

PART III

The Endgames of Sovereignty

CHAPTER 6

Reopening the Plato Question

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I

Contemporary philosophy, Alain Badiou has argued, is considerably more unified than its polemically opposed factions would lead us to believe. Despite the many and great differences between its constitutive schools—on the one side, continental thought stemming from Heideggerian hermeneutics, on the other, the analytic tradition growing out of Wittgensteinian logical positivism¹—the strife that divides these camps is underwritten by a consensus that is all the more binding for remaining almost completely unstated. Both schools of contemporary philosophy, Badiou observes, define themselves in “violent opposition to the Platonic foundation to metaphysics.”² Whereas Platonism remains loyal to the operations required by the category of Truth, contemporary philosophy suspends direct reference to the category of Truth. Whereas Platonism accepts the priority of the Idea in excess of any and all of its presentations, contemporary philosophy assumes language as the ultimate horizon of thought, converting philosophy into little more than the study of meaning (whether through the interpretation of texts or through the analysis of utterances). Above all, whereas Platonism holds that philosophy itself is at once possible, desirable, and necessary, contemporary philosophy puts itself on trial, subjecting itself to melancholic self-accusations regarding philosophy’s impossibility, its complicity with evil, its interminable internal crisis, and the philosophic need for an end to philosophy.³

In Badiou’s view, the task of philosophy today is to emancipate philosophy from the anti-Platonic consensus that silently unites its otherwise bitterly opposed schools. In place of the death sentence that anti-Platonism seems to require contemporary philosophers to pass upon contemporary

philosophy, Badiou proposes a new and different task: to “reopen the Plato question,” which is to say, to return to Plato’s texts so as to seize there a new and different beginning for philosophy, and in so doing to revivify the desire, even the “imperative,” to philosophize.⁴ Commentary on Badiou certainly is not lacking in names for the position Badiou generates through this return (which, often following Badiou himself, has been called everything from “neo-Platonism,” “ultra-Platonism,” and “citra-Platonism,” to a “modern Platonism,” a “Platonism of the multiple,” a “renaissance of the use of Plato,” and a “materialist Platonism”⁵). Oddly, however, despite Badiou’s own call for a return to Plato, few of his many recent commentators have heeded that call and followed him in that return.⁶ Emerging from his seminars of 1989–90, which focused on Plato’s *Republic* and *Laws*, Badiou’s reading of Plato rests upon a very precise claim about the inner structure of the Platonic corpus.⁷ For Badiou, Plato’s writings assume the form of a gradual but decisive reversal. Whereas Plato’s first work, *The Apology of Socrates*, seems to affirm Socrates’s reckless, fearless, and subversive relation to the Athenian polis, his final work, the *Laws*, seems to imply the exact opposite: the justice and even necessity of the counts on which the Athenian polis sentenced Socrates to death.⁸ On Badiou’s reading, subsequent philosophic institutions even would seem to have internalized, under the very mask to which they assign the name “Plato,” the criminal laws that express the antiphilosophic voice and gaze par excellence. If it should seem that philosophy today is incapable of proceeding in any other mode except melancholic self-accusation, permitting itself to philosophize only after first putting itself on trial for impiety toward this or that declension of the polis, this is perhaps because philosophy has not fully thought through what we might call the juridical forms that govern its relation to its own history. Philosophy today would seem to judge its own voice and gaze with reference to a conscience (or, in psychoanalytic terms, an introjected superego) whose injunctions are harshly, even mercilessly, antiphilosophic. Philosophy, it would seem, has not yet become fully self-conscious about the mode in which it becomes self-conscious of its own relation to politics.

