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THE POLITICAL PHILOSOPHY OF HELLENISTIC KINGSHIP

FROM the close of the fifth century before Christ the city state began to fail to satisfy the political needs of the Greeks, and the sense of failure forced men to seek some other basis of government than democracy. In practical politics aristocratic Sparta was able to overthrow the badly disciplined armies of the democratic states, and the hatred she won thereby was tempered by the keenest admiration and envy. Oligarchies and tyrannies were springing up on every hand. At the same time political theorists searched for remedies in the study of various state forms and of the fundamental character of man. Whatever the solution proposed or implied, nearly all agreed that democracy would never be the ideal outcome. No passage of Plato's almost fatalistic discussion of the degeneration of states is written with deeper feeling than his description of the inevitable chaos that must succeed any attempt to regulate society on a democratic principle. Years later Dio Chrysostom looked back upon Greek democracy and said that it was the ideal organization of society, but of all forms the one the least possible of realization. For it was based upon the hope of founding an equitable and legal constitution upon self-control and virtue in the mob, so that while democracy was a fair word and gentle, the thing itself withal was impossible.¹

The solutions offered by political philosophers in the century preceding Alexander are too familiar to need detailed description. Many turned wistful eyes to the great king of Persia, not aspiring to be his subjects, but longing for the unity and order which his absolutism and broad sway guaranteed to his subjects. Even from the time of Herodotus the deepest sympathy was expressed with the Persian point of view that if only the king is virtuous, monarchy is the ideal polity.² The highest idealization of the Persian monarchy is, of course, that of Xenophon in the *Cyropaedia*. With his eyes on Cyrus and Sparta alike, his ideal state is clearly that dominated by an absolute ruler who surpasses his subjects in every way, physically, mentally, and morally. Plato and Aristotle followed the Socratic tradition,

¹ *Dio*, III, 47 (ed. Budé, I, 52).

² *Herod.*, III, 82.

for they recognized that the ideal government is that of the philosopher king, but clung at the same time to two outworn phases of Greek politics, the conception of the city state as the unit of government, and the hope of educating enough people so that there could be a true aristocracy, with a large ruling class of high integrity. These conservative and idealistic solutions were all reached from a socialistic approach to the problem. Over against them were the philosophers whose criterion and unit in all things was the individual. The Cynics and Cyrenaics turned into themselves, either contemning or tolerating the actual organization, but directing men to find their kingdom in themselves, and their citizenship in the cosmos, for local politics and laws must always be absurd. The Sophists expressed their individualism by glorifying the potentialities and achievements of the man who is able to master his fellows by the sheer force of his personal power. True predecessors of Nietzsche, they invited him who could to dominate his weakling fellows, while they described all constituted law as simply the frightened attempt of the inferior herd to put shackles upon the naturally superior individual. Natural equality was to them the greatest of absurdities. As Plato and Aristotle in the name of natural law desired to establish a state balance with philosophers, or a supreme philosopher, in power, the Sophists appealed to natural law for the right of the strong to enslave the weak.³

During Philip's reign it is familiar that the Greeks took two characteristic attitudes toward the threat of his domination. There were the fierce defenders of the autonomy of the city state, and of democratic institutions; another group, however, looked by no means with dismay at the possibility of Philip's conquest.⁴ Aeschines and Isocrates, who come at once to mind, represented a school of Greek thinkers who were trying to harmonize many of the current theories. It is Isocrates' repeatedly expressed conviction that the rivalries of the cities had run their course. In Philip he saw the saving principle, and hailed him as having a right to dominate all Greece, *κατὰ τὸ τῆς ψυχῆς ἕθος καὶ τὴν φιλοanthropίαν καὶ τὴν εὐνοίαν, ἣν εἶχεν εἰς τοὺς Ἕλληνας*.⁵ To this he shortly adds that he is urging Philip *ἐπὶ τὰς εὐεργεσίας τὰς τῶν Ἑλλήνων καὶ*

³ See especially Plato's *Gorgias*, 482 c ff.

⁴ Besides Polybius' testimony it will be recalled that Demosthenes says that the people of Thessaly and Thebes *φίλον, εὐεργέτην, σωτήρα τὸν Φίλιππον ἠγοῦντο*: *πάντ' αὐτοὺς ἦν αὐτοῖς*. See Paul Wendland, *Σωτήρ*, in *Zeitch. f. d. neuest. Wissenschaft*, V (1904), 838.

⁵ *Philipp*, 114.

πραότητας,⁶ words which are to have increasing importance as official titles justifying the right of rulership. Isocrates, however, has not only Philip to commend. He is pleased with every tyrant or king who rules his subjects well.⁷ At the same time he has many passages where he turns back with regret to the government of Athens when democracy was at its best. Which of these represents Isocrates' true attitude? Was he sincere in his protests of love for democracy and at the same time in his exhortations to kings and tyrants to do their best in ruling their cities or countries? With this question we need not be concerned. The important point is that in his writings the theorizing of Socrates, Plato, and Xenophon about kings is applied to practical politics. His appeal to Philip is accompanied by exalted descriptions of the true use of absolute power, addressed to Nicocles. Here he recognizes the popular belief that kings are equal to the gods, at least in their powers, if not in person (c. 5). But the man who is king ought to be supreme personally. He is to be a model to others in virtue (c. 31), to guide his conduct alike by the theory of philosophy and the practical sagacity of experience (c. 35), and the recognition that true kingliness consists in ruling over oneself (c. 29). In relation to the existing law, the king must not live lawlessly (c. 31), and must so modify and improve the laws that they will be just, consistent, and capable of direct and speedy application, while the king's own judgments are to be as fixed and just as the best of laws (c. 18). Isocrates praises Evagoras as being such a monarch. Of Nicocles he is not so sure, and therefore recommends him, if he cannot be a philosopher himself, to learn to take counsel from the philosophers in his kingdom (c. 50 ff.). In all this it is notable that Isocrates, the pupil of Gorgias, does not once approach the problem of royalty or tyranny from the point of view of the Sophists. The right of the strong to assert himself is never hinted. The sanction of monarchy is the legal, moral, and philosophical character of the ruler and his actions.

Then came Alexander, and the floodgates of Greece were opened to oriental and Egyptian political and religious conceptions. Unfortunately, reliable and datable evidence becomes more rare as these new elements make the problem complex. On the religious syncretism of the Hellenistic royalty much interesting new light is being thrown every year. But what of the king and his subjects from the point of view of political philosophy? What

⁶ *Philipp*, 116.

⁷ Like Xenophon's *Hiero*.

was the sanction of his rulership? What right had he to override the laws of the Greek city states? As Professor Rostovtzeff has remarked, we know increasingly how the king made his peace with the religious systems of Greece, but how did he satisfy the political philosopher?

The problem has been very much confused by the generalizations of Kaerst, the only man who has investigated the problem with any degree of thoroughness. It is his well-known thesis that the monarchy in its philosophical aspects, aside from its religious significance, rested upon two primary teachings of Stoicism: first, the right of the man who is superior in virtue to rule over his fellows; second, the value of a world monarchy to correspond to the cosmic rulership of Zeus or of the Stoic natural law. But an examination of Kaerst's evidence, from that in his earlier articles to the references in the 1926 edition of his *Geschichte des Hellenismus*, reveals the fact that the bulk of his evidence is very late, while most of the earlier citations prove to have little reference to the subject. It is beyond the scope of this essay to review or refute his work. There is need for a study *de novo* of the conception of royalty in Greek civilization. My immediate purpose is only to point out a body of evidence of which Kaerst takes no account, and which heretofore has not been discussed at all for its bearing on the subject.

There is good reason for thinking that during the Hellenistic period there was much philosophical discussion of the kingly office. For example, Demetrius Phalereus is reported to have said to Ptolemy the king that he ought to prize and read the books *περὶ βασιλείας καὶ ἡγεμονίας*. "For what friends do not dare to say to kings they write in books."⁸ Cicero wrote to Atticus of certain men who sent letters of counsel to Alexander, a youth who had intense desire for glory. Alexander had asked for advice, and their advice was "*quod ad laudem sempiternam valeret*."⁹ In another letter Cicero identifies two, at least, of these men as Theopompus and Aristotle, whose *συμβουλευτικά πρὸς Ἀλέξανδρον* he had at hand.¹⁰ Of their contents he tells us nothing. The first of these is in all probability the one listed in a recently discovered catalogue of the library of Rhodes, with the title *Θεοπόμπου ἄλλου περὶ βασιλείας*,¹¹ for references to the *πρὸς Ἀλέξανδρον* are not to

⁸ Stob., IV, vii, 27 (ed. Wachsmuth and Hense, IV, 255).

⁹ *Epis. ad Att.*, XIII, 28.

¹⁰ *Ibid.*, XII, 40.

¹¹ Gaetano de Sanctis in *Revista di Filologia e di Istruzione Classica*, LIV (1926), 70.

be found until in Cicero and Athenaeus, which gives ample time for a work by some other Theopompus to have become associated with the historian. In any case, the work which Cicero had was clearly a Hellenistic production. The same conclusion is to be drawn about the *πρὸς Ἀλέξανδρον* ascribed to Aristotle. It is probably identical with the *περὶ βασιλείας* attributed to Aristotle by Diogenes Laertius and others,¹² and though the ascription to Aristotle is dubious, the fact that Cicero had the work witnesses to its existence in Hellenistic times. Still another treatise on the subject is ascribed to Theophrastus, of which a single fragment is preserved by Dionysius of Halicarnassus.¹³ These last three may represent a lost Peripatetic tradition on kingship. A Stoic treatise, *περὶ βασιλείας*, was written by Persaeus of Citium, a disciple of Zeno, in the court of Antigonos.¹⁴

It is my opinion that material is available which can properly be regarded as records of this Hellenistic speculation.

First, there is the material ascribed to Archytas of Tarentum, from a treatise *περὶ νόμου καὶ δικαιοσύνης*.¹⁵ The fragment is too long to reproduce entire, but I give its most important statements from the point of view of royalty.

The unwritten laws of the gods which are opposed by the laws of wicked customs, inflict an evil lot and punishment upon those who do not obey them, and are the fathers and guides of the written laws and teachings which men enact. Law bears the same relation to the human soul and life as harmony to hearing and speech. For as law educates the soul and organizes the life, so harmony makes hearing intelligent and speech consistent. And I say that every community consists of the ruling element, the ruled, and a third element, the laws. Now laws are of two kinds, the animate [*ζῳονυχος*] law, which is the king, and the inanimate, the written law. So law is primary; for with reference to it the king is lawful [*νόμιμος*], the rulership is fitting [*ἀκόλουθος*], the ruled are free, and the whole community happy. But when the law is transgressed the king is a tyrant, the rulership unfit, the ruled are slaves, and the entire community wretched. For action is a combination of the elements of ruling, being ruled, and third, of efficiency [*κράτεν*]. So it is proper for the better to rule, for the worse to be ruled, but for both to have efficiency. For reason [*τὸ λόγον ἔχον*] should rule the soul, and the irrational should be ruled; but both should be efficient as over against the passions. For virtue arises out of a harmony of each of these, and virtue

¹² See Rose, V., *Aristotelis Fragmenta*, ed. 1, secs. XIV, XV, LX.

¹³ *Antiq. Rom.*, V, 73.

¹⁴ *Diog. Laert.*, VII, 36.

¹⁵ Stob., IV, i, 132, 135, 136, 137, 138 (IV, 79, 82-83), IV, v, 61 (IV, 218).

in turn leads the soul out of pleasure and pain into calmness and freedom from the passions [*ἀνάσσει*].

The fragment goes on further to discuss the place of law in society, but has no more to say of the king until the following:

And the true ruler must not only be understanding and powerful in ruling well, but he must also be a lover of men, for it would be strange for a shepherd to be a hater of sheep and ill disposed toward his own flock. And he must be lawful as well, for so he will have understanding of rulership. For by his knowledge he will be able to judge correctly; by his power, to punish; by his excellence, to benefit; and by the laws, to do all these with reference to reason. And the best ruler would be the one who is closest to the law; but he would do nothing in his own interest, but only for the sake of his subjects, just as law exists not for its own sake but only for those subject to it.

The fragments attributed to Archytas have recently been discussed at length by Delatte,¹⁶ whose work in turn is carefully reviewed by Theiler,¹⁷ so that, important as the fragments are, they can be treated briefly here. Delatte tries to substantiate the genuineness of their ascription to Archytas, and in doing so has collected an extraordinary amount of material to show that the conceptions are all to be paralleled by writers contemporary with or closely following Archytas, especially Plato and Aristotle, accompanied by an interesting demonstration of the Pythagorean character of much of the political theory of both Plato and Aristotle. His conclusion, then, is that in these Archytas fragments we have a sample of the sort of pre-Platonic, Pythagorean political thinking which went into Platonic and Aristotelian philosophy as well as into the thought of Isocrates and the Stoics. Theiler is unconvinced that the influence was from Archytas, but thinks conversely that the similarity of phraseology indicates that the fragments were composed under the influence of Platonic-Aristotelian writings. Yet he recognizes that they are free of any Stoic influence, and so inclines to date them shortly before Poseidonius, when Platonism and Aristotelianism had learned to live together but had not yet been influenced by Stoicism. While any decision between the two hangs ultimately upon a matter of opinion, my own inclination is to agree with Theiler that the fragments are Hellenistic.

¹⁶ Delatte, A., "Essai sur la Politique Pythagoricienne." Liège, Paris, 1922. (*Bibliothèque de la Faculté de Philosophie et lettres de l'Université de Liège*. Fascicule XXIX.)

¹⁷ *Gnomon*, II (1926), 147-156. See especially pp. 150 ff.

