' disappearance, the city had been plunged into *stasis* and the oligarchical element had become predominant, although "it was the pleasure of all to have a king". Then, both factions, those who had built the city with Romulus and the Sabines, agreed to appoint the Sabine Numa Pompilius as king, well-known for his abilities as a "judge", or "counsellor" and for his "rational contemplation of gods' (θεῶν) nature and power" (3.8)¹⁸. At first Numa declined the kingdom, but eventually did not resist the people's appeals, which were even ratified by auspicious omens. In fact, Numa would subdue the people's minds by means of fear of the gods (δεισιδαιμονία) and by the practice of religious events (sacrifices, processions, religious dances), accompanying them with strange signs, such as vague terrors, apparitions, threatening voices (8.3). In the last stage of Numa's rule, the religious reform had accomplished its purpose: "the city became so tractable (...) that they accepted his stories, though fabulously strange, and thought nothing incredible or impossible which he wished them to believe or do" (ὥστε μύθοις ἐοικότας τὴν ἀτοπίαν λόγους παραδέχασθαι, καὶ νομίζειν μηδὲν ἄπιστον εἶναι μηδὲ ἀμήχανον ἐκείνου βουληθέντος: 15.1). In the study *Science and Politics in the Ancient world*, B. FARRINGTON 1939 aims to identify the obstacles to the spread of a scientific outlook in the ancient world and claims that one of these obstacles consisted in popular superstition. He argues that this popular superstition had two different sources: popular ignorance and deliberate political deceit. In this narrative, the political lie through religion and Numa's exploitation of religious effects on people can be seen as an example of superstition imposed upon the people.

In contrast to his Greek counterpart, Numa wrote down his laws, "as the Greek lawgivers their tablets", taught them to the priests and asked for them to be buried with his body¹⁹. Nevertheless, since he did not create a

¹⁷ "And in like manner Numa forbade the Romans to revere an image of God which had the form of man or beast. Nor was there among them in this earlier time any painted or graven likeness of Deity, but while for the first hundred and seventy years they were continually building temples and establishing sacred shrines, they made no statues in bodily form for them, convinced that it was impious to liken higher things to lower, and that it was impossible to apprehend Deity except by the intellect" [emphasis added].

¹⁸ After Tatia's death, Numa was determined to live in country places, passing his days with a goddess (δαίμων) and, according to Plutarch, "the goddess Egeria loved him and bestowed herself upon him a life of blessedness and wisdom more than human." (4.2).

¹⁹ In this case, Plutarch justifies his option as an instance of Pythagorean influence, which established that precepts should "implant the memory and practice of them in living disciples worthy to receive them" (22.3-4).

highly controlled educational system similar to the Lycurgean *agoge*, the peace generated by Numa would die with him and a new *stasis* began. His religious institutions, however, would represent an identifying feature for the entire Roman people²⁰. In fact, the paired contrast of the warrior-king (Romulus) and the priest-king (Numa) lies in the very heart of the Indo-European thought – similar to the antithesis of Varuna and Mitra in *Vedic Literature* –, as Dumézil (1958: 80) illustrated: “Numa complétant l’œuvre de Romulus, donnant à l’idéologie royale de Rome son second pôle, aussi nécessaire que le premier”²¹.

II. The noble lie as a ruling instrument

In the third book of the *Republic* (389c-d), Plato accepts the act of lying only when it is done by city leaders for the people’s benefit: “The rulers then of the city may, if anybody, fitly lie on account of enemies or citizens for the benefit of the state”.

Before Plato, there are two important texts on the political function of religion: the fragment from a drama by the oligarch Critias, and Isocrates’ epideictic essay *Busiris* (24-25) written as a eulogy of Busiris, the mythical king of Egypt²². The fragment of the former consists of an explanation of the origin of the laws and a rationalist theory of the origin of religion, describing it as just a political expedient by a “shrewd and wise-thoughted man” (πυκνός τις καὶ σοφὸς γνώμην ἀνὴρ), i.e. the lawgiver: “Whence he brought in the divinity (τὸ θεῖον), telling them that there is a diety (ὡς ἔστι δαίμων). By this discourse he introduced the most welcome of teachings hiding the truth with a false story (ψευδεῖ καλύψας τὴν ἀλήθειαν λόγῳ)”²³ and he goes even further, arguing: “in my opinion, someone first persuaded mortals to think that there is a race of deities”. Regarding this passage, B. FARRINGTON 1939: 88-106, who traces the part played by this concept in the formulation of the Platonic doctrine of γενναῖόν ψεῦδος, eloquently observed that, at this point, Critias was clearly confusing the political function of religion with its