2

That so few commentators have sought to question Badiou’s reading of the *Laws* is all the more curious for the fact that it is with respect to this reading that Badiou’s return to Plato is perhaps most discernible from another

twentieth-century return to Plato, one whose relation to emancipatory politics is diametrically opposed to Badiou's, yet whose philosophic aims nevertheless remain remarkably close to, even symmetrical with, his own.⁹ Beginning as early as 1924, Leo Strauss initiated a rereading of Plato that also may be summarized, without excessive injustice, as a "re-opening of the Plato Question." Strauss's rereading of Plato emerged from a desire to break with the "radical historicism" (Heideggerian and otherwise) and neo-Kantianism that dominated the political philosophy of his day.¹⁰ To give shape and form to this desire, Strauss retraced the steps of Nietzsche's incomplete overturning of Platonism, fixing on what Strauss understood to be the clearest virtue of that overturning ("probity").¹¹ Along the way, Strauss rediscovered a politicized form of address internal to philosophic rhetoric ("esoteric writing") that he redeployed as a hermeneutic guide for a rereading of the entire history of political philosophy.¹² The keystone of that rereading was a long account of Plato's *Republic*, in which Strauss subtly but methodically demonstrated that Plato's text anticipates and refutes in advance all of the ostensibly anti-Platonic concepts symptomatically adopted by modern political philosophers.¹³ Perhaps above all, Strauss sought to underline the ironic horizon within which Plato thought the philosopher-king, in order to reintroduce moderation into the visionary excesses born of the modern philosophic supposition, running from Kant to Nietzsche, that the philosopher can and should double as a legislator who seeks to realize truth in the polis.¹⁴

No attentive reader of Badiou would deny the proximity, even excessive proximity, between this return to Plato and his own. Badiou too, after all, seeks to find in Plato a counterpoint both to Heideggerian historicism and to neo-Kantian ethics.¹⁵ Badiou too is a careful student of Nietzsche's overturning of Platonism, redeploying Heidegger's argument about the incompleteness of that overturning as the silent point of reference for his polemic against Gilles Deleuze.¹⁶ Badiou too has affirmed a manifestly political approach to the problem of address within philosophic rhetoric, emphasizing a sharp distinction, if not between esoteric and exoteric writing, then at least between the disciple and the public.¹⁷ Badiou too, as we've noted, appreciates the sense in which the foreclosure of Platonism is a symptom that seizes and holds together otherwise opposed schools of modern political philosophy (especially that of the last century).¹⁸ And, perhaps most importantly, Badiou too has counseled caution toward the figure of the philosopher-king, emphasizing restraint, reserve, and moderation as the antidote to the temp-

tation, internal to philosophy, for philosophy to realize its truths through lawgiving.¹⁹

On this point, however, the resemblance would seem to end. In his critique of Plato's *Laws*, Badiou fixes on book 10 as the site where Plato succumbs to the temptation to realize truth through law: here where Plato uses the tyrannical prescriptions of criminal law to ban the Sophist from the polis, Badiou argues, Plato abandons philosophy itself, converting its aporetic rigor into a force of terror.²⁰ Strauss, by contrast, will consider this same book as the very inauguration of the inquiries that define classical political philosophy (and by extension, given Strauss's approach to the quarrel of the ancients and the moderns, political philosophy as such).²¹ Because it is only in book 10 of the *Laws* that Plato "directly faces" the problem of the gods, Strauss argues, book 10 must be considered "the most philosophic, the only philosophic part of the *Laws*."²² For Badiou, the Stranger who appears in the *Laws* in place of Socrates represents the absolute betrayal of Socrates: the Stranger, Badiou writes, is "the generic representative of the Polis, who once again pronounces against Socrates and in favor of the implacable fixity of criminal laws."²³ For Strauss, on the other hand, the Stranger marks the recapitulation and confirmation of Socrates's highest teachings: the fact that someone other than Socrates could teach political philosophy outside of Athens, the birthplace of political philosophy, is proof positive that the teachings of political philosophy can survive Socrates and are transferable across traditions (or what today we would call cultures).²⁴ And for Strauss, of course, the law against impiety the Stranger devises in the *Laws* does not betray Socrates; it defines impiety in a way that would have been more favorable to Socrates than was Athens's own law against impiety.²⁵