But whether the fragments are pre-Platonic, or are third or second century, their survival is highly important as marking the existence of a Pythagorean interest in the kingly office.¹⁸ Here appears again the old Greek theory that no state law is truly such which does not conform to the eternal principles of morality, whether these be conceived of as natural law with Heraclitus, or in more popular statements as the will of the gods. The political axioms on which Sophocles founded his *Antigone* are here restated. Whatever the form of organization, a state needs three elements: the ruling machinery of government, its subjects, and, as an independent entity behind both, the law. So far the fragment reproduces classical Greek thought perfectly. But the problem is, Whence comes the law of cities? The lawmakers, Solon and his ilk, were popularly conceived as trying to reduce to writing the unwritten law, by which was meant the ancestral customs of the people, or the will of the gods, or both at the same time. But here an additional form of unwritten law is suggested, that of the monarch, who is himself not only a law, but the vivid representation to men of the law, that will of the gods to which all local state law must conform. He seems to have this unique quality by virtue of his office, at the same time that he has it by virtue of his own moral character, which itself must be νόμος, that is, in accordance with the higher law, not necessarily obedient to the local laws. One feels at once the similarity and difference in the matter of the relation of the king to law between this statement and a passage of Socrates. Xenophon represents Socrates as distinguishing between a king and a tyrant by the fact that a king rules according to the laws, a tyrant not according to the laws, but according to his own wishes.¹⁹ But the laws which Socrates' king must follow are the laws τῶν πόλεων. That is, the king, like all citizens, is bound by the code. But the writer of this Archytas fragment has in mind a king who produces law for his subjects out of his own nature. He is so superior to the local code that his legality is tested not by them, but by his conformity to higher natural law, and thus by his power to represent it to men. As such, the king must be wise, kindly to his subjects, a good shepherd.

¹⁸ Delatte unfortunately has little to say about this aspect of the fragments.

¹⁹ *Mem.*, IV, vi, 12. The conception of the true king as one who rules according to the law or laws may well have been Persian in origin. "I ruled according to laws," is the boast of Darius the Great. See *Sculpture and Inscriptions of Darius the Great*, British Museum, 1907, §52, p. 203. Professor Dougherty showed me this passage.

herd to his flock,²⁰ and thereby stand to the rest of the state as the rational principle stands to the two lower principles in the human constitution. So will he be very close (*dyxóratos*) to the law, that is, to the Supreme Law, and as such be a law to his subjects, existing not for his own sake, but for theirs.

The conception has some familiar aspects. Plato,²¹ Aristotle,²² the Skeptics, and, of course, later the Stoics are fond of describing the truly virtuous man as independent of written code, because he looks for guidance to the ideal law. Such a man both Plato and Aristotle, and the Stoics after them, tell us must be hunted out by all means to lead the state and give it laws. It is best, says Plato, not when the laws govern, but some royal man with *φρόνησις*, who gives out law adapted individually to each case, rather than dealing with the inaccurate approximations of the code.²³ Plato says further that the *τέχνη*²⁴ of the king supplants the codes of law, just as the *τέχνη* of a skilled pilot throws all rule-of-thumb instruction books to the winds. Aristotle expressed the same idea in his own way.²⁵ Thus far the value of the ideal ruler who knows the law lies in the fact that he can disperse correct commands to others, while in the Pythagorean fragment the king himself is law. Incidentally, like the divine ideal code of morality, the king is the source of human statutes, but he is more than an ideal maker of laws, for he is himself Law. The best ruler is the man in whom this identification is most complete.

A much clearer parallel to the conception is found in Isocrates. Πείθον μὲν καὶ τοῖς νόμοις τοῖς ὑπὸ τῶν βασιλέων κειμένοις, ισχυρότατον μὲν τοῖς νόμοις ἡγοῦ τὸν ἐκείνων τρόπον,²⁶ which is plain in meaning, except for the last word. "Obey the laws which kings lay down, but bear in mind that the mightiest law is the kings' disposition." "For,"

²⁰ On the king as a good shepherd see below, p. 84.

²¹ E.g., *Politicus*, 300 c., where the ideal lawgiver, who understands the ideal law and writes approximations of it for the mob, need not obey even his own approximation if his knowledge of the higher law leads him beyond his own written code in any given place. Cf. *Laws*, 875 c., where Plato says that the man with divine power to rule over himself needs no laws to rule him; ἐπιστήμης γὰρ οὐτε νόμοις οὐτε τάξεσσι οὐδεμίᾳ κρείττω, οὐδὲ θέμις ἐστὶν αὐτὸν οὐδεὶς ἐπαινεῖν οὐδὲ δοῦλον ἀλλὰ πάντων ἀρχοντα εἶναι, ἐάνπερ ἀληθινὸς ἐλευθερός τε ὅπως ἡ κατὰ φύσιν.

²² *Polit.*, 1288 a, b.

²³ *Ibid.*, 294 a. Stalbaum in loco and *Proleg.*, p. 82, mistakes this for a parallel to the Pythagorean doctrine.

²⁴ *Polit.*, 296 e ff. True government is thus κατὰ τέχνην as contrasted with all actual governments, which are κατὰ συγγράμματα. *Ibid.*, 299.

²⁵ *Ibid.*, 1287 a, b.

²⁶ *Ad Demonium*, 36.

he goes on, "as a politician in a democracy must court the people, so likewise the one who lives in a monarchy must be in awe of the king." That is, in a monarchy the mightiest law is the *τρόπος* of the king.²⁷ The conception is certainly very close to the Pythagorean νόμος ἑμψυχος, but since Aeschines speaks of the *τρόποι* of oligarchs in the same way,²⁸ we cannot stress the statement of Isocrates.

Aristotle again makes several statements which sound similar. Chiefly there is the famous passage²⁹ where he has proved that the usual claims to rulership are not justified, and then turns to make exception in the case of a man or men who completely surpass their fellow citizens in virtue. It is injustice to group him in with the others. As virtuous, such a man may truly be regarded as a god among men. Far from being subject to legislation, he himself is a law. Aristotle, like Plato in the *Politicus*, has little hope that such men will ever really be at hand, and dismisses royalty as an impossibility on that account. Yet later he says that if a people is capable by nature of producing a race superior in virtue and political talent, it is fitted for kingly rule.³⁰ He does not describe his king as νόμος ἑμψυχος, but only as being Law. Yet that Aristotle may have been familiar with the term is made possible from his calling the judge *ὁλον δίκαιον ἑμψυχον*, "a sort of animate justice."³¹ For while the use there is figurative, and is not intended as a statement of the actual nature of a judge, still it suggests that Aristotle may have known the term in a literal sense. Whence had Aristotle this idea of a people who produced unique men for their kings, men who became themselves a law to their subjects? Certainly it is not of his own thinking, for he rejects the whole conception as visionary. It may be that he got it, as Delatte might have argued, from these Archytas fragments. But the general impression of the fragments continues to be that they are late; and so either earlier, probably Pythagorean, teachers of the doctrine must be supposed, or we must seek a people who actually claimed to be ruled by such supermen. It will appear that the latter is the more likely solution.³²

²⁷ On the *τρόπος* of the king, cf. *Epist.* of Ps.-Aristaeus, 209.

²⁸ III, 6. Cf. P. Wendland, "Anaximenes von Lampsakos," in *Hermes*, XXXIX (1904), 501, n. 1.

²⁹ *Polit.*, 1284 a. The conception is restated in the pseudo-Aristotelian letter to Alexander. See below, p. 92.

³⁰ *Polit.*, 1288 a.

³¹ *Eth. Nic.*, V, 1132 a, 20 ff.

³² See below, pp. 78 ff.

By the time of Isocrates and Aristotle, then, there had developed a conception that the true king was personally of unique significance as a lawmaker, or even as Law itself. In the Archytas fragment this conception is explained as resting on the fact that the king is personally a representation and revelation of divine-natural law in the kingdom. That this conception was not stillborn is witnessed by other material.

The first witness to call is Diotogenes, of whom nothing is known beyond the fact that Stobaeus calls him a Pythagorean. Stobaeus has preserved from two writings of Diotogenes five fragments in all, three from a treatise *On Piety*, and two from a work *On Kingship*. Two of the fragments from the essay *On Piety* need not be considered. They throw little light upon his general philosophy or his date, though they are thoroughly Pythagorean. Both are very corrupt textually. One³³ falls into two parts,—remarks on the propriety of grace before meat, and a discussion of four cosmic causes, *φύσις*, *νόμος*, *τέχνη*, and *τύχη*. The other³⁴ is a practical bit of advice, that one who is truly lawful (*νόμιμος*) will use the law courts as little as possible, and pay more heed to another's rights than his own. The third fragment³⁵ from the treatise *On Piety* discusses the proper education of the young which will lead them into true morality. For as laws are ultimately the moral standards of citizens (*ἥθη*), so the *ἀρχή* of *παιδεία* is the education of the young. Certainly it would seem that children should be trained with the same care, at least, as young plants or horses, and yet the author complains that more attention and money are paid to get a good groom or gardener than for a suitable tutor for children. The proper education of the child's *ἥθος* will be found in music and dancing for their training in rhythmic fellowship with others, as well as for their softening effect upon minds inclined to drunkenness and gormandizing. As a supplement to these, games will give training in coöperation, as well as in truth and alertness.³⁶ This third fragment presents a picture of a city-state consciousness apparently undisturbed by any conception of a higher source of law than the will and conduct of the people as a whole. It

³³ Stob., IV, 1, 133 (IV, 79).

³⁴ *Ibid.*, III, 1, 100 (III, 60).

³⁵ *Ibid.*, IV, 1, 96 (IV, 36).

³⁶ On the Pythagorean use of music and gymnastics in education, see references in Zeller, *Phil. d. Gr.*, I, 1 (6th ed.), 406, 407. English translation, *Pre-Socratics*, I, 348, 349. This fragment is, of course, strongly suggestive of Plato.

could have been written and received with perfect propriety in any of the democratic cities of Greece. Its Platonic-Pythagorean character is just as plain as its whole feeling is early. The two fragments from the treatise *On Kingship* quoted by Stobaeus from the same Diotogenes present in some respects an interesting contrast.

The first fragment reads as follows:³⁷

The most just man would be king, and the most lawful would be most just. For without justice no one would be king, and without law [there would be no] justice. For justice is in the law, and the law is the source [*αἴτιος*] of justice. But the king is Animate Law [*νόμος ἔμψυχος*], or is a legal ruler [*νόμιμος ἀρχων*]. So for this reason he is most just and most lawful.

Of itself the first sentence would seem to be a Cynic or Stoic statement of the kingly character of every virtuous man. But since in the part to follow, the king is treated as a state official, no such sense can be made of it. Indeed, the paragraph is actually a demonstration that the king as an official is the most just man in the kingdom. Kingliness, says the first sentence, is inseparable from justice. This is a conception long familiar to the Greeks. Says Xenophon's Socrates, "They are not kings or rulers who hold the scepter merely, or are chosen by fellows out of the street, or are appointed by lot, or have stepped into office by violence or fraud; but those who have the special knowledge of how to rule."³⁸ Similarly, Socrates has been quoted as distinguishing between the terms king and tyrant on the basis of legality, which was in the school of Socrates and elsewhere a synonym for justice. "I say," says Socrates, "that the lawful is identical with the just,"³⁹ and this Xenophon applies to the king in his statement that the king is *δικαιότατος καὶ νομιμώτατος*.⁴⁰ But what seems to lie behind Diotogenes' statement here is the question, how may we know that our sovereign in Alexandria, or Antioch, or wherever he may be, is actually king by these standards? Diotogenes answers by the following reasoning. If justice is a product or function of Law, where there is true law, there is always justice. But the king is himself Animate Law officially; hence, since he is Law itself, he must also be Justice itself. So he is the most just man in the kingdom, for his character is most in accordance with

³⁷ Stob., IV, vii, 61 (IV, 263 ff.).

³⁸ *Mem.*, III, ix, 10. τοῖς ἐπιστατέων ἀρχεῖν.

³⁹ *Ibid.*, IV, iv, 12. φησὶ γὰρ ἐγὼ τὸ νόμιμον δίκαιον εἶναι.

⁴⁰ *Cyrop.*, I, vi, 24 ff. (27).

the law. The statement, it is clear, does not explain the term *Animate Law*, but only assumes it, in a manner impossible except in the case of readers already familiar with the expression, whether from a lost part of the present treatise, or, as is more likely, from common usage.

Diotogenes continues:

The duties of the king are threefold, military leadership, the dispensation of justice, and the cult of the gods. So then he will be able to lead well in arms if he thoroughly understands the art of war; and to dispense justice and to hear out his subjects if he has studied well the nature of justice and law; and to worship the gods in a pious and holy manner if he has reasoned out [*ἐκλογισάμενος*] the nature of deity and virtue. Accordingly the perfect king must be a good commander, judge, and priest; for these are fitting and proper to the king's supremacy and virtue alike. For the task of a pilot is to save [*σφῆν*] the ship, of a charioteer to save the chariot, of a physician to save those who are ill, while the task of the king and captain is to save those who are in danger in war. For each of these is overseer and fashioner [*δημιουργός*] of the organization [*σύστημα*] of which he is the dictator.

In the matter of the threefold duties of the king—war, justice, and religion—the functions of the Greek state back to Homeric days are recognized. But for the rest the passage is an interesting development of Platonic conceptions. *Nómos* and *νόος*, Plato says in the *Laws*,⁴¹ are intimately connected. He speaks of the procession from the Fates of an undeviating *δύναμις* which seems intellectual in character, and which must enter into the laws if they are to have health and *σωτηρία*, just as it must enter into souls if they are to have *ἐνομή*. In a word, this *δύναμις* is the salvation of the laws,⁴² as it is of men. Plato goes on to suggest that this higher force can be put into the laws by a council of ten elders, who by their character and profound study could act as a supergovernment in the state, a suggestion extraordinarily similar to some of the functions of our own Supreme Court. The *σωτηρία* of every thing depends upon the presence of this intellectual principle, or *νόος*. So every animal has a sort of soul and head, whose virtue is the saving principle of the animal. But the active principle of salvation in the soul is mind (*νόος*), so that all salvation ultimately comes from *νόος*. As *νόος* in an animal expresses itself through the senses of the animal, so on a ship the *νόος* of the pilot acts through the senses of the sailors to save the ship, while

⁴¹ 957 c.

⁴² 960 c, d.

generals and physicians similarly control and save by projecting their *νόος* into the senses of their armies or patients. In like manner a true statesman is such by virtue of his supreme *νόος*, which saves the city.⁴³ It is clear that Diotogenes has taken these Platonic instances of the universal saving power of *νόος*, and applied them to the king. But in doing so he has added the figure of the charioteer guiding his horses, a figure which shows that he was combining this passage in the *Laws* with the opening discussion of Plato's *Politicus*, where Plato describes the ideal king, who because of his *βασιλική ἐπιστήμη* surpasses all men, and should be given the reins of the city, that he may be charioteer of the state, as well as its shepherd.⁴⁴ Plato does not call his king *σώτηρ*, but the materials were at hand for the easy blending of the two passages which Diotogenes has effected.