²⁰ As Polybius (6.56.2-13) demonstrated: “the quality in which the Roman commonwealth is most distinctly superior is in my opinion the nature of their religious convictions. (...) I mean superstition which maintains the cohesion of the Roman State”. See also F. W. WALBANK’s commentary on this passage (1957: 741).

²¹ R. M. OGILVIE 1978: 88. For a recent revision of Dumézil’s perspective on the early history of Rome, see D. BRIQUEL 2006.

²² See also Iamb. *VP* 179 and X. *Mem.* 1.4. The idea of the divine origin of law as a socially useful concept can be found in the Pythagorean literature: on this matter see A. DELATTE 1974: 44-46.

²³ Fr. 19 SNELL (Eleg., Trag. et Phil., *Fragmenta*). This is an excerpt from Whittaker’s translation (1925, *Priests, philosophers and prophets*. London, p. 77).

genesis. Regarding the second text, the rhetorician Isocrates is mentioning the intentions of the religious legislator of Egyptians who guaranteed people's obedience by introducing little pious practices, ensuring that the mob would obey important commands given to them by their superiors²⁴.

Based on the idea that all systems of government were, without exception, bad (*R.* 497c-d), Plato always sought the construction of a system of belief and a system of education²⁵, which would guarantee the well being of the State. In fact, regarding Plato's condemnation of poets' tales, he does not object to them for being untrue, but for not being unedifying²⁶. Thus, Plato's political lie should be so skilfully adapted that it should become a kind of "second nature"²⁷, because it should appear as truth to the subjects and, according to Socrates, even to rulers (*R.* 414d, 459d-e). In fact, the general belief in myths is a proof that it is possible to make people believe anything, from which the legislator would take advantage, as Plutarch also pointed out about Numa (15.1): "they accepted his stories, though fabulously strange, and thought nothing incredible or impossible which he wished them to believe or do".

Polybius, regarding the Roman use of religion and superstition, also approves its use for disciplinary purposes (16.12.9-11), but as F. W. WALBANK 1967: 515 noted: "his interpretation of Roman *religio* is that of the Greek rationalist, not of the native Roman". In fact, Polybius' religious scepticism is linked with a tendency towards Euhemerism, which, based on the mythographer Euhemerus' view of religion, established a rationalist and humanistic approach to the interpretation of myths during the 3rd century BC. In his tenth book, Polybius (10.2.8-10), comparing Scipio to Lycurgus, stated that both made their political scheme more acceptable and credible by appealing to superstition: "For neither must we suppose that Lycurgus drew up the constitution of Sparta (...) solely prompted by the Pythia, nor that Scipio won such an empire from his country by following the suggestion of dreams and omens. (...) That everything he did was done with calculation and foresight, and that all his enterprises fell out as he had reckoned (...) "²⁸. Based on this passage, M. GUELFUCCI 2010: 147 has highlighted Scipio's features that plans everything μετὰ λογισμοῦ καὶ προνοίας, having as a result events that will occur κατὰ λόγον. Similarly, Plutarch also characterizes Lycurgus,

²⁴ B. FARRINGTON 1939: 89-90.

²⁵ On the influence of Sparta on Plato's *Laws*, see G. MORROW 1960. On the resemblances between non-argumentative techniques of persuasion and modes of rule used by the Spartan authorities and the elements of Plato's *Laws*, see A. POWELL 1994.

²⁶ *Pl.*, *R.* 10, 602b: "Yet still he will nonetheless imitate, though in every case he does not know in what way the thing is bad or good. But, as it seems, the thing he will imitate will be the thing that appears beautiful to the ignorant multitude".

²⁷ B. FARRINGTON 1939: 93.