No reading of Plato, it would seem, could have less in common with Badiou's. But to the precise extent that Badiou's reading of book 10 of Plato's *Laws* is on the mark, we will be off the mark to separate his reading of Plato from Strauss's, and above all from Strauss's reading of book 10 of the *Laws*—in all of its theologico-political piety, its hermeneutic attention to silence and speech, and its neoconservatism. Fidelity to Badiou's teaching about philosophy's relation to its own immanent disaster, in fact, requires the very opposite: a recognition that Strauss's Stranger, this Stranger with whom Badiou's Stranger is least at home, belongs essentially and irreducibly to the same Platonism Badiou wishes to reopen, as the exemplary figure of the disaster in and through which philosophy estranges itself from its essence, perhaps even as the mask that philosophy wears when it insists that disaster is

no disaster at all. Strauss's "zetetic" Platonism, his emphasis on the essentially questioning character of Platonism, is not then simply the polar opposite of Badiou's "re-opening of the Plato question" (although, especially on the point of the syntagma "political philosophy," it is precisely this, with Strauss affirming the possibility of what Badiou rejects).²⁶ It is also its *uninvited rhyme* and *uncanny double*. Much more than Deleuze or Jacques Rancière, who after all provide Badiou with the consoling figures of a clear-cut and deeply held opposition to Platonism, and against whom Badiou has not failed to engage in open polemics, it is perhaps Strauss's affirmation of Platonism, about which Badiou and his disciples have kept noticeably silent, that provides Badiou's return to Plato with its most intimate and volatile *koinè*.

3

To put a name to this *koinè*, it will not suffice to traffic in the horse-trading of a compare-and-contrast analysis, or work like a detective in the archives of intellectual history.²⁷ We instead need to return to the text of the *Laws*, so as to outline in that text the operation of a philosophical apparatus that remains active but unthought in each thinker's renewal of Platonism. To begin comprehending the relations and nonrelations that join and disjoin these respective Platonisms, it will be necessary to consider a deceptively simple question: how precisely does the *Laws* pose law as a problem for philosophy? As our point of departure into this inquiry, we shall take the curious passage that appears in the mathematically exact middle of book 4 of the *Laws*. Here the Athenian Stranger distinguishes true polities from cities (such as aristocracies or democracies) that have achieved victory over themselves, and where it is consequently necessary for a despot to administer the enslaved, defeated faction. To truly name any given city, the Stranger continues, "One must use the name of the god who truly rules as despot over those who possess intellect."²⁸ When pressed by his interlocutors to explain this surprising assertion, the Stranger asks permission to respond by telling a myth about "the time of Cronos," when there existed "a most prosperous government and settlement [οἰκησις], which is imitated by the best of the arrangements now existing."²⁹ Permission granted, the Stranger continues:

Tradition tells us how blissful was the life of men in that age, furnished with everything in abundance, and of spontaneous growth. And the cause thereof is said to have been this: Cronos understood that, as we

have explained, human nature is not at all capable of regulating the human things, when it possesses autocratic authority over everything, without becoming filled with hubris and injustice. So, thinking about these things, he then appointed as kings and rulers for our cities, not human beings, but beings of a race that was nobler and more divine, namely, daemons. He acted just as we now do in the case of sheep and herds of tame animals: we do not set oxen as rulers over oxen, or goats over goats; instead, we exercise despotic dominion over them, because our species is better than theirs. In like manner the god, out of friendship for humanity, set over us at that time the nobler race of daemons, who supervised us in a way that provided much ease both for them and for us. They provided peace and awe and good laws and justice without stint. Thus they made it so that the races of men were without civil strife and happy.