The conception will reappear in Euphantus, but here it is of interest to point out that Plato in the *Politicus* shortly says that so supreme an individual would be a god rather than a man, and so is not to be taken into account as a practical possibility. Diotogenes, however, is apparently describing the actual king, and it is interesting to see that Plato's dilemma presented the Pythagorean with no awkward choice. For to Plato's objection that such a king would be divine rather than human, Diotogenes goes on to reply, "Of course. That is exactly what he is."

The fragment continues:

In judging and in distributing justice, whether as a whole in Public Law [*ἐννῆ*], or to individuals in Private Law [*ἰδίᾳ*], it is right for the king to act as does God in his leadership and command of the universe. On the one hand, in public matters the king is to bring the whole kingdom into harmony with his single rule and leadership, while private matters of detail must be brought into accord with this same harmony and leadership. The king is also occupied in doing well to and benefiting [*εὐεργετῶν*] his subjects, although in doing so he does not depart from justice and law.

The distinction between the *νόμος κοινός* or *ἐνός*⁴⁵ and the *νόμος ἰδῖος* has been a familiar one since Aristotle. But in Aristotle *νόμος κοινός* is natural law as contrasted with the law of the city, whether that

⁴³ 962 a; cf. 298 a ff.

⁴⁴ *Polit.*, 286 c. The *βασιλική ἐπιστήμη* is compared to the skill of the pilot, doctor, farmer, athletic trainer, Xenoph., *Mem.*, III, ix, 11. Cf. *Cyrop.*, I, vi, 21-23. The conception of the king as saviour might have come to Plato also from Socrates. See *Mem.*, III, ii, 1-4.

⁴⁵ The use of the older *ἐνός* for *κοινός* would appear as one of the archaisms artificially introduced into the style.

civil law is unwritten custom or equity, or is the written code. But under Hellenistic monarchies the νόμος κοινός came to be the king-made law which formed the constitution of the kingdom, while the ἴδιος νόμος or ἴδιος λόγος was the private law usually following local tradition. This was the convenient distinction by which, for example, the Ptolemies kept harmony in Egypt. In all ordinary matters, Egyptian and Greek communities might have each their own laws, providing that these were kept always subservient to any decree of general policy or organization which the king cared to institute. Similarly, the different cities of Greece still felt as a result of keeping their private law that they had not lost their personalities in the larger kingdoms. Diotogenes' use of the terms is obviously Hellenistic. It is interesting that here the king emerges as imitator of God and as ἀνέργητης, both conceptions which will soon reappear. Yet the Pythagorean character of the ideal polity is guaranteed by its being based upon, and culminating in, a harmony which is ultimately attuned to the harmony of the universe. The passage closes as follows:

The third duty, that is, the worship of the gods, is no less fitting for a king. For the Best must be honored by the best man, and the Governing Principle by one who is a governor. So just as God is the Best of those things which are most honorable by nature, likewise the king is best in the earthly and human realm. Now the king bears the same relation to the state [πόλις] as God to the world; and the state is in the same ratio to the world as the king is to God. For the state, made as it is by a harmonizing together of many different elements, is an imitation of the order and harmony of the world, while the king who has an absolute rulership, and is himself Animate Law, has been metamorphosed into a deity among men.⁴⁶

Comment is hardly necessary to bring out the Pythagorean character of this section.⁴⁷ Insistence upon harmony as the basis of state organization, a harmony that reproduces the harmony of the universe, is coupled with explicit statement of the mathematical ratio of the state to the universe. The fragment thus gives a fairly complete picture of the king in the state. He is metamorphosed into deity, and transcends his subjects as God transcends his creations. And this is all summed up in the fact that he is Animate Law. Whence comes the harmony of the states which makes an entity out of divergent elements? From the same

⁴⁶ *Θεὸς ἐν ἀνθρώποις παρομοιωμένους.*

⁴⁷ In Plato's *Laws*, V, 735 d, it is pointed out that a virtuous tyrant is of great value to a city in that he can more readily apply purificatory rites to the city than any other sort of legislator.

sort of source, we may fairly infer, as the harmony of the universe.

At this point it is illuminating to refer to the conception of the relation of God to His universe in another pseudepigraphic fragment from Pythagoreanism, that ascribed by Stobaeus to Philolaus.⁴⁸ Here the universe, eternal as a whole, is divided into two parts, the fixed and unchangeable realm above the moon, the changeable and moving realm beneath the moon. But this changeable part is, by its conformity to the unchangeable, or to God, a part of the cosmos which as a whole can be described as an eternal activity of God. In the same way the state here is a product of the character of the king. The whole conception is of course post-Aristotelian. The nature of God is the creative law of the universe. The nature of the king is the creative law of the state. So is the king at once God and Animate Law. And such exactly was the Hellenistic king. Kaerst has brilliantly described the personal character of each Hellenistic kingdom.⁴⁹ There were no recognized boundaries between them. At various points in Alexander's great empire individuals set themselves up as kings, ruling each of them as much as he was able to hold from the attacks of others. Nothing bound the Syrians, Aramaeans, Phoenicians, and Palestinians together except the person of the king at Antioch. He was the animate constitution, and the only constitution which brought any harmony or cohesiveness into his heterogeneous realm. The illustration of God as holding and shaping matter into the cosmos was vividly accurate. Exactly that is what the king, as an official personality, had to do for his kingdom.

In the second fragment,⁵⁰ Diotogenes turns from the king as a public official to discuss the king's own character; if he is the Animate Law, he ought to be personally of the proper sort, as well as to look and act the part.

Wherefore the king must not be conquered by pleasure, but must himself conquer it. He must not resemble the multitude (indeed, he should be far different from them), and he must regard not pleasure but manly virtue [ἀνδραγαθία] as his proper objective. At the same time it is proper that one who desires to rule over others should first be able to rule over his own passions.

⁴⁸ Stob., I, xx, 2 (I, 172). Diels, *Fragm. d. Vorsok.* (3d ed.), 32 B. 21. On this fragment see Zeller, *Phil. d. Gr.*, I, 1 (6th ed.), 476, note. English translation, *Pre-Socratics*, I, 399, n. 1. Cf. Ocellus Lucanus, §19 (ed. R. Harder, Berlin, 1926). Zeller, III, II, 149, n. 5.

⁴⁹ *Geschichte des Hellenismus*, II (1926), 325 ff.

⁵⁰ Stob., IV, vii, 62 (IV, 265 f.).

The conception that one who cannot rule himself cannot rule others is common in Greek thought from Socrates on. Stobaeus has preserved a striking parallel in the fragment: "Socrates said that the superior king would be one who could rule over his own passions."⁵¹ Ἀνδραγαθία is held up as a virtue for kings as far back as Herodotus (I, 99). Diotogenes continues:

Further, this is the rationale of his avarice. It is right for him to possess goods enough to benefit [εὐεργετῆν] his friends and support the needy, and also to avenge himself upon his enemies with penalties. For the enjoyment of good fortune is most pleasant when joined with virtue. Similarly about his pre-eminence [πρεποχή]: for he must excel the rest in virtue and on that account be judged worthy to rule, but not on account of his wealth, or power, or military strength. For the first of these qualities he has in common with all sorts of people [πάντων τυχόντων], the second with irrational animals, the third with tyrants, while virtue alone is peculiar to good men. So that what king is self-controlled in pleasure, given to sharing his possessions, and is prudent and powerful in virtue, that man would be a king in very truth. And the people have the same proportion of goods and evils as the parts of the human soul. For avarice concerns the leading part⁵² of the soul, since desire [ἐπιθυμία] is a rational thing [λογική]; and love of honor and brutality⁵³ have to do with the spirited element [θυμοειδές], for this is the living and dynamic part of the soul; while love of pleasure concerns the desirous element, for this is the female and damp part of the soul.

The author is getting rather involved. He has begun with an astonishing rationalization of the avarice of the king, a word which was as ugly in the author's day as now⁵⁴ but a fact which was all too obviously an outstanding characteristic of many Hellenistic rulers. Diotogenes is making an effort to justify them. Avarice, he says, brings the king power to benefit and injure, and that is pleasant. Furthermore, it is like his pre-eminence (πρεποχή), which is universally conceded as a necessary prerogative of kings. But royal pre-eminence ought to be expressed chiefly in the realm of virtue if the king is to be king in the highest sense. Similarly in the matter of avarice, for the king is to his subjects (here Diotogenes introduces more Platonism) as reason is to the spirited and desirous parts of the human soul. So, as his subjects have

⁵¹ Stob., IV, vii, 26 (IV, 255). Cf. II, viii, 29 (II, 159).

⁵² ἡγεμονικόν; cf. Plato, *Tim.*, 41 c, 70 b.

⁵³ For Pythagorean use of this tripartite division of the soul see Metopius the Pythagorean, in Stob., III, i, 115 (III, 66), where also the θυμώδης is associated with θυμοειδές. Cf. Arist., *Nic. Eth.*, VII, i, 1.

⁵⁴ See Ps.-Aristaeus, *Epist.*, 270, 277.

pleasure or love of honor as their incentive, the king should have his rational interests, which are, Diotogenes asserts, by nature avaricious and desirous. No more shocking breach of Greek philosophic decorum could be imagined than this identification of λογική and ἐπιθυμία.⁵⁵ There is a sense, to be sure, in which knowledge is driven by curiosity, a desire for learning, and what Diotogenes says may possibly be explained on that ground. If so, it would seem that the king is being recommended to express his avarice in intellectual greed, as he should manifest his pre-eminence in moral superiority. But unless the text is completely corrupt, the impression is unmistakable that the author has much knowledge of how these great kings really act, a fact which increases the probability that the document is a product of the Hellenistic age, as well as its importance for the subject being discussed.

In the section which follows, Diotogenes is explaining how the king should act in view of his character as Animate Law. Justice is to be his fundamental characteristic, for this is the supreme virtue which includes all others. As in Plato,⁵⁶ who probably got the conception from Pythagoreans, justice is represented in individual and state alike as the virtue of virtues, because it is a harmony in which each component part performs its own functions, and also because it is a binding and harmonizing force compelling them to do so. Now as the king has this justice in himself, he is able to infuse it into the entire state, and so make the state a harmony out of its various parts. Diotogenes continues:

Injustice is the uttermost sin, and, by its compounded nature, involves the whole soul. Whence the king should harmonize together the well lawed city like a lyre. Knowing that the harmony of the multitude whose leadership God has given him ought to be attuned to himself, the king would begin by fixing in his own life the most just limitations and order of law. And besides issuing public decrees the good king should present to the state proper attitudes in body and mind. He should impersonate the statesman and have an appearance of practicality so as not to seem to the mob as either harsh or despicable,⁵⁷ but at once

⁵⁵ Desire is interestingly discussed by Aristoxenus the Pythagorean, in Stob., III, x, 66 (III, 424), where desires are suggested which are not sensuous. But nothing is made of it in this small fragment.

⁵⁶ *Rep.*, 443 c ff. Cf. Polus the Pythagorean in Stob., III, ix, 51 (III, 362) and Hippodamus apud Delatte, p. 145, fr. 4.

⁵⁷ ἐκαραφρόνῃς. Here the government is to appear neither harsh nor an easy mark. The term is twice used by Xenophon as a thing which true kingly rule will avoid. In *Hellen.*, VI, iv, 28, it is the highest point in praise of Jason, Tago of Thessaly, that his rule was not despised. So in *Cyrop.*, VIII,

pleasant and yet watchful from every angle.⁵⁸ And he will succeed in this if first he make an impression of majesty by his appearance and utterances, and by his looking the part of the ruler; if secondly, he be gracious both in conversation and in appearance, and in actual benefactions [*εὐεργεσίας*]; and third, if he inspire fear in his subjects by his hatred of evil and by his punishments, by his speed of action⁵⁹ and in general by his skill and industry in kingly duties. For majesty, a godlike thing, can make him admired and honored by the multitude; graciousness will make him popular and beloved; while the ability to inspire fear will make him terrible and unconquerable in his dealings with enemies, but magnanimous and trustworthy toward his friends. And majesty must be one of his fixed attributes; he must do nothing base or worthy of the mob, but only things worthy of those who are admired, and to whom leadership and the power of the scepter belong; he must vie not with his inferiors or equals, but with his superiors. He must think, in the spirit of the greatness of his leadership, that the greatest pleasures are those which consist in good and great deeds rather than in enjoyment. He must separate himself from the human passions, and draw himself up close to the gods,⁶⁰ not in arrogance, but in high-mindedness and in the exceeding greatness of his virtue. He must wrap himself about with such distinction and superiority in his appearance, in his thought life and reflections, and in the character of his soul, as well as in the actions, movements, and attitudes of his body. So will he succeed in putting into order those who look upon him, amazed at his majesty, at his self-control, and his fitness for distinction.⁶¹ For to look upon the good king ought to affect the souls of those who see him no less than a flute or harmony.

Enough has been said about majesty; now I will try to discuss graciousness. Any king will be gracious who is generally just, equitable and merciful. For justice is the binding and holding together of the community [of the soul], and such a state of the soul is the only basis for harmony with one's neighbors. For justice bears the same relation to communion⁶² as rhythm to motion and harmony to the voice; for justice is a good shared in common between the rulers and the ruled and is accordingly the harmonizing principle in the political community. And equity and mercy share the throne of justice, the one

iii, 1, Cyrus is very careful not to be despicable in his great procession of sacrifice.

⁵⁸ ἀμφοτερόφης, said of a three-headed dragon in *Iliad*, xi, 40.

⁵⁹ ἐν τέρει, a *hapax legomenon*.

⁶⁰ συνέγγιζω, compare above, the fragment of Archytas where the king is close to the law, p. 60.

⁶¹ διαθεῖται τὰ περὶ τὰν ἐμπέπληγαν.