²⁸ Translation by W. R. PATON 1976: 105.

firstly, for his “wisdom and foresight [σοφίαν καὶ πρόνοιαν], by contrast with the factions and misgovernment of the people and kings of Messenia and Argos, who were kinsmen and neighbours of the Spartans” (*Lyc.* 7.2) and then, when he planned the best way to keep the Spartan constitution unchangeable, for having desired “so far as human forethought (ἄνθρωπίνης προνοίας) could accomplish the task, to make it immortal, and let it go down unchanged to future ages” (*Lyc.* 29.1). Thus, the lie of such a ruler, if in the best interest of community, may well be seen as a political result of the faculty of human *pronoia*, which is also shared by the divine being²⁹. Later, Cicero (*Div.* 18.42) refers very clearly that the use of superstition through divinatory practices had become particularly useful for the manipulation of the masses in his own day.

In these *Lives*, Plutarch is also seeking to rationalize this traditional material and come up with an explanation, because only “duller minds are content with history if they learn the mere general drift and upshot of the matter” (*De gen. Socr.* 575C). As Plutarch himself stated in the well known and commented beginning of the *Life of Theseus* (1.3), “may I therefore succeed in purifying Fable, making her submit to reason and take on the semblance of History” (εἴη μὲν οὖν ἡμῖν ἐκκαθαίρομενον λόγῳ τὸ μυθῶδες ὑπακοῦσαι καὶ λαβεῖν ἱστορίας ὄψιν). C. PELLING 2011 has already studied the way in which Plutarch treats his historical sources according to their periods, analysing how this rationalization process works specially in the *Lives of Theseus* and *Romulus*, which aims to attribute “credibility” (τὸ πιθανόν). Accordingly to C. PELLING 2011: 174-175, two different kinds of rationalization can be distinguished: the first can be found in Herodotus and consists of “how a story could develop, it explains *away* a legend” and the second, the so-called Thucydidean, works by secularizing the historical fact, i. e., Agamemnon gathered the Trojan expedition because of his power, not because of any oaths (1.9). In this case of the pair of *Lives*, and from what has been argued, there is a *Thucydidean* rationalization of this mythical material that also follows that thread of Greek thinking about religion, which was eloquently expressed by Critias.

In fact, in the case of Numa, Plutarch clearly does not believe in the legend of Egeria, as he makes clear in *De fortuna Romanorum*: “For the tale that a certain Egeria, a dryad and a wise divinity, consorted in love with the

²⁹ As F. FRAZIER 2010: VIII stated: “On trouve, situées ici au niveau divin, des qualités d’intelligence qui interviennent pareillement chez les hommes: dans les *Définitions* transmises à l’intérieur du corpus platonicien, la πρόνοια apparaît comme παρασκευὴ πρὸς μέλλοντά τινα (414a)”. This scholar (1996: 209) does not recognize “une prudence expectationnelle” in the case of Lycurgus, but just a “banale” *pronoia*.

man, and helped him in instituting and shaping the government of his State, is perhaps somewhat fabulous. (...)” Regarding this passage, D. BABUT 1969: 428 suggested that, even though divine filiation is an invention, it is actually “une invention intéressée pour exploiter à des fins politiques la crédulité publique”. Therefore Plutarch does not exclude the other possibility of special favours occurring between god and men that are distinguished by their moral value³⁰. D. BABUT 1969: 467-469 also noted the textual concordance between this passage (4.4) and the text of *In the sign of Socrates* (593A) which establishes that “il existe des hommes d’élite, qu’on peut qualifier de ἱεροί, δαιμόνιοι ou θεοί, et que la Providence gratifie d’avertissements ou de prémonitions extraordinaires, parce que leur pureté morale les rend aptes à entrer en contact avec le divin” (p. 469).