What this present argument is saying, making use of the truth, is that there can be no rest from evils and toils for those cities in which some mortal rules rather than a god. The argument thinks that we should imitate by every advice the way of life that is said to have existed under Cronos; in public life and in private life—in the arrangement of our households and our cities—we should obey whatever within us partakes of immortality, giving the name “law” to the distribution ordained by intelligence [*tēn toû nou dianomēn eponomazontas nomon*]. But if an individual man or an oligarchy or a democracy, possessed of a soul which strives after pleasures and lusts and seeks to surfeit itself therewith, having no continence and being the victim of a plague that is endless and insatiate of evil—if such an one shall rule over a State or an individual by trampling on the laws, then there is (as I said just now) no means of salvation.³⁰

That these passages contain Plato’s definition of law seems clear—or so we are told, at least, by historians of jurisprudence, who routinely cite these lines in the course of their commentaries on Plato, as well as by Strauss, who interprets these passages as nothing less than Plato’s definitive response to the question of the best regime.³¹ Upon closer examination, however, the confidence of these commentators seems misplaced. Even Strauss’s “theologico-political” reading of these passages, so much more careful than those historians whose haste he strove continually to chasten, passes over a fundamental “perplexity” that stirs within them.³² When the Stranger says that law (*nomos*) should be understood as a name for the dispensation (*dianomēn*) of thought (*noû*),³³ he engages in what the translator R. G. Bury

would call a “double word-play: νοῦς [*nous*] = νόμος [*nomos*], and διανομᾶς [*dianomas*] = δαίμονας [*daimonas*]. Laws, being the ‘dispensations of reason,’ take the place of the ‘daemons’ of the age of Cronos: the divine element in man (το δαιμόνιον [*to daimonian*]), which claims obedience, is reason (νοῦς [*nous*]).”³⁴ As with other translations associated with the Greek term *nomos*, this wordplay (others have called it a “pun” and even an “anagram”) has been obscured and abstracted by its translation into Latin.³⁵ After 1484, when Marsilius Ficinus rendered the Greek *dianomēn* with the Latin *dispensationem*, many English translators began translating *dianomēn* as “dispensation,” resulting in a rendering of the *Laws* that seemed to allow law to be defined as “the dispensation of intellect.”³⁶ This translation, which Strauss accepts and deploys, certainly avoids the defects of some of the more brutal alternatives for *dianomēn* (such as *edict*).³⁷ It also has qualities of its own: by rendering *dianomēn* with one of the two Latin equivalents of the Greek *oikonomia*, Ficinus remains faithful to the way that Plato’s *Laws* seems to think the polis on the model of the *oikos*.³⁸ Even so, the Ficinian rendering ends up obscuring a key dynamic in the untranslatable term it seeks to illuminate. *Dianomēn*, in Plato’s wordplay, touches not only *nomos* (its root, *nemein*, designates precisely the distribution, division, apportionment, or allocation that both Schmitt and Heidegger would connect, in their postwar writings, with *nomos*³⁹), but also the *dianoia* to which Plato attached so much importance in the *Republic* (and which is the essence of philosophical thought as distinct from the prephilosophical convention, the age of Cronos, which is not necessarily the same as a religious age⁴⁰). And although in the *Laws*, as in the *Republic*, *dianoia* must be understood in relation to *nous*,⁴¹ the *Laws* gives both terms a very unusual declension. As Heidegger has observed, *nous* in the *Laws*, in contrast to the rest of Plato’s corpus, is thought within the horizon of *poiesis* (production), and thence too (given Heidegger’s understanding of *poiesis*) to *techne*.⁴² What holds for *nous* holds as well for the terms to which it is contiguous in Plato’s wordplay. “To use Plato’s own terms and wordplay more precisely,” as Jean-François Pradeau emphasizes in his commentary on this passage, is to draw out precisely this technicality: “the law (*nomos*),” Pradeau therefore translates, “is *the instrument of the intellect (nous)*.”⁴³ There would thus seem to be a subtle shade to the Stranger’s wordplay that is left in silence when *dianomēn* is rendered with *dispensation*. The Stranger manages to stretch *dianomēn* so that it allows for a harmonious ensemble to be made out of a series of otherwise ranked and opposed concepts. In the Stranger’s mouth, *dianomēn* touches pre-