⁶² κοινωνία, which I am consistently translating "communion" here and in Eephanthus, as the only English word which is even approximately intelligible in the various uses of the Greek term. The word really means "reciprocal relationship."

softening the harshness of the injury, the other giving indulgence to those suffering from some delinquency. And the good king must be helpful to those who are in need, be grateful and not burdensome. And he must give his aid not in some one way, but in any way possible; and he must be grateful in proportion not to the size of the present of honor which is made to him, but to the manner and purpose of the one who is thus honoring him; and he must not be burdensome to any man, particularly not to the lowly and those in misfortune; for these, like men ill in body, are unable to bear a heavy load. For the gods, and especially Zeus, the ruler of all things, have such attributes. He also is majestic and awe-inspiring both by his preeminence and by the greatness of his virtue; and he is gracious in his benefactions and generosity, so that he is called by the Ionic poet, "Father of gods and men"; and he inspires fear by the fact that he punishes evil doers, and controls and rules all things, and has the thunderbolt in his hand as a symbol of fearfulness. In all these respects, it must be borne in mind, royalty is an imitation of divinity.

Fragmentary as are the survivals of Diotogenes' writings, his philosophy of royalty is sufficiently evident. It begins and ends in the conception of the animate law. It is the king as an official who is the constitution of his realm. As such he is recommended to be a good constitution, to bring the state into harmony by first harmonizing himself and then introducing that harmony into his kingdom. Such is the activity of God, and so likewise should be the activity of the king.⁶³ But more, the virtues, the propriety, and the excellent character of the king have the effect of drawing into inner harmony the character of men who only gaze upon him. It is in Eephanthus that this astonishing statement will find an explanation.

A short fragment from a document on *Kingship* is also preserved, ascribed to Sthenidas of Lokri, the Pythagorean.⁶⁴ The work was undoubtedly a pseudonymous ascription to a Pythagorean of Lokri, who is mentioned by Iamblichus with the name spelled "Sthenonidas," though there is no reason for thinking the fragment genuine.⁶⁵ The fragment reads:

The king must be a wise man,⁶⁶ for so he will be a copy and imitator

⁶³ On the imitation of God see below, p. 74.

⁶⁴ Stob., IV, vii, 63 (IV, 270).

⁶⁵ Iamb., *Vit. Porph.*, 267. Porphyry (*Vit. Pyth.*, 56) narrates that elders of Lokri prevented Pythagoras from entering the city, on the grounds that their laws were already perfectly good. But of other connection of Pythagoreanism with Lokri nothing is known.

⁶⁶ The elders of Lokri who forestalled the visit of Pythagoras are reported to have said to him, *ἡμεις, ὁ Πυθαγόρας, σοφὸν μὲν ἀνδρα σε καὶ δεῖνόν ἀκούομεν*. Porph., *Vit. Pyth.*, 56.

of the first God. For God is the first king and ruler by nature, while the other is so only by birth and imitation. The one rules in the entire universe, the other upon earth; and the one lives and rules all things forever and possesses wisdom [σοφία] in himself, the other is temporal and has only understanding [ἐπιστήμη]. And he would best imitate God by keeping himself great-minded, merciful, and lacking in few things,⁶⁷ and by evincing a fatherly disposition to those beneath him. For it is in this way that the first God is recognized as father of gods and men, by the fact that he is merciful to everything which is subject to him, and never relinquishes his hold of the leadership; nor is he satisfied at being the maker of all things alone, but he is the supporter and teacher of all that is beautiful, and the lawgiver equally to all. Such a leader upon earth and among men ought he also to be who aspires to be king. And nothing which lacks a king or ruler is good; and without wisdom and understanding it is impossible to be either a king or ruler. Indeed he who is both king and wise will be a lawful imitator and servant of God.

So short a fragment is dated with great difficulty, even approximately. At first sight it would appear that it is chiefly to be contrasted with the remains of Archytas and Diotogenes in that the σοφός here implies clear Stoic influence. But a second glance reveals that the only Stoic element in the entire fragment is the use of the term σοφός, which was, of course, not an invention of the Stoics at all. Indeed, the explanation that σοφός is one who imitates God is definitely at variance with Stoicism. The conception of the imitation of God in Greek philosophy is clarified by a paragraph in Stobaeus which begins with the statement: "Socrates and Plato agreed with Pythagoras that the end of life is to achieve a likeness to God."⁶⁸ Plato indeed went further and, like Sthenidas, said that when the true statesman (the king) rules with knowledge, harmonizes the state, brings together the diverse elements of the good and rejects the bad, he not merely imitates but reproduces the divine image. The likeness is so close that Campbell long ago thought that Plato's conception was derived from the Pythagorean idea which lay behind these fragments.⁶⁹ But whether that is true or not, the conception of imitating God is a bit of Pythagorean-Platonic mysticism which is essentially foreign to the nature of Stoicism. For imitation of God could be imagined only by philosophers who considered God

⁶⁷ ἀγαθότατα. Philo goes further: ὁ μὲν θεὸς οὐδένος δεῖται, ὁ βασιλεὺς δὲ μόνου θεοῦ. R. Harris, *Fragments of Philo Judaeus*, p. 104.

⁶⁸ Stob., II, vii, 3 f. (II, 49). Cf. Zeller, *Phil. d. Gr.*, I, i, 566, n. 5; English translation, I, 490, n. 1.

⁶⁹ Louis Campbell, *The Sophist and Politicus of Plato*, Oxford, 1867, pp. xxv ff. of the *Politicus*.

as a moral existence ruling a world objective to himself. If God is the all, as in Stoic pantheism, one may live in conformity with God's legal nature but can hardly imitate Him. The use of σοφός then might suggest a pre-Poseidonian date for the fragment, and in any case does not imply essential Stoic influence.

As it stands the fragment betrays a less competent author than Diotogenes. Particularly is the thought blurred by his confusion of σοφία and ἐπιστήμη. At first σοφία is ascribed to God, and ἐπιστήμη, the word used for royal science by Socrates and Plato, is properly ascribed to the king.⁷⁰ But then shortly both σοφία and ἐπιστήμη are applied to the earthly ruler alone. In a source as corrupt as the text of Stobaeus the confusion may well have been made by the copyists.

Another group of fragments from a work on *Kingship* is preserved by Stobaeus as from Ecphantus the Pythagorean.⁷¹ But they are also pseudonymous. Ecphantus was a contemporary of Archytas, and wrote in Attic Greek. The fragments on *Kingship* are Doric, and appear to belong to the Hellenistic period. But if they are pseudonymous they are none the less interesting for their testimony on the philosophy of royalty. Unfortunately their text is in particularly bad condition. The first fragment begins:

It seems to me to be clear from many bits of evidence that the nature of every animal is in harmony with the cosmos and the things in the cosmos. For inasmuch as it synthes along with the universe and is closely bound in that sequence which is at once the best and inevitable, it follows in the sweep of the universe, and is led about in accordance with the universal [κοινῇ] good order, and with the duration proper to each individual thing. Whence it has its name Cosmos, and is the most perfect of living beings. And in its parts, which are many and of diverse nature, some one living being rules which is most suitable in its origin, and in the fact that it has a greater share in divinity. And in the nature of the eternal God those things which have the first and highest conformity [ἀκολουθία] to divinity desire . . . and the planets.⁷² And in the region of the moon, beneath where bodies travel in a straight line,⁷³ demonic nature achieves its development, but in our environment on the

⁷⁰ See above, n. 44.

⁷¹ Stob., IV, vii, 64, 65, 66 (IV, 271 ff.). On Ecphantus, see Diels, *Fragm. d. Vorsok.*, I, 340, n.; Prächter in Überweg, *Gesch. Phil.*, I (1920), 856; Zeller, *Phil. d. Gr.*, I, i (6th ed.), 604-607 (for Bibl., see p. 606, n. 3); Wellmann in Pauly-Wissowa, *Real-Encycl.*, V, 2215.

⁷² The text breaks down here completely.

⁷³ Reading τῶν . . . ὡς τὴν σφαιρῶν.

earth man has achieved the highest development, while it is the king who is most divine.

Here again there might seem to be a Stoic influence in the whirling of the universe, but the universal harmony is still Pythagorean, while the universe as a whirling animal is recognizably Platonic.⁷⁴ The section breaks down in text at a passage which was most clearly Pythagorean. It would seem to have been a division of the universe, not as in Diotogenes into the sublunar and supralunar worlds, but into a series of worlds in each of which was a group of proper inhabitants, ruled over by a peculiarly superior member who represented divinity to them. Such a description will appear shortly in a Hermetic fragment, and it fills the need here perfectly. The Ephantus fragment goes on to explain the peculiar divinity of the king among men:

He claims the lion's share of the better elements in our common nature. He is like the rest [of mankind] indeed in his earthly tabernacle [σκάφος], inasmuch as he is formed out of the same material; but he is fashioned by the supreme Artificer, who in making the king used himself as an Archetype.

Extraordinary as is this statement, there is good reason for thinking it was a current Pythagorean way of expressing the superiority of the king over his subjects. Eurysus, a Pythagorean, is quoted by Clement of Alexandria as using the same words exactly,⁷⁵ though we would not be sure he had the king in mind if it were not for a passage quoted by Stobaeus from the same work.⁷⁶ Ephantus continues:

Accordingly the king, as a copy of the higher king, is a single and unique creation, for he is on the one hand always intimate with the one who made him,⁷⁷ while to his subjects he appears as though he were in

⁷⁴ The Cosmos is an animal (ζῷον) with some power to move itself in a great whirling motion in *Politicus*, 269 a. Harmony is here also emphasized.

⁷⁵ *Clem. Alex. Strom.*, V, v (ed. Stählin, II, 344, lines 18 ff.). Τὸν δημιουργὸν αὐτῷ χρώμενον παραδείγματι ποιῆσαι τὸν ἀνθρώπον, τὸ σκάφος τοῖς λόγοις ὁμοίον, εἰς γεγονὸς ἐκ τῆς αὐτῆς ὕλης, ἐνδὲ τεχνίτη δι' ἐργασμῶν ἡρώτων, οἱ ἐπεχρίνουν αὐτὸ ἀρχετύπῳ χρώμενός τανύ. See Diels, *Vorsok*, p. 260. The sinful earthly tabernacle of the soul which is good appears strikingly in pseudo-Plato, *Asiarchus*, 365 a ff. Cf. *Clem. Alex. Strom.*, V, xiv (ed. Stählin, II, 388, lines 9 ff.).

⁷⁶ Stob., I, vi, 19 (I, 89), at end. The *Asiarchus* shows that the conception of σκάφος was the basis of complete dualism of soul and body, to which this fragment is obviously referring. The two fragments of Eurysus seem to have close connection with each other.

⁷⁷ An interesting parallel is to be found in Plato's *Laws*, 716 a ff., where those who are very well ordered, and obey the νόμος θεῶν, and do not bring

a light, the light of royalty. For he is judged and approved by this light, as is the mightiest of winged creatures, the eagle, set face to face with the sun. Thus royalty is explained in the fact that by its divine character and excessive brilliance it is hard to behold, except for those who have a legitimate claim. For bastard usurpers are confuted by complete bedazzlement, and by such vertigo as assails those who climb to a lofty height. But royalty is something with which people can live, if those who aspire to it are properly attuned to it, and are able to use it. Royalty is then a sure and incorruptible thing, very hard for a human being to achieve by reason of its exceeding divinity. And he who stands in it [i.e., the king] must be pure and radiant in nature, so that he may not tarnish its exceeding brightness by his own blemishes, even as some people defile even the most sacred places, and some of those whom one meets are a pollution to those who meet them. And the one who thus lives in royalty ought to share in its immaculate nature, and to understand how much more divine he is than the rest, and how much more divine than he is are those others [the gods] by likening himself to whom he would do the best for himself and his subjects. And in the case of ordinary [ἄλλους] men, if they sin, their most holy purification is to make themselves like the rulers, whether it be law or king who orders affairs where they are. . . .⁷⁸ For no one would ever doubt the existence of the world who was in it and part of it, nor would anyone be insensible of his own master who himself ruled over others.

The greatness of cosmic order consists in the fact that nothing unruléd can be found, and that it is in a sense the teacher of rulership. For its beauty is revealed straightway if the one [the king] who imitates [God] in his virtue is beloved at once by him whom he is imitating and by his subjects. For no one who is beloved by God would be hated by men, since neither the stars nor the whole cosmos are at enmity with God, but rather if they hated the leader they would not obediently follow him. But it is the very fact that God rules well which causes good rulership to apply to both the king and his subjects. So then I suppose that the earthly king can fall short in no particular of the virtue of the heavenly king; but just as the king is an alien and foreign thing which has come down from heaven⁷⁹ to man, so anyone would suppose that

upon themselves the punishment of δίκη through ὄψις, but do what is pleasing to and in accordance with God, are like God, and since they are like God they are friendly with God. Still more strikingly does Plato describe Minos (*Minos*, 319 a ff.) as able to give good laws because he was constantly in communion with God by virtue of his being like God.

⁷⁸ The Greek of this omitted sentence is unintelligible without such extensive emendation that its value would be destroyed for our purpose. I should guess from the context that the author meant to say here that purification for the king was a matter of making himself resemble the cosmic rulership.

⁷⁹ Ἐκείθεν, referring to κατ' ὁραν in previous line.

his virtues were the work of God, and have become the king's through God.

I break off this remarkable exposition before the author turns to another aspect of his subject to seek some explanation of what has already been said, for here is clearly an admixture to a Pythagorean-Platonic base of oriental or Egyptian sun symbolism. It would appear here that royalty is a stream of light which goes out from deity lighting one high point in each order of existence. Among men it touches the king alone. It seems not so much to illuminate some individual and make him royal, as to bring the king down along with it from heaven, made of flesh and blood in his tabernacle, but actually of a different sort from men altogether in what is truly the man, to use the word of Axiochus, the $\psi\upsilon\chi\eta$. None but a man with such an origin can bear to live in this heavenly illumination. Ordinary men, bastards, as Eephanthus calls them, are blinded, and prostrated with vertigo if they try to usurp royal prerogatives. The conception is certainly not Roman, though its assumption of a single king of humanity would at first suggest a Roman date; nor is it Greek. But both Persia and Egypt regarded the king as hedged thus by a luminous solar divinity.