We see, then, that Plutarch’s interpretation of the political reforms carried out by Lycurgus and Numa consists of another example of the political function of religion, that idea which we found eloquently expressed before Plato by the oligarch Critias as early as the 5th century. However, by the time that he wrote these *Lives*, Plutarch was already a priest of Delphi³¹. Was he then devaluing the oracle function, reducing it to a mere instrument of politics? In fact, on the *On the Sign of Socrates* (580A), Galaxidorus also reveals a pragmatic view, accepting that a politician is likely to exploit the people’s superstitiousness in dealing with them: “For men engaged in public affairs and compelled to live at the caprice of a self-willed and licentious mob this may have its use — to treat the superstition of the populace as a bridle, and thereby pull them back to the profitable course and set them right”³². In addition, Plutarch’s political vision of the people is clearly derogatory, presenting it as a multitude that must be controlled or deceived in order to be saved. A recent study by S. SAID 2005: 7 has identified a notable consistency in the treatment of the *demos* in Plutarch’s work, conditioned by his Platonism (R. 493 a-e): “As a rule, these members of the elite refrain from awarding the common people any significant place in their writings and, when they did bother to mention them, it was mostly with disdain. Plutarch (...) is no exception”.

³⁰ Another testimony is Cicero who also manifests his incredulity on these tales and justifies it with the necessity to mix history and poetry, because while in the former, “everything that is judged is the truth”, in the second “it is generally the pleasure one gives” (*N.D.* 3.91).

³¹ Accordingly to C. P. JONES 1966, Plutarch becomes priest of Apollo at Delphi after 96 or possibly earlier and the composition of this pair of *Lives* is located between c. 96 and c. 120.

³² G. J. D. H. WZN. AALDERS 1982: 50.

Conclusion

Having arrived at this point, we can summarize this approach by distinguishing two different links with a divine entity. The first regards the connection between the lawgiver and the divinity, which is transmitted by tradition and becomes a *topos* usually attached to the names of great legislators³³. The figure of the lawgiver is traditionally attached to the image of a divinity since his activity, the postulation of a political order, requires this sacred authority so that it can be observed. This first type of link therefore also projects a genuine divine source for these political constitutions. However, the political reforms of Lycurgus and Numa are different, in that they are rules and institutions *postulated* by men among men, like a convention: and this provides our second type of link, where the divine sanction is itself a further human postulate, a fabricated claim made by the lawgivers because such profound political reforms would not have been accepted without divine sanction³⁴.

The political lie and the use of superstition represent only useful devices – as expressed in the *Republic* (389c-d) and before that in Critias' fragment – to establish eunomia and for it is both likely and acceptable that rulers will take advantage of this divine influence over people's minds for the common good. Besides, the rationalized version of these traditional *mythoi* was attested, as has been noticed, by Polybius (10.2.8-10), Dionysius of Halicarnassus (2.61.2) and Livy (1.18-21). Being probably inspired by a Pythagorean principle, Numa did wish to replace the “*metus hostilis* by the *metus deorum* as unifying force in the State”³⁵. While in the case of Numa Plutarch clearly does not believe in the legend of Egeria, in the *Life of Lycurgus* he would pick up the most *divinized* version of the tradition³⁶ and rationalize it by resorting to a Platonic instrument of rule, comparing Lycurgus twice to a physician (4.3, 5.2), just like the Platonic frequent physician/ lawgiver parallell (*Grg.* 464b-465e; *R.* 405a-410b).

Regarding the Spartan *Life*, the *topos* of the divine assistance, however, has to be integrated and analysed in a larger historical perspective: the “Spartan talent for official lying and myth-making” as described by A. POWELL 2010: 128³⁷. Regarding Spartan internal affairs, this scholar (2010: 126-127)

³³ A. SZEGEDY-MASZAD 1978 and B. LIOU-GILLE 2000: 174-177.

³⁴ See also *Praec. ger. reip.* 813B-C.

³⁵ R. M. OGILVIE 1978: 90 and A. WALBANK 1967: 741.

³⁶ Diodorus Siculus 7.12; [Xenophon], *The Polity of the Lacedaemonians* I. 2; Ephorus ap. Strabo 10.14.19 (= *FGrHist* 70F 149).