philosophical as well as philosophical governance (where governance is figured, in each case, on the model of the management of the household by a *despotes*). It pertains as much to human as to animal populations (where both sorts of population are figured as livestock to be shepherded by nobler races). Perhaps above all, it is thought in a mode that deploys rather than bans the power of poesis (where poesis signifies as production, and thus too as *techne* and enframing). Given the variety of otherwise opposed concepts that are in play in the Stranger's utterance—prephilosophy and philosophy, prelaw and law, knowledge and power, population and governance, thought and instrument—it might not be far off the mark to hypertranslate his coupling of *nous* and *nomos* into unapologetically contemporary terms, as an unavowed precursor for one of the most basic and contested concepts of contemporary thought: *dispositif*.⁴⁴ On this read, it would be as errant to reduce (as does Badiou) the concept of law in the *Laws* to “criminal prescriptions,” “tyrannical commandments,” or a “law of death” as it would be to suppose a relation of simple “natural inferiority” (as does Strauss) between *nous* and *nomos*.⁴⁵ Law, in the *Laws*, instead would be a name for a philosophic apparatus, a machine that conjoins *nous* and *nomos*, a device that, in a manner we have yet to fully comprehend, makes one “see and speak.”⁴⁶

4

Understood as a discourse on a *dispositif*, the Stranger's words on law give rise to a new and different perplexity. The apparatus of which he speaks would seem to be defined by a precise if unusual operation. *Dianomēn* is a place in the Stranger's utterance about law where each one of the other names in his formulation shades into and joins with each of the others, in one and the same movement by which philosophic thought disjoins itself from the prephilosophic thought it at once imitates, rearranges, and displaces. Interpreted strictly within the hermeneutic horizon proper to the *Laws*, this wordplay is not at all an anomaly. As Johann Huizinga showed in his 1944 work *Homo Ludens*, and as Michel Foucault noted in his 1982–83 lectures on Plato, the discourse on serious play saturates Plato's *Laws*.⁴⁷ The *Laws*, as Huizinga points out, is a dialogue that speaks of education (*paideia*) as the guidance of children (*paides*) through play (*paidia*).⁴⁸ It considers education and play (and not, contra Schmitt, external war [*polemos*]) to be the “supremely serious” problem for lawgiving thought (which sort of thought the *Laws*, in turn, repeatedly calls “the sober play [*paidia*] of old men”).⁴⁹

It famously construes man (*anthropon*) as the “plaything” (*paignion*) of the gods.⁵⁰ The Stranger’s wordplay on *nous*, *dianomēn*, and *nomos* is not then a deviation from the otherwise serious thought that takes place in the *Laws*; to the contrary, by putting a name to the play that allows *nous* to participate in the very *nomos* it also orders, this wordplay in fact provides the very paradigm according to which the *Laws* thinks law.⁵¹ In book 7 of the *Laws*, the Stranger pauses to reflect upon the dialogue in which he and his interlocutors have been participating since dawn. Their own dialogue, the Stranger acknowledges, is not only itself akin to a form of tragic poetry; it is also, he asserts, the very “paradigm” (*paradeigma*) for the sort of discourse that ought to govern the guardians’ education of the young instead of tragic poetry.⁵² This self-reference, which precedes the Stranger’s reference to himself and his fellow lawmakers as “makers of a tragedy,” provides the interpretive key that alone can allow for a precise understanding of the form of the Stranger’s words on the relation of *nous* and *nomos*. Read as a part of a paradigm for the “true law” (*nomos alēthēs*) the Stranger later would claim to produce, the very permutation of letters that appears there on the page—where *nous*, *dianomēn*, and *nomos* at once depart from the very root, *nem-*, they also share—now comes to light as an exemplification of the very harmony that the interlocutors of the *Laws* elsewhere, in their discussions of law, seem merely to approximate.⁵³ In their close concordance with one another, the very communication between the words *nous*, *nomos*, and *dianomēn* reveals itself there—in the letters that appear visibly on the surface of the page itself—as the sensible expression of the Idea, otherwise only purely intelligible, that thought, law, and space could coexist in agreement with one another in an undivided political community where human laws imitate divine laws.⁵⁴ Recalling that the Greek word for truth (*alēthēia*) is formed from privative prefix *a-* (un- or dis-) and the root *lēthē* (forgetting), the Stranger’s wordplay even would appear to function as a sort of pedagogical reminder to the reader of the *Laws*, a mnemonic device that causes the reader to remember that the name *nomos* points less to the divisive music of tragic poetry than to the silent harmonics of *nous*, to “the play [*le jeu*] of a thought that permits itself to found the law on an infinitely superior Good.”⁵⁵ But this would be a most paradoxical sort of recollection, for it would startle the reader into remembering a Oneness that was never forgotten in the first place, that appears for the first time only in Platonic reminiscence. If, as the Stranger argues, *nomos* may be understood as a name for the *dianomēn* of *nous*, it would then be because the name *nomos*