In Persia, as witnessed by the *Zend-Avesta*, there was a divine kingly glory made by Mazda which shone upon true kings, but which usurpers were unable to seize. Of such an attempt it is said that the Touranian ruffian Frangrasyan tried to seize it in the Sea Vouru-Kasha. "He stripped himself naked, wishing to seize the glory that belongs to the Aryan nations. But the glory escaped, the glory fled away."⁸⁰ But of those on whom it came it is said, "It clave unto king Vistâspa, so that he thought according to the Law, spoke according to the Law, and did according to the Law; so that he professed that Law, destroying his foes and causing the Daêvas to retire."⁸¹ It comes on the king (who is identified with Lake Kâsava) in the mountain streams, running and flowing into him, bringing power, wealth, physical strength, all designed to help the faithful and the law of the worshipers of Mazda.⁸² That this sun symbolism of Persia early affected the Hellenistic cult of royalty has long been recognized.⁸³ The prae-

⁸⁰ *Strâzah*, II, xix, 56 (tr. Darmest., II, 300).

⁸¹ *Ibid.*, Sec. 84 (p. 306).

⁸² *Ibid.*, Sec. 67-69 (p. 302).

⁸³ See especially Puchstein in K. Humann and A. Puchstein, *Reisen in Kleinasien und Nordsyrien*, Berlin, 1890, pp. 336 ff.; E. Kornemann, "Zur

tical side of this conception is amusingly described by Xenophon. The Persian king, in order to cast a spell on his subjects, dressed in a way to conceal any personal defects, wore padded shoes to make himself appear taller, used cosmetics extensively to make the complexion more brilliant, while he was careful not to spit, wipe his nose, or turn to stare at anything, lest by appearing corporeal or curious he spoil his impression of divinity and omniscience.⁸⁴ It was the same idea which suggested Diotogenes' description of the overpowering effect of the mere spectacle of a true king.⁸⁵

It is interesting to note that it was in Egypt that the Hermetic literature was worked out, literature which much enlightens the statements of Eephanthus. Horus, in one passage,⁸⁶ asks his mother Isis to describe the origin of kingly souls. Isis replies that there are four regions of the universe subject to law which cannot be transgressed, and to presidency, viz., heaven, the aether, air, and the earth. In heaven dwell the gods ruled by the Maker of all things; in the aether the stars, ruled by the sun; in the air are souls, under the moon; and on earth men, ruled by the person who is king for the time being, one of whom is always provided by the gods. All the three lower rulers are effluxes of the king in heaven, grading down to the king, who, vastly as he is superior to men, can hardly be called true deity while on earth. Yet he has a unique quality which is like a god, for his soul is sent down into him from a higher stratum than the souls of ordinary men. Kingship is thus sent down for two reasons. They may be souls who in the process of metempsychosis are just ready for apotheosis, but are given one last incarnation as kings to train them for the divine rulership they are soon to assume in heaven. Or they may already have been such divinities who had come to deserve some slight punishment for a peccadillo, and so were incarnated, though not in ordinary human form. All such kingly souls are alike in virtue at the outset, but are escorted to

Geschichte der antiken Herrscherkulte, in *Klio*, I (1901), 90 ff., with references *in loco*. The presence of the ancient Mesopotamian and Persian royal symbol in the form of a rosette on the coins of many Hellenistic rulers seems to be additional evidence of this influence. See Fr. Kämpers, *Vom Werdengange der abendländischen Kaisermystik*, 1924, Tafel I, numbers 1, 2, 6, 14. I hope shortly to attempt to sketch the history of this interesting symbol.

⁸⁴ *Cyrop.*, VIII, 1, 40-42. A remarkable parallel is to be found in Ammianus Marcellinus, the description of Constantius, XVI, x, 10.

⁸⁵ See above, p. 72.

⁸⁶ *Stob.*, I, xlix, 46 (I, 407 ff.). See Walter Scott, *Hermetica*, I, 494 ff.

the body by demons or angels who impart their own characters of warrior, lover of peace, philosopher, or the like, to their charges who have lost all memory and characteristics of their own in losing their heavenly abode. But while in the body they must obey the divine law, and live worthily of their own divine maker, or, instead of returning to deity, they will have to take another incarnation as ordinary men, or even lower.⁸⁷

The Hermetic literature is probably post-Christian in composition, but the date of its composition does not of course certify the date of all of its ideas. It is known that from remotest times the king was regarded in Egypt as the "living image of the Sun God" and that the crown, nimbus, and scepter were all solar symbols. The subject is much too complicated for detailed description here, but the striking use to which Amenhotep IV (Ikhnaton) put the conception cannot be passed over. In his substituting Aton, the single solar deity of the world, for Ammon-Re, the solar chief of the company of Egyptian gods, the significance of the relation of the king to the sun was at once enhanced. For as Aton was the source of life to all the earth, he was uniquely related to the king, who was thought to have "come forth from his rays," and to have been fashioned "out of Aton's rays," which were represented as dynamic emanations from the sun, each equipped with a hand as betokening its power. The king sings to Aton:

Thou art in my heart,
There is no other that knoweth thee
Save thy son Ikhnaton;
Thou hast made him wise
In thy designs and in thy might.

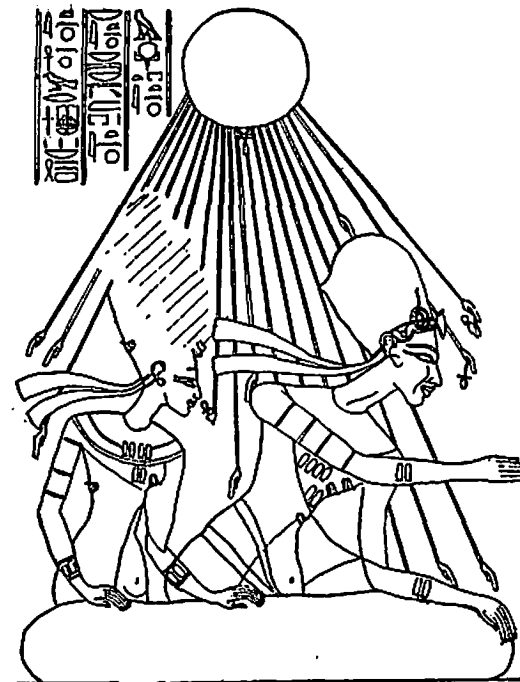
Thou didst establish the world,
And raise them up for thy son,
Who came forth from thy limbs,
The king of upper and lower Egypt,
Living in Truth, Lord of the Two Lands,
Nefer-Khepru-Re, Wan Re (Ikhnaton),
Son of Re, living in Truth, lord of diadem,
Ikhnaton, whose life is long;
(And for) the chief royal wife, his beloved,
Mistress of the Two Lands, Nefer-nefru-Aton, Nofretete,
Living and flourishing for ever and ever.

⁸⁷ Stob., I, xlix, 69 (I, 463). Scott, *op. cit.*, I, 514.

And again:

He (Aton) begets his august son Wanre (Ikhnaton)
Like himself without ceasing,
Son of Re, wearing his beauty, Nefer-Khepru-Re, Wanre
(Ikhnaton),
Even me, thy son, in whom thou art satisfied.
Who bears thy name,
Thy strength and thy might abide in my heart.

It is this process which is vividly represented in the accompanying illustration.



Amenhotep IV and his queen receiving life from the rays of the solar disc Aton.

(From Moret, *Du caractère religieux de la royauté pharaonique*, p. 46.)

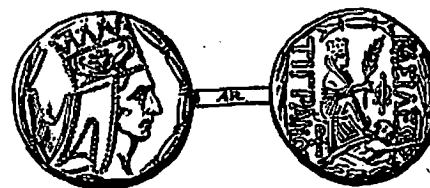
The source of Ikhnaton's reform is not established. Cumont thinks it was influenced from the East, Breasted on the contrary that Ikhnaton's Egyptian ideas influenced Asia. But whichever of these two points of view is correct, Breasted seems certainly right in his assertion that "when the Roman Emperor became an Oriental Sun-God, *sol invictus*, the process was in large measure due to the influence of the Asiatic Solar religion rather than to the Solar Pharaoh."⁸⁸ The same statement, it seems, may be carried back to the solar aspects of the Hellenistic king. For the distinctive aspect of the Hellenistic philosophy of royalty is the fact that the king's sharing in the Solar Power made him the Animate Law of his realm, a conception which I have sought in vain in Egyptian records. In ancient Egypt the king's command was the ultimate law of the land, but not his person. Only in the East is this latter to be adequately paralleled. Still there seems to have been some influence upon the Hellenistic king from Egyptian solar symbolism, for some of the titles of the Pharaohs were carried over to the Ptolemies. For example on the Rosetta Stone Ptolemy Epiphanes is spoken of as *μεγαλοδόξου*, and *εἰκόνας ζωῆς τοῦ Διὸς, υἱοῦ τοῦ Ἑλλένου*, and the horns frequently represented on coins adorning the brows of Hellenistic kings appear to symbolize solar effulgence.

It is of course no argument for a Roman date of the Ecphantus fragments that he speaks of a single and unique king of the human race. In such a form would the tradition have come from both Persian and Egyptian mythology, and too great nicety in the court of the Ptolemies or Seleucids in providing for the legitimacy of their rivals is not to be demanded.

The unique power of the king to bear the royal light Ecphantus illustrates by the legend of the eagle. There was an old story about the eagle, that it was, in Lucian's words, the "strongest-eyed of all living things, the only one that could look straight at the sun; the test of the true royal eagle [*ὁ βασιλεὺς καὶ γνήσιος*

⁸⁸ *Development of Religion and Thought in Ancient Egypt*, N. Y., 1912, p. 367. See Cumont, *Astrology and Religion among the Greeks and Romans*, N. Y., 1912, pp. 73-77. The quotations are taken from Breasted, *op. cit.*, pp. 328, 331. Cf. the hymn to Aton and the King in Breasted, *Ancient Records of Egypt*, Chicago, 1906, II, 415, no. 1010; and *ibid.*, *A History of Egypt*, N. Y., 1906, pp. 355 ff. See also Kampers, *op. cit.*, pp. 13 ff., with references in the notes. The best work on Egyptian royalty is Alex. Moret, *Du caractère religieux de la Royauté Pharaonique*, Paris, 1902 (*Annales du Musée Guimet, Bibliothèque d'Études*, vol. 15). On the crown as a divine symbol, see Rohde, *Psyche*, I, 220, n. 2 (English translation, p. 189, n. 40); K. Fr. Hermann, *Gottesdienstl. Alt.*, Sec. 24, 11; Plutarch, *Aristides*, pp. 21 ff.

derós] was his meeting its rays without blinking."⁸⁹ So Aristotle says that the sun eagle is the keenest sighted of the eagles, and compels its offspring when yet unfeathered to look at the sun. Those who are able to do so are then nourished, the others cast out of the nest as bastards. For Lucian goes on to say that those able to see the sun are royally made, the others are rejected as bastards,⁹⁰ using thus Ecphantus's own term for a royal usurper. Keller thinks this is an Eastern story, because in Syria and Egypt the bird is connected with the Sun God. His feeling that it is Eastern is in some measure justified, as the connection of the legend with royalty is illuminated by representations on coins of the crown of Tigranes I, king of Armenia. Here on the crown is represented most clearly the testing of two royal eagles, who are evincing their royalty by their ability to gaze directly at the sun.



Ecphantus has thus sketched the transcendental character of the king. He now continues to discuss his relations with his subjects:

On careful examination the foundation truth will appear to be as follows: For the first and most necessary of all things for the human race is that communion shared in by the king over men as well as by the master who rules all things in the universe. For apart from love and communion existence is impossible, as may be seen also in the case of bodies politic, leaving out of account what is ordinarily called communion. For such ordinary communion (mutual dependence) is beneath the nature of God and King, since they stand in no such need of each other as to be compelled to labor together to satisfy their wants and so render mutual assistance; for both God and King are perfect in virtue. But the love which shares in a common purpose in a city is a copy of the unanimity [*ὁμόνοια*] of the universe. Now without the regi-

⁸⁹ Lucian, *Icaromenippus*, 14. Professor Harmon kindly called my attention to this story and its sources.

⁹⁰ Aristotle, *Hist. Anim.*, p. 620 a, 1 ff. For further references see Otto Keller, *Thiere des classischen Altertums*, Innsbruck, 1887, p. 268, and pp. 447, n. 295, 448, n. 296. On the use of the eagle by Hellenistic and Roman royalty, see Oder in Pauly-Wissowa, *Real-Encycl.*, I, 371-375.

mentation which is affected by government no city would be habitable. For this laws are needed, as well as some sort of evil system, both by the ruling element and the ruled, if . . .⁹¹ Out of these things there is produced a common good, viz, a sort of fine harmony and tuning of the mass together which results from their concordant obedience. He who rules in accordance with virtue is called, and is, the king, for he has the same love and communion with his subjects as God has with the universe and the things in it. And there must exist complete good will [*ἑσυναία*], first on the part of the king toward his subjects, and second on their part toward the king, such as is felt by a father toward his son, a shepherd toward his sheep, and by a law toward those who use it.

Thus, remotely superior as is the king above the ordinary race of men, he should be the immediate means by which men may get into harmony with the universe. He is to be a father to his subjects, a shepherd to his flock, whereas the remarkable description of the king as the good shepherd in Plato's *Politicus* at once comes to mind.⁹² But Plato's good shepherd, as well as the description of the king as father, was definitely connected with Persia by Xenophon.⁹³ Incidentally Xenophon has another figure for the king, that of the queen bee, who was thought by the ancients to be king bee,⁹⁴ and who is of a different nature from the other bees, and so is aptly descriptive of the divine superiority of the Persian king over his subjects. Persia, then, seems to be the race of people referred to by Aristotle⁹⁵ which claimed to be able to produce a kingly race of a different sort from the rest of the citizens; for Aristotle's language is perfectly fitted to the Xenophontic-Persian "king bee." Plato knew and rejected the figure,⁹⁶ and Aristotle did the idea, as impossible for Greeks, because so exalted a race or individual was simply not to be found in Greece. But it is known that the Hellenistic age took over the figure, for Plutarch applies it to the king.

Furthermore, Euphantus, who in writing has his eyes thus on the Persian conception, goes on from calling the king "father

⁹¹ No manuscript makes sense of this phrase.

⁹² 266 d, 268 a, *et passim*.

⁹³ *Cyrop.*, I, i, 2, where the king is shepherd of the people; *ibid.*, VIII, i, 1, 44, where the king is father of the people. The conception of the king as shepherd is very ancient in the east. Prof. Dougherty called my attention to an inscription of Sennacherib, where the king is "the wise Shepherd." See D. D. Luckenbill, *Annals of Sennacherib*, p. 23, line 3. The fragment of Achaemenes has already used the figure of the shepherd. See above, p. 62.