³⁷ M. FLOWER 2002 has made penetrating observations on the construction of the Spartan ‘mirage’ through a process of invention of tradition, i. e., “traditions invented, constructed and formally instituted at a specific point in time and for a specific purpose”, for instance, every time the Spartans changed something in their society, they attributed the change to Lycurgus.

presented the full list of the royal rulers of the Agiad and Eurypontid houses over the period 500-395 BC, demonstrating that “most (seven out of eleven) royal rulers of Sparta were either killed, enduringly exiled or threatened with exile”. Thus, the use of divine sanction in secular matters became an effective political device used by kings in times of insecurity, such as from the reign of Kleomenes until Agesilaus. Thus, the so-called Spartan stability and internal concordance was actually no more than a convenient image, successfully “sold” to the wider Greek world at the same time as Sparta was beset by striking internal conflicts.

On the contrary, in the case of the Roman counterpart, religion played an important role within the Roman collective memory³⁸ as well as in the political field, as Polybius (6.56.2-13) said: “the quality in which the Roman commonwealth is most distinctly superior is in my opinion the nature of their religious convictions. (...) I mean superstition which maintains the cohesion of the Roman State”. However, unlike the Spartan lawgiver, Numa participates in the order created by him, while Lycurgus, being so external to his own order, must depart in order to force the people to obey the laws without the force of his personality³⁹. Thus, if Lycurgus is superior to Numa due to his educational reform⁴⁰, “the greatest and noblest task of the lawgiver” (*Lyc.* 14.1), turning Sparta into a πόλις φιλοσοφοῦσα, Numa seems to have realized the Platonic ideal of philosopher-king long before Plato’s *Republic*: “the power of a king should be united in one person with the insight of a philosopher, thereby establishing virtue in control and mastery over vice” (*Num.* 20.7)⁴¹. In the work *To an Uneducated Ruler* (780C), Plutarch alludes to the Hellenistic theory of the king as divine living law⁴² (νόμος ἔμψυχος⁴³), according to whom the ruler should follow the law of reason which will lead his rule to the necessary stability: “not law written outside him in books or on wooden tablets or the like, but reason endowed with life within him.” As Plutarch puts it, and the ruler can only reach this lofty ideal through philosophy⁴⁴.

To sum up, there is no real contradiction between Plutarch’s general disapproval of superstition and the religious and political lie, which legitimated both reforms of Lycurgus and Numa. In fact, they were just techniques that

In fact, he argued that this device was used so often that he concluded that “any synthetic history of Spartan institutions is impossible” (idem, p. 192), as the tradition of the “ancestral” (i.e. Lycurgean) iron currency, for instance.

³⁸ See also G. DUMÉZIL 1958.

³⁹ J. D. LEWIS 2007: 63.

⁴⁰ On this matter, see P. DESIREDI 2002.

⁴¹ Cf. *Pl., R.* 487e, *Lg.* 711E.

⁴² See also G. J. D. H. WZN. AADALERS 1982: 45 and D. BABUT 1969: 85-87.

⁴³ Cf. *Plu., De Alex. fort. aut virt.* 1, 330D; *Alex.* 52.5 and *Art.* 23.5.

⁴⁴ G. ROSKAM 2002: 180.

belonged to the τὸ πολιτικόν sphere, protected the τὸ βέλτιστον, the best interest of the state and intended to “pull them [the mob] back to the profitable course and set them right” (*De gen. Socr.* 579F).

In these *Lives*, the political lie may be seen as an expression of *pronoia*, i. e., an exceptional ability to analyse his own present circumstances, just as in that Polybian example of Scipio (10.2.8-10) or even the Plutarchean Fabius Maximus (*Fab.* 7.2)⁴⁵. On the other hand, Plutarch, in the path of Greek skeptical, rationalist and humanist view eloquently expressed by Critias, admits the use of political lie as a likely origin of these political reforms, which is related to his often derogatory treatment of the *demos*, already present in Plato (Saïd, 2005). Although Plutarch has recognized that “for Philosophy such outward seeming appears not only unseemly but in open conflict with her claims” (*De gen. Soc.* 580A-B)⁴⁶, he accepts the use of superstition with some leniency for political purposes.

⁴⁵ The contrary can be found also in Plutarch, *Comp. Per.-Fab.* 2.4.

⁴⁶ Contra *De superst.* and *De Is. et Os.* 2, 68, 71.

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Political reforms in the *Lives* of Lycurgus and Numa: divine revelation or political lie?

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