is itself already a distribution (a *dianomēn*) of the name *nous*, because the name *nous* itself already participates in the name *nomos*—because, in short, to write the name *nomos* is also, at least in part, to write the name *nous*. Understood in this way, *nomos alēthēs* would be a name for that *nomos* which arrives at its truth in a daring and surprising way—in a manner authorized neither by prephilosophic convention nor by etymology, but simply and only by measuring itself with reference to the Idea of the indivisible, to the unprecedented One as such.

There is, in this serious play, no hint of an internal thought that can take effect only insofar as it inscribes its blueprints upon the passive blank slate of external space. The relation between *nous* and *nomos* in Plato's *Laws* cannot then be interpreted, in modern terms, as a relation between mind and matter, much less between the two discrete substances of *res cogitans* and *res extensa*. In fact, in the place where *dianomēn* joins *nous* to *nomos* there would appear to be no relation at all. We seem to find nothing more, and nothing less, than a peculiar sort of community (or *koinonia*), a subtle but nevertheless definite participation of thought within a law that is already itself constitutively spatial, an intimate proximity of names that, in its approximation of the paradigm of indivisibility rendered visible by the Good, itself exemplifies the sort of intimate proximity that would exist in the best possible political community. On this read, the Stranger's word-play would communicate a most serious teaching indeed: the indivisibility it exemplifies—which extends to include not only *nous*, *dianomēn*, and *nomos*, but also *nemein*, the concrete distribution of lots and land—would be so thorough and so complete that the cobelonging that defines its very form would already imperceptibly begin making or producing (in the mode of a *poiesis*) a novel form of community. It would allow us to see and speak, for the first time, of the *politeia*, this peculiar new unity that comes into being when and where philosophy discovers in itself an apparatus that enables it, in turn, to immunize the human community against the contagious disease of civil strife, of stasis, of unending internal division and divisiveness.⁵⁶

5

However poetic it may be, the philosophic apparatus of law in the *Laws* cannot be comprehended with recourse to the poem alone. So identical is mathematics to lawgiving in the *Laws* that, as Pradeau will put it in his commentary on the *Laws*, “to legislate is to count.”⁵⁷ To read the *Laws* on its own