⁹⁴ *Cyrop.*, V, i, 24, 25.

⁹⁵ *Polit.*, 1288 a. See above, p. 63.

⁹⁶ *Polit.*, 301 a.

and shepherd" to call him a "law" to his subjects. Herein is suggested at last the origin of the idea of *νόμος ἡγεμὼν*. It is clear that with the Persian conception of royal glory as described in the *Zend-Avesta*⁹⁷ has come to Euphantus its oft-repeated legal significance. For as Persia is the country where the people had a special kingly race, so it is the home of the king as a living law to his people. This has clearly appeared in the quotations from the *Zend-Avesta*. But it was not only taught in Persia, but known to the world outside as a Persian teaching. Xenophon has described the Persian king as personally law, law which watched his subjects.⁹⁸ Much later Sereenus Aelius records in his *Memoirs* the Persian law that when the king died there should be *deyka* for five days in order that the Persians might perceive the value of the king and law.⁹⁹ When there was no king bringing the divine glory in his own person into Persia there was no law in Persia. So it was probably from Persia that the conception came into Greek thinking. Long known to the Greeks, it was adopted by them in direct imitation when the Hellenistic kings were represented as the divine living law of their kingdom.

In India, apparently indigenously, though perhaps with some Persian influence, the king was also represented as incarnate "dharma" or divine law.¹⁰⁰ As such he is of divine origin, a special creation of the gods, and frequently identified with one of the gods. All social health, the very existence of society, are dependent completely upon the kingly rule. "These people would die without the king; they would sink into utter darkness like cattle without the herdsman."¹⁰¹ The descriptions of the king as maker and law of the state are summarized in the fact that he is the protector of his people, a conception almost entirely analogous to the title *Σωτήρ* used by Hellenistic kings, for it includes military protection, and at the same time protection from the ills of anarchy. Persia had a similar notion in its doctrine of "Sao-

⁹⁷ See above, p. 78.

⁹⁸ *Cyrop.*, VII, i, 22.

⁹⁹ *Stob.*, IV, ii, 26 (IV, 163). It is interesting, in loco, to notice his reaction to the double empire of Rome in view of the accepted theory of the uniqueness of the kingly office.

¹⁰⁰ See Joh. J. Meyer, introduction to his translation of the *Arthashastra* of the Kautilya, Leipzig, 1926, pp. Ixii ff.: "Der König ist der *vekdāpato dharmā* und der *vekdāpato Stānāgedānka*." Cf. U. Ghoshal, *A History of Hindu Political Theories*, London and Calcutta, 1923. See Index, s.v. "King." My attention was called to this Indian material by Professors Hopkins and Rostovtzeff. See also Maine, *Early Law and Custom*, pp. 38 ff.

¹⁰¹ See this entire passage quoted by Ghoshal, pp. 90 ff., and 170.

ἡγεμὼν

shyant." Clearly in India, as well as in Persia (and the Hellenistic rulers were in touch with one group as well as with the other, especially the Seleucids), the religious character of the king makes him the animate constitution of the state. The king is actually, in the famous phrase, himself the state. It is precisely at this point, it has been seen, that parallels between Egyptian conceptions and these Pythagorean fragments break down; in Egypt the king was solar deity incarnate, but not law incarnate. But with such a remarkable parallel to the νόμος ἐμψυχος directly at hand in Persia, and attracting the attention of thoughtful Greeks as all Persian customs did, it is impossible for me not to feel that the whole conception got into the Pythagorean tradition, as well as into the other streams of Greek thinking, from the East.¹⁰²

The next fragment to be considered will be the third rather than the second of Ecphantus;¹⁰³

In so far as he has a sacred and divine mentality he is truly a king; for by obeying this mentality he will cause all good things, but nothing that is evil. And he will clearly be just, one who has common relations with all. For communion [*κοινωνία*] consists in equality, and while in the distribution of equality justice plays the most important part, yet communion has its share. For it is impossible to be unjust while giving a share of equality, or to give a share of equality and not to be communal. And could one doubt that the self-sufficient man [*ἀατρκής*] is continent [*ἐγκρατής*]? For extravagance is the mother of incontinence, who in turn is the mother of insurgency [*ἑβρία*], from whom most human ills arise. But self-sufficiency does not beget extravagance or her brood. Rather self-sufficiency, being a primal entity [*ἀρχή*], leads all things, but is itself led by nothing, and precisely this is a property alike of God and the king himself to be the ruler (whence he is called the "Self-Ruling"),¹⁰⁴ but to be ruled by no one. Now that this could not occur apart from intelligence [*φρόνησις*] is clear,¹⁰⁵ while it is obvious that God is the intelligence of the universe. For the universe is held together in arrangement and proper order, and this could not ob-

¹⁰² It is at this point that Professor Ferguson seems to me to have missed some of the significance of Hellenistic royalty. See his "Legalized Absolutism en route from Greece to Rome," in *American Historical Rev.*, XVIII (1912), 29-47. He was clearly right in emphasizing the constitutional and legal, rather than the religious, importance of the divinity of the king. But he makes a false distinction between the political element and the Persian-Egyptian religious element. He seems not to have been aware of the legal and constitutional significance of oriental royal divinity.

¹⁰³ Stob., IV, vii, 66 (IV, 278).

¹⁰⁴ Ecphantus is attempting to derive *αὐτάρκης* from *ἀρχή*.

¹⁰⁵ See above on Plato, p. 62.

tain without mind [*νοῦς*]. Nor could the king without intelligence have these virtues: I mean justice, continence, communion, and their sisters.

Here in the conception of self-sufficiency Stoic influence is for the first time distinctly felt. The Stoics by no means originated the idea that private virtue, and particularly self-control, was the criterion of eligibility for the kingly office.¹⁰⁶ But when Xenophon and Plato spoke of *σωφροσύνη*, the term used of the king in this connection by Diotogenes, the Stoics preferred their own slightly different *αὐτάρκεια*.¹⁰⁷ Yet the passage is much more Pythagorean or Platonic in its fundamental conception of the king than Stoic,¹⁰⁸ for Plato had said the same thing of the king in the *Politicus* in the most explicit language.¹⁰⁹ But it is in the close of Plato's *Laws*, rather than in Stoicism, that a closer parallel to the latter part of the fragment will be found. Reference has already been made to the fact that Plato, in despair of finding a true king, suggested a council of ten, which might introduce mind (*νοῦς*) into the machinery and laws of the state.¹¹⁰ The knowledge which gives the councillors power thus to affect the state is the knowledge that *ψυχή* is cosmically the primary substance, dominant over matter, and that the active principle in the *ψυχή* is an all-pervading *νοῦς*, which can be called the World Mind, and which governs all things.¹¹¹ It is from such knowledge that the councillors will come to see that all virtues are but aspects of a single virtue, to which all law must be made to conform.¹¹² Similarly here Ecphantus puts the king into a unique position: the king is himself the sole representation of this divine *νοῦς* among men.

But I am haunted by the feeling that it is the Hvarena conception of the Persians which Plato is trying to introduce as *νοῦς* into the organization of the city-state. And is not Ecphantus looking steadily eastward for his symbolism and sounding Platonic here because Plato was furtively doing the same thing? For it is in the Eastern kingdoms that the metaphysical character of

¹⁰⁶ See on Isocrates above, p. 57, and Socrates, p. 70.

¹⁰⁷ References in Zeller, *Phil. d. Gr.*, III, i (4th ed.), 224, n. 5. English translation, *Stoics*, p. 224, n. 4.

¹⁰⁸ Stoicism of course added nothing new to the doctrine of kingliness when, in revising the Platonic statement that kings should be philosophers, it asserted that irrespective of social position any wise man is *ipso facto* a king. See Plato, *Polit.*, 259 b, 292 a.

¹⁰⁹ *Ibid.*, 287 b, 275 c.

¹¹⁰ See above, pp. 66 f.

¹¹¹ *Laws*, 966 e ff. Especially 907 e, 1, τὸν . . . νοῦν τῶν ὅλων.

¹¹² *Ibid.*, 963 a, 965 d.

the true king is combined in this way with the necessity that he be virtuous. Beginning from Archytas the emphasis upon this twofold criterion has been continuous in the fragments under discussion. The very fact that such a twofold criterion is illogical makes more significant the fact that the two are to be found similarly combined in both Persia and in India. The combination of the two in India is strikingly illustrated in the *Nārada*, a composition of much earlier material made shortly after Christ. Here the king is described as like each of nine deities according to the nature of his functions. He is like the sun, for example, because he can be gazed at with difficulty because of his luster. Later the same document says: "The king by virtue of his brightness and purity is like the being without beginning and without end, provided he does not stray from the path [of duty]."¹¹² Like the royal standards which Xenophon represents as Persian in his description of Cyrus, this Indian righteousness of the king is described as primarily the union of justice with self-control.¹¹⁴ Stoicism may have suggested to Ecphantus the term *αὐράκεια* rather than *σωφροσύνη*, but his whole royal description is too Eastern and traditional to admit here of essential Stoic influence.

The second fragment from Ecphantus's treatise on kingship reads as follows:¹¹⁵

In ruling over men and in controlling his own life he uses one and the same virtue, not massing acquisitions on account of any lack, for his personal service, but doing as one does in a life of action according to nature. For although this communion exists, yet each man lives sufficient unto himself. For in carrying out his life the self-sufficient man needs nothing outside of himself; and if he must live an active life, and so

¹¹² Ghoshal, *Hindoo Political Theories*, pp. 225 ff.

¹¹⁴ *Ibid.*, pp. 97 ff., 100: "If the king practices righteousness, it is urged, he attains very nearly to the position of a God, while he goes to hell if he does the reverse. The person through whom righteousness flourishes is verily called a king (Rājan), while he through whom it decays, is called by the gods the destroyer of righteousness (Vrisala). Of the same nature is the distinction drawn by the sage between the haughty and the modest king. One becomes a king, he says, by vanquishing pride and a slave by succumbing to it. . . . The unjust king who employs sinful and wicked ministers, says the sage, should be slain by the people." This is all accompanied by the conception of the king as a divine creation. See especially p. 191: "The king should . . . learn the four traditional sciences and should conquer the senses. The last involved the suppression of eighteen vices which Manu declares to be worse than death. The reason for the exercise of this self-command is indicated in another place where it is declared that the person who has conquered his own senses is alone able to keep his subjects under control."

¹¹⁵ Stob., IV, vii, 65 (IV, 276 ff.).

take other factors into account, still none the less will he keep his self-sufficiency. For as he will have his friends as a result of his own virtue, so in making use of them he acts in accordance with no other virtue than what he uses also in his own life. This must follow since there is no other virtue especially provided to this end. God, who has neither ministers nor servants, makes no use of anyone in giving His orders, nor does He crown or honor those who obey Him, or disgrace those who disobey; not such are the means he uses to extend his personal rule over a realm so vast. Rather, it seems to me, by offering Himself as one worthy of imitation God implants a desire [*ζᾶλον*] to imitate Him in every man who has a nature like God's. God is Himself good, and to be so is His sole and easy function [*ἐργον*], while those who imitate Him do as a consequence all things better than other people. The resemblance which each man can achieve consists in self-sufficiency. For there is not one group of virtues which do what is pleasing to God, and another which imitate Him. Now the earthly king would be just as self-sufficient as the rest of us (by imitating God). For in making himself like God he would make himself like the Most Powerful, and everyone who tried to be like him. . . .¹¹⁶ Now when matters are put upon subjects by force and necessity their individual zeal for imitation is sometimes diminished, for without good will [*εὐδοκίας*] imitation is impossible, and nothing diminishes good will like fear. Oh, that it were possible to put from human nature all need for obedience! For the fact that as mortal animals we are not exempt from it is the basest trace of our earthiness, inasmuch as a deed of obedience is very close to being one of necessity; for what just escapes being brought about by the one is produced by the other. For whatever things can by their own nature use the Beautiful [*τὸ καλόν*], have no occasion for obedience, as they have no fear of necessity. The king alone is capable of putting this good into human nature so that by imitation of him, their Better, they will follow in the way they should go. But his logos, if it is accepted, strengthens those who have been corrupted by evil nurture as if by drink, and who have fallen into forgetfulness; it heals the sick, drives out this forgetfulness which has settled upon them as a result of their sin, and makes memory live in its place, from which so-called obedience springs. Taking thus its beginning from seeds of trifling import [*φαιδλα σπέρματα*] this grows up as something excellent [*σπουδαῖον*], even in an earthly environment, in which the logos, associating with man, restores what has been lost by sin.

The Pythagorean fragments have led us into a purely eclectic peroration, in which oriental, Pythagorean, Platonic, and Stoic notions are inextricably blended to form a conception of the king as saviour which is as amazing as it is suggestive. It is known from Xenophon¹¹⁷ that the Persian tradition much discounted the

¹¹⁶ The text again is hopeless.

¹¹⁷ *Cyrop.*, I, vi, 20-25.

value of obedience to the king when based upon compulsion. Cambyses tries to explain to young Cyrus that the method of fear in ruling will never be satisfactory. Like Eephantus he rejects a rulership based upon reward and punishment, which he calls necessary obedience, and turns to spontaneous obedience based upon a sincere conviction on the part of the subjects that the king is actually wiser than they. Similarly Xenophon says that though Cyrus ruled over such an enormous territory and held all his subjects in fear, "yet more he was able to awaken in them all so lively a desire to please him that they always wished to be guided by his will."¹¹⁸ The idea reemerges as a distinction in Plato and Aristotle between a king and a tyrant, that the king rules over willing, the tyrant over unwilling, subjects.¹¹⁹

But Eephantus does not stop here; he goes on to express in Stoic symbolism a conception which goes beyond anything in Stoicism proper, and which can be explained ultimately again only in terms of the oriental royal glory. For to show the king's power to influence his subjects the Stoic doctrine of λόγος σπερματικός is transferred from God and applied to the king. In Stoicism the universal divine logos is sometimes conceived in terms of the generative principle: after a primeval division of itself into an active spiritual principle and an inert base, the Logos had proceeded to work as the active spiritual principle transforming the base into the material universe, as the living principle in seeds works upon the inert ground to produce a tree or a human being. Such is the figure which is now applied to kings. From him the logos goes forth, as the logos in eclectic Platonizing Stoicism went forth from God, to work in men as the other works in matter, and to infuse life into them. Life man once had had, but by his sin he lost it, and fell into a helpless inertia and lethargy in which his only response is to compulsion. The supreme function of the king is by virtue of his own relationship with deity, official and personal, to infuse into man a new power, which is a new recognition by man of his own potential nature (this seems to be the sense of the awakened memory), until the logos of the king, like a grain of mustard seed, or, to use another New Testament figure for the same conception, like leaven, has transformed man's

¹¹⁸ *Cyrop.*, I, 1, 5.

¹¹⁹ Plato, *Polit.*, 276 e; Aristotle, *Polit.*, 285 a, 27, et passim. The conception that good people were controlled by the example, bad people by the power, of the king was the Cynic-Stoic way of saying the same thing. But it was hardly an original contribution of the Cynics, as Kaerst says in *Gesch. des Hellenismus*, II (2d ed.), 323, n. 4.

lumpishness into the divine existence God meant him to be. Thus transformed in his spiritual nature man will be an imitation of the king as the king imitates God, each in turn self-ruled and subject to no external compulsion. So man will at last have achieved the dream, however represented, of all Greek ethical thinking, he will be able to live spontaneously by divine law and dispense with the seriatim compulsion and injustice of the written codes. It will now be recalled how Diotogenes describes this process.¹²⁰ One needs only to gaze at a king who looks the part of his real sublimity to be affected as by music, to be softened, and to have the discordant element of his life brought into the perfect harmony of *ἁμωσύνῃ*, a harmony which expressed the ultimate aim of Pythagoreans and Platonists, as well, of course, as of Pauline Christianity later.

So we have, perhaps, at last grasped the meaning which lies behind the conception of the Animate Law; it means that the king is personally the constitution of his realm, that all the laws of localities under him must be ultimately moulded by and express his will. But more, he is the saviour of his subjects from their sins, by giving them what the Hellenistic world increasingly wanted more than anything else, a dynamic and personal revelation of deity.

But an important question remains, that of how generally it can be shown that this philosophy of royalty was known and accepted in the Hellenistic age. On this point I will cite only a few examples.

The pseudo-Aristotelian "Letter to Alexander," which introduces the *Rhetorica ad Alexandrum*, gives a very interesting illustration. The letter need not here be quoted entire.¹²¹ It has long been recognized that the work is not Aristotelian, and a series of scholars, most recently Wendland, have tried to show that it is the work of Anaximenes. Wendland¹²² argued that the letter as it now is at hand is a reworking of an original prelude to the *Rhetoric* by Anaximenes to make it sound to a Hellenistic reader like the sort of letter Aristotle ought to have written, according to the reader's standards, to Alexander. That

¹²⁰ See above, p. 72.

¹²¹ It is accessible in the English translation by E. S. Forster, in *The Works of Aristotle translated into English*, under the editorship of W. D. Ross, vol. XI, Oxford, 1924. The best text is that of Spengel-Hammer, published under the title *Ἀνακτορική Τέχνη Πρωτοκλή*, in *Rhetores Graeci*, vol. I, Leipzig, 1894.

¹²² In *Hermes*, XXXIX (1904), pp. 499 ff.

is, the additions which Wendland distinguished were precisely those added in the Hellenistic period to conform to Hellenistic ideas of the king. Those additions then at once assume considerable importance for our subject. They are in part:

Among those whose political constitution is democracy the final appeal on all matters is to the law, among those who are under kingly rule the appeal is to your *logos*. . . . Again you must realize that there is a model set before men, which for some is the law, for others your life and *logos*. In order, therefore, that you may excel all Greeks and barbarians you must exert yourself to the utmost, so that those who spend their lives in these pursuits [that is, Forster notes, those who make your life and *logos* their guide], using the element of virtue in them to produce a beautiful copy of the model thus set before them, may not direct themselves toward ignoble ends, but make it their desire to partake in the same virtue.¹²⁰

Used in an introduction to a treatise on rhetoric, the *logos* here is that conception, impossible to express in modern language, of speech as the dynamic emanation of one's rational life. But it is also given a deeper and more specific meaning: it is that radiation of the king's life and virtue in which those who copy the king may have a share, until they themselves become copies of his model, and are indeed made virtuous by his virtuous *logos*. The passage is thus an epitome of the philosophy of the Pythagorean fragments.

Another suggestive parallel is to be found in III Maccabees vi. 24. Here the king in his attempted persecution of the Jews is deterred by the appearance of angels. In terror he turns upon his courtiers to put the blame upon them. "You have usurped royal prerogatives," he cried, "and you have surpassed tyrants in their cruelty. And me, your benefactor, you have attempted to remove from the rulership and the Spirit, by your secret contriving against the interests of the kingdom."¹²¹ The meaning of the passage is not certain. The first word, *παρὰβασιλεύετε*, is unusual, while *τοῦ πνεύματος μεθυστῶν* might normally mean "deprive me of my life." But since there has been no attempt on the king's

¹²⁰ The Epistle also identifies νόμος and λόγος. καὶ γὰρ ὁ νόμος ἐστὶν ὡς ἀπὸ τοῦ εἰπεῖν λόγος ἀρισμῶς καὶ ὁμολογίας κοινῇ πᾶσι, μνησὼν πᾶσι διὰ πράττειν ἡκούστα. Kaerst, *Studien zur Entwicklung und theoretischen Begründung der Monarchie im Altertum*, Munich, 1898, p. 31, n. 1, treats this identification as distinctly Stoic, disregarding the same identification in Plato; for example, *Laws*, VIII, 835 e, *Protag.*, 324 b.

¹²¹ *παρὰβασιλεύετε*, καὶ τυράννοις ὑπερβηκότες ὀμότητι· καὶ ἐμὲ ἀδόντι τὸν ὁμῶν ἐνεργήτην ἐπιχειροῦντε τῇ ἀρχῇ ἥδη καὶ τοῦ πνεύματος μεθυστῶν, λαθρὰ μηχανώμενοι τὰ μὴ συμφέροντα τῇ βασιλείᾳ. The document is probably second century B.C.

life, and the king in no other part of his remarks acts as though he felt personally in danger, the other meaning seems more justified. If the translation be allowed to stand as I have made it, it can only mean that the writer had the Diotogenes-Ecphantus conception of the king in mind. For the *πνεῦμα* is the royal principle of divinity with which we are now familiar, while the courtiers are charged with being bastards in the sense in which Ecphantus used the term, that is, with the impious sin of trying to take this spirit upon themselves. *Ἡ ἀρχὴ καὶ τὸ πνεῦμα* are thus synonymous terms.

Similarly it would seem that Justin took for granted the same philosophy of kingship. One recalls the description of the youth of Hiero,¹²² an exposed child miraculously preserved and taken back by his father because the father was admonished by soothsayers that sovereign power was predestined for the child. As a boy and young man, Hiero's life was accompanied by portents, not the least important of which was the fact that an eagle at one time perched upon his shield, an owl upon his spear, revealing the fact that in wisdom and valor he was to be supreme and a king. Handsome in person, powerful in physical strength, kindly, just, and moderate in commands, he lacked nothing but a kingdom to be a king, a lack of which was of course soon supplied. The eagle as a symbol of this royal power has already been discussed. Justin mentions an eagle also in the case of Alexander,¹²³ while the portent of similar significance which accompanied the birth of Mithridates was an extraordinary comet.¹²⁴ Seleucus, his sons, and grandsons were born marked with an anchor, as Justin describes it, but since in his symbolism the anchor is connected by Justin with a ring, it was probably the *ankh*, long familiar as the Egyptian symbol of divine royalty, itself the hieroglyph in Egyptian for the word meaning "Life."¹²⁵ Clearly to Justin, though in one passage he seems to represent the royal office as a gift of the people,¹²⁶ royalty is a divine gift, in which the royal office and a peculiar royal character are combined. It is very likely that if we had the work of Troguus which Justin is epitomizing these hints would appear more fully expanded.

¹²² Justin, 23, 4; cf. 44, 3.

¹²³ *Ibid.*, 12, 16.

¹²⁴ *Ibid.*, 36, 2.

¹²⁵ *Ibid.*, 15, 4. See F. Kampers, *Vom Werdsgange der abendländischen Kaisermystik*, pp. 14 ff. See illustration above, p. 81.

¹²⁶ Justin, 28, 3.

A fragment *On Kingship*¹²⁰ of Musonius, the Eclectic Stoic of the first century after Christ, is important in dating the idea of the king as Animate Law. Musonius says that the king can save and benefit his subjects only by understanding the *τέχνη* of rulership; hence he must be a philosopher. To be just he must understand *δικαιοσύνη*. Similarly by philosophy he must learn the other virtues, and thereby become godlike and worthy of respect. He proceeds:

So in general the good king must be sinless and perfect in word and deed; since he must be what the ancients call Animate Law, creating a law-abiding spirit and unanimity, and thrusting out lawlessness and strife, and being a careful worshipper of Zeus, and, like Zeus, a father to his subjects.

Whereupon Musonius returns to the praise of royalty as being a philosophical art. *Νόμος ἡμψυχος* was thus a by-word for royalty of great antiquity in the first century of our era.

A very important use of this symbolism for the kingly office is to be found in the writings of Philo of Alexandria, also in the first century. But Philo's remarks open up an entirely new aspect of the problem, which I shall have to leave for future discussion.¹²¹

At present I shall content myself with citing one more author, Plutarch. His development of the Diogenes-Ephantus conception of royalty is stated most distinctly not in his records of the occasional utterances of kings, though these are very important, but in a treatise of which we have only a fragment, that entitled *A Discourse to an Unlearned Prince*.¹²² The fragment opens with the statement of the difficulty of giving advice to kings. "For they fear to receive reason [the logos] as their ruler, lest, by its enslaving them to what is proper, it curtail the advantages of their authoritative position." As a matter of fact, he goes on, if the logos curtails power, it does so in a way which enhances the value of being a ruler. For example, Theopompus, king of Sparta, guided by this logos added the Ephors to the system of rulership in Sparta, an act which, as his wife protested, seemed to diminish his powers as king. But Theopompus denied that he had diminished the advantages of his office, for in somewhat curtailing his jurisdiction he had at the same time much lessened the danger to which the king was exposed from envy. "So

¹²⁰ In Stob., IV, vii, 67 (IV, 279 ff.).

¹²¹ I hope to publish an article upon this aspect of the subject shortly in the *Harvard Theological Review*.

¹²² *Moralia*, ed. Bernard, Leipzig, 1893, V, 11 ff. William Goodwin's translation, Boston, 1870, IV, 323 ff., is very unreliable.

while by directing into others the principle of rulership, like a great stream [from himself], he diminished himself by what he gave to others; yet the Logos, which is implanted in the ruler by philosophy, as his throne-mate and guardian, takes away the dangerous part of his power, which is of itself seemingly healthy, and leaves the wholesome part." But most rulers are unintelligent, and in consequence are like colossal statues which are very impressive outside but are actually only dirt or stone.

So if a ruler is to be truly such he must begin with self-discipline, else he can never teach self-control to his subjects. Nor is he to desire that foible of many rulers, especially of the Persian king, the feeling that he is free of all external restraint; on the contrary he must be conscious constantly of himself being ruled. But by what? "By the Law, which is king of all, mortals and immortals," as Pindar said. Not by that law which is written externally in books and on tablets, but by the Law which is Animate [*ἡμψυχος*] in him, viz., the Logos, which dwells with him and protects him, and never leaves his soul without guidance."¹²³ In Plutarch, the late Platonist, then, this Animate Law conception has been fully identified with the Logos. The true king is the incarnate representation of the universal Nomos, and as such he is the incarnate representation of the Logos. The conception is expressed, like much of the early Christian Christology, in terms of a tripartite division of human nature into body, soul, and logos. And apparently it is generalized in such a form that anyone whose life is guided by reason might be represented as an Animate Nomos-Logos, or king. Such seems to be a corollary which Plutarch draws in traditional form.¹²⁴ Still the true king is officially in a unique position. For "the rulers are ministers of God for the care and safety of mankind, that they may distribute or hold in safe keeping the blessings and benefits which God gives to men." The forces of nature, preëminently the sun, are working wonders about us, yet none of their productions can be properly used or enjoyed without law, justice, and the ruler. "So justice [*δικη*] is the end of law, and law is the business [or product, *ἔργον*] of the ruler, while the ruler is the image of God who ordains all things. So he has no need of the art of Pheidias or Polycletus or

¹²³ Sec. 8. *Τίς οὖν ἀρξεί τοῦ ἀρχόντος; ὁ νόμος ὁ πάντων βασιλεὺς θνατῶν τε καὶ ἀθανάτων, ὡς ἔφη Πλάτων, οὐκ ἐν βιβλίοις ἔξω γεγραμμένος οὐδὲ τισὶ ἐύλοιοι, ἀλλ' ἡμψυχοὶ ὄντες ἐν αὐτῷ λόγῳ, δεῖ συνοικῶν καὶ παραφυλάττων καὶ μηδέποτε τὴν ψυχὴν εἶναι ἔρημον ἡγεμονίας.*

¹²⁴ Especially in the stock anecdote of Alexander and Diogenes in Sec. 5. See below, p. 97.

Myron, but by his virtue he makes himself into the closest likeness to God, and fashions himself into the fairest to behold of all statues, and the one most appropriate to divine majesty. And just as God put in heaven the sun, his exceeding beautiful image, and the moon, such also is the ruler in the city, his copy and effulgence, 'when he dispenses God-like justice.' And such he is when he has intelligence [*διάνοια*], the Logos of God, not by virtue of his sceptre, or of the thunderbolt or trident with which some have themselves carved and depicted, making thereby their folly invidious to the Unattainable One. For God visits with nemesis those who copy his thunder and lightning and radiation of sunbeams [*ἀκτινοβολία*], while he delights to augment those who desire his virtue and wish to make themselves like him in beauty and love of mankind; and he shares with them the fine order, justice, truth, and mercy which surround him. Not fire, nor light, nor the course of the sun, nor the rising and setting of the stars, no, not eternity nor immortality are more divine than these. For God is not happy by reason of the duration of his life, but by the fact that he is ruler of virtue; such is true divinity, while to be ruled by virtue is a beautiful thing also."

Far from its being true, as Anaxarchus tried to convince Alexander, that everything the king does is *ipso facto* just (notice this tradition which was also a part of Hellenistic law, and was doomed to reappear in some of the most important crises of history), the king must conform himself to justice. For Zeus has not Themis and Dike for throne-mates in the sense that they are subservient to his arbitrary whims, but his nature is itself that of Themis and Dike, and a king who is like him will resemble him in these virtues. After illustrations of virtuous and vicious rulers, Plutarch returns to the metaphysical aspects of kingship.

What some philosophers say is neither probable nor proper, viz., that God is mingled in with matter which is completely passive, or with things, which are subject to a myriad of necessities, fates, and changes. Rather he is fixed somehow above [all that] with a nature which is eternally unchanging; and turning about naturally on holy foundations, as Plato says, he perfects his work immediately [or in a straight line]. And just as the sun in heaven, his surpassingly beautiful image, reveals his likeness in its reflection of him to those who can see him thus, so he has established in the state the effulgence of high justice and of his attendant Logos like a picture which those who have been made blessed and self-controlled by philosophy copy, in order to shape themselves into the most beautiful of objects. But this state of affairs is brought about by nothing else than the Logos which is produced by philosophy.

If any possible doubt could have existed as to Plutarch's intention before, that has been made clear by this passage which certainly presupposes the Diogenes-Ecphantus philosophy, especially that of Ecphantus. For here is the supreme and self-sufficient God, who radiates his force and power into the universe in a way which is reflected and illustrated to percipient men by the sun. Similarly the king is in the state an effulgence of this same divine radiation. Yet, and here enters the element commonly emphasized by the Stoics, this cannot be true unless the king is subject to and guided by his own logos, which is brought up to its proper position of predominance only by philosophical training. If there is no royal road to learning, yet philosophy is the road to true royalty, and he who follows this road comes to have a share in the royal spirit regardless of his position, as we have seen so often emphasized by philosophers of all schools since Plato. Yet royal as is every man who copies true royalty, only a king can be so in the full sense. So Plutarch illustrates by Diogenes, whose royal rule of himself aroused almost the envy of Alexander himself. But as Alexander had so much greater opportunities to indulgence, and so much more difficult a course to steer, so if Alexander made a Diogenes of himself and developed his logos so well as to be able to guide himself thereby through the storms of his greater sea, he made himself at once into a greater Diogenes than the Cynic could ever do. Similarly, if he failed, his failure was more enormous, his vices were more vicious, than those of ordinary men. The greater the king the greater his need of the logos as a guide. The struggle is quite beyond the power of human endeavor. Success is impossible "unless the reasoning power [*δ λογισμός*] be heavy, and bear and weigh down upon his authoritative power [*ἐξουσία*]; or unless the ruler imitates the sun, which as it rises to greater heights in the north moves more slowly and so steers a safer course."

The fragment then concludes with two tests for worthy rulers. The unworthy, when lifted up temporarily by Tyche,¹⁵⁵ are actually soon cast down by her, like epileptics becoming dizzy at a great height; or they prove to be leaky tubs, that cannot contain the mighty influx of authoritative power when it flows into them, but spill it out in sins.

So the value of training the logos of the prince is to make him capable of bearing the influx of the Divine Logos which royal

¹⁵⁵ Kampers (*op. cit.*) has pointed out that this is but another term for the sun-radiance of royalty.

power represents. The unlearned prince is warned that he is an incarnation of the Nomos-Logos, with enormous power as a result for good or evil. He will only be a true prince as by philosophy he learns to use and direct this superhuman power. The doctrine, so much favored by the Stoics, that the true king is the product of philosophy and virtue is all here, but much more is here as well. And the additional element, even to details of imagery, is recognizably the philosophy of Ephantus.

It seems right, then, to conclude that the philosophy of royalty of Ephantus was a thoroughly familiar, if not a proverbial, explanation of the royal office. A glance at the official titles of rulers in the period suggests the conclusion that it was the official philosophy of state as well. Much contested as is the meaning of these titles their generally increasing popularity throughout the Hellenistic age is indisputable. Particularly the titles *σωτήρ*, *ἐπιφανής*, and *ἐλεργέτης* came to be almost fixed epithets of royalty. Important as was the religious significance of these, their universal use implies that they had an even greater political importance. But that they are all three explained fully, or adequately, in both a religious and a political sense by the material under discussion hardly needs elucidation. For while the title *σωτήρ*, for instance, implied that the king represented military protection and security to his subjects, certainly its meaning is much enriched by Ephantus' conception of the king as saviour of society, while its frequent juxtaposition with *ἐπιφανής* is, so far as I am aware, here first clearly explained;¹³⁰ the revelation of deity in the king is in itself the salvation of society.¹³¹ Similarly with other royal titles. Antiochus IV Epiphanes is called *σωτήρ τῆς Ἀσίας καὶ κτίστης τῆς πόλεως* (Babylon),¹³² and the title *κτίστης* is applied, Collitz thinks perhaps in the third cen-

¹³⁰ On the king as *ἐπιφανής* see Pfister in Pauly-Wissowa, *Real-Encycl.*, Supplementband IV (1924), 306, 307. Great caution must be used in inferring dates for a philosophy from the date of the first official appearance of a title. For example, if *ἐπιφανής* is first used by Ptolemy V, who died 181, this does not mean that the king has not long been thought of as *ὁ ἐπιφανής*, but only that at this time it first occurs to the king to use the word as a royal epithet. The philosophy of royalty which lies behind the word may, and normally would, be centuries older than its use as a title.

¹³¹ The best discussion of the king as saviour is still Paul Wendland's *Σωτήρ*, in *Zeitsch. f. d. neutestamentl. Wissenschaft.*, V (1904), 355-358. But see also Kampers, *op. cit.*, and Kaerst, *Geschichte des Hellenismus*, II (1926), 311 ff., especially the bibliography on page 311, n. 2. A convenient collection of texts showing royal titles is in P. Wendland, *Die hellenistisch-römische Kultur*, 2d ed., 1912, pp. 406-411.

¹³² Dittenberg, *Orientalis Inscr.*, 253, from Wendland, *op. cit.*, p. 339, n. 5.

tury, to Sosandrus by the little city of Latyia in Thessaly.¹³³ Wendland shows that the epithet, with others of Greek royalty, was commonly applied to Pompey, Theophanes, and Potamon, as well as to later Roman emperors.¹⁴⁰ But it is only in terms of the conception of *νόμος ἡμψυχος* that it is intelligible how the king could be described as the *creator* of the state. For while the hero patron of a city was sometimes described as its creator,¹⁴¹ this was a bit of traditional or mythological history which could hardly have been applied in the same sense to a contemporary king who was ruling over a city or country of great antiquity. But since as *νόμος ἡμψυχος* the king strictly speaking is himself the state, certainly it is correct to say that in him it is created. Similarly in an inscription at Priene Augustus is described as *ἀρχὴ τοῦ βίου καὶ τῆς ζωῆς*,¹⁴² a title which suggests the connection of the mystical doctrine of the power of the king in the personal lives of his subjects with the Augustan saviour speculation on which Norden has recently brilliantly written.¹⁴³

In direct contrast, then, to the Stoic description of a king, the Diotogenes-Ephantus philosophy of kingship not only harmonizes with, but brilliantly illuminates, the official royal epithets of the period. So that it is hard to see any grounds for rejecting the conclusions that a philosophy which was as widely known as this has proved to be, and which was fully in harmony with the official descriptions of royalty, and the only one known

¹³³ The declaration of a title by a city must not, as is usually done, be regarded as the *conferring* of a title. It was rather the recognition by the city of the ruler's character as being such as to justify the use of the title. He was truly king, and the city acknowledged its allegiance to him, or his right to give it laws, by recognizing his right to use the titles *σωτήρ*, or *κτίστης*, or the like. His own use of the title on coins or inscriptions, as his own conception of his powers, would be quite unaffected by such action on the part of a city.

¹⁴⁰ Wendland, *op. cit.*, pp. 340-342. It was Caesar's task, according to Cicero (*pro Marcello*, 27), to found the state anew and to give the world peace and quiet.

¹⁴¹ G. Herzog-Hauser, see *op. cit.* below, n. 143, p. 307. It is likely that the term originated, as Plaumann thinks in the case of Alexandria, as the title used by city-cults in the worship of their founders. See Gerhard Plaumann, "Probleme des alexandrinischen Alexanderkultes," in the *Archiv für Papyrusforschung*, VI (1920), 77-99. But the later uses indicate an expansion of meaning beyond this original significance.

¹⁴² Wendland, *op. cit.*, p. 344.

¹⁴³ Norden, *Geburt des Kindes*. On the worship of the king the best discussion is that of G. Herzog-Hauser in Pauly-Wissowa, *Real-Encycl.*, Supplementband IV (1924), 800-853, with excellent bibliography *passim* and at the end.

to be in such harmony, was actually the official philosophy of kingship in the period. This is the philosophy of state which thrust itself irresistibly upon the Roman emperor. It was only the later influence of Christianity as the official or quasi-official religion of the empire which in the fourth century deflected the adoption of the full conception of the king as the incarnate Nomos-Logos into milder forms of expression.¹⁴⁴ But still the king as the source of law, as the divinely appointed, the Lord's anointed, to touch whom was itself sacrilege against deity, to say nothing of the "Roi Soleil," is a conception which has only ceased to be of immediate importance to Western Europe in the last century, and which still represents the political philosophy of a large part of the human race. And even the phrase *lex animata* survived in the codes of both Civil and Canon Law, though not with the full meaning of the fragments we have been describing. But medieval political theorists called the true secular prince *lex animata*,¹⁴⁵ and Gierke says of the medieval prince: "The essential difference between the *principatus regalis* and the *principatus politicus* lies in this, that the latter is a responsible government according to the laws, while in the former the *lex* is in *pectore regentis*, wherefore he can at any time produce as law from this living fount whatever seems expedient to him." In 1159 John of Salisbury wrote: "Most properly that which pleases the prince therein (in legal matters) has the force of law, because his decision may not be at variance with the intention of equity."¹⁴⁶ "The will of the true ruler depends upon the law of God."¹⁴⁷ Professor Dickenson sums up the position of John of

¹⁴⁴ The Emperor Constantine is described as *ἄνθρωπος ἐμφυλτος* by Themistius in *Orat.*, V, 64 b, XVI, 212 d, from Delatte, p. 85. The idea is clearly implicit in Julian's declaration "Imperatorem mitissimi animi legibus praestare caeteris decet." Ammianus Marcell., XVI, v, 12. But the expression was apparently too strong for Christians, for it reappears only once in the Justinian Code, Nov. CV, ii, 4. It will be recalled that the same reticence attached itself long to the use of the term *βασιλεύς*. See Bréhier, "L'Origine des titres impériaux à Byzance," in *Byzantinische Zeitsch.*, XV (Leipzig, 1908), 160-178.

¹⁴⁵ O. F. Gierke, *Political Theories in the Middle Ages*, p. 77, and p. 176, n. 264. "The Prince stands in the middle between Natural Law and Positive; the latter receives its auctoritas from him, and he must adapt it to the particular case."

¹⁴⁶ *Politicus*, iv, 1. *Ut nichil sibi princeps licere opinetur, quod a iustitiae aequitate discordet.* Also, in loco: *populo nichil utilius est quam ut principis necessitas expleatur; quippe cum neo voluntas eius iustitias inveniatur adversa. Est ergo, ut cum plerique diffiniunt, princeps potestas publica et in terris quaedam divinae maiestatis imago.*

¹⁴⁷ *Ibid.*, viii, 22.

Salisbury with the statement: "Under a good prince it is not the prince himself who governs, but the law."¹⁴⁸ Similarly in Canon Law the Pope was called *lex animata* for his unique relation to the Divine Law, though how generally his claim to such a character was asserted or recognized has not been established.¹⁴⁹

In conclusion may I remind the reader that I have not attempted a history of the conception of kingship in the Hellenistic period. The Stoic data need going over again; the coins, the inscriptions, Persian and Egyptian conceptions of royalty and the Messiah, these and much else need to be considered anew, while the ideas of royalty in classical Greece should be analyzed much more carefully than I have had space to do here. My purpose has simply been to point out a neglected body of material, in the light of which all this other evidence should be examined, and to indicate in some degree the importance of that new material.

In brief, it has appeared that in politics the conception of the king as himself the state, its constitution, and its link with the world order seems early to have influenced the thinking of Greeks, but to have been developed to great significance only during the Hellenistic age. As represented in the figure of Animate Law it was first assimilated from the East into Greek thinking by the Pythagoreans. When they became interested in it, it is impossible to say. The fragments of Archytas may, of course, be genuine, as Delatte so brilliantly insists, which would make the Pythagorean speculation go back parallel to that of Xenophon, Plato, and Aristotle. While I still am inclined to think that this is not the case, actual proof either way is lacking, and the hypothesis of their early date is still entirely possible. But whether the Pythagoreans had earlier assimilated the material, or did so in the Hellenistic period, does not affect the fact that under

¹⁴⁸ John Dickenson, "The Medieval Conception of Kingship and Some of its Limitations, as Developed in the *Politicus* of John of Salisbury," in *Speculum*, I, 335.

¹⁴⁹ The following statement occurs in Ulrich von Hutten's *Epistolae Fierorum Obscurorum* II, 5: *Et Papa non est sub lege, sed ipse est lex animata in terris, ut habetur in glosa super capitulum xi, de off. Jud. del. Et si Papa est lex, potest facere quid vult et neminem respicere. Et quamvis semel dixit "ita," tamen postea potest dicere "non."* The reference has been traced by Stokes in his edition of the *Epistolae*, in loco, to the *Corpus juris canonici*, Sexti Decretal. Lib. I, Tit. xiv, De Officio et Potest. Judicis Delegat. c. 11, gloss. Yale has unfortunately no copy of the *Corpus Juris Canon.* with the medieval glosses, so I have been unable to check the reference. But Gierke quotes (*loc. cit.*, n. 265) Boniface VIII as saying of the Pope: *qui iura omnia in scrinio pectoris censetur habere.*

Pythagorean colors a great philosophy of royalty was developed. Even though so much has had to be omitted from the present discussion, this philosophy of royalty will, I think, prove to have been the official political philosophy of the Hellenistic age.

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