terms is consequently to trace its mathematical reasoning; but the more one traces the mathematical reasoning of the *Laws*, the more one realizes that its philosophic apparatus depends for its intelligibility upon operations that allow for mathematics but that are not themselves mathematical in character. There are, after all, constitutive limits upon the sorts of problems that can become intelligible in and for the mode of thought Plato calls *dianoia*.⁵⁸ The apparatus of the law the Stranger sets up in the *Laws* depends for its intelligibility upon one operation in particular: an ungeometrical use of space, a use of space that is specifically political or, more to the point, a use of a very specific political space, the colony (*apoikia*).⁵⁹ At the end of book 3, Klinias suddenly reveals that he has been commissioned to settle a new colony and to draw up laws for that colony.⁶⁰ This premise will remain the occasion of the *Laws* throughout the rest of the dialogue; it will silently shape the order of all of the questions and responses that subsequently will take place in the text. As such, the space of the colony will have an indispensable function within the philosophic apparatus of law set forth in the *Laws*. It will give the gathered interlocutors the opportunity and indeed the duty to formulate only those laws which philosophy asks of them, as distinct from those laws which the necessities of an existing *oikos* would demand of them. The premise of the colony, in other words, will allow the interlocutors' philosophizing no longer to be governed by an existing arrangement of the sensible (with its prephilosophical and therefore unphilosophical distribution of labor, agriculture, reproduction, education, and so forth), but now to govern that arrangement. Only in a new *apoikia*—as distinct from an existing *oikos*—will it be possible for the order of the intelligible to come to govern and arrange the order of the sensible. The interlocutors of the *Laws* understand this: they grasp that the very possibility of their philosophic discourse is predicated on a divine accident, and for the chance to write the *nomoi* of an *apoikia*—for their emancipation, in other words, from the need to rewrite the *nomoi* of an existing *oikos*, with the stasis that rewriting would inevitably entail—they thank and praise God.

What this praise conceals is a perplexity that is neither theological nor mathematical in character. Without the clearing produced by colonization, the Stranger would not have been able to reconcile the arithmetic and geometrical orders in his account of the best possible number of lots. He would have been forced to begin counting in *medias res*, which inevitably would have entailed the recollection of past wrongs, a trace of stasis.⁶¹ In the *Laws*, the apparatus of law depends upon a truly philosophical count—a

distribution of land, lots, and life that not only begins but also ends with One. But where exactly is it—in the midst of what already existing *nomos* or *oikos*—that one can begin counting from one? If every already existing political and legal order already entails a prephilosophical count, such that any introduction of a philosophical count necessarily will entail a divisive recounting (not only in the mode of *nomos*, in the form of lots, debts, etc., but also in the mode of *nous*, in the form of bad memories, grief and grievances related to stasis, etc.), how exactly is it that a philosophical count will be able to come into being at all? But for the possibility of a perfectly empty clearing—an equivalent, we might say, for the zero that Greek mathematics famously lacked—how else could the apparatus of law set itself up in conformity with the requirements of a truly philosophic *nous*?⁶² It's precisely this perplexity—this paradoxical lack of nothing, of a count that could begin with emptiness—that demands or requires the operation of colonization as the prior condition for the philosophic apparatus of law in the *Laws*. It is this same problem that colonization solves more dianoetically than does numerically based amnesty: although both amnesty and the colony do indeed clear the way for the emergence of a philosophic apparatus of law, the colony performs this function more completely than does amnesty. The clearing of the colony provides an empty space that is much more radical, much more fully emptied of division, than is the enforced oblivion produced by amnesty's internally divided oath, its "promise to remember to forget."⁶³

The space of the colony is, accordingly, not merely one among problems for the *Laws*. It's the implicit spatiality that lets Plato's *Laws* count, and that as such enables law to become thinkable in and for the philosophic apparatus the *Laws* sets up. At once the innermost limit of the arithmetic and geometric orders, the *topos noetos* that ordains the most dianoetic polis, and the condition for the best possible join between the arithmetic and geometric orders, the space of the colony is the indispensable condition for the philosophic apparatus of law that emerges in the *Laws*. It is the reason the lawgivers begin legislating at all (in the strict sense that the purpose of the last seven books of the *Laws* is to provide legislation for the new colony) and it is the empty space on which alone the lawgivers' harmonious common can become intelligible at all. But if the colony is therefore the paradigmatic *nomos* for the mode of thought inaugurated in the *Laws*, it is equally that clearing operation that *nous* requires for itself if the order of the intelligible is to give order, shape, and form to the order of the sensible, rather than the

other way around. Colonization is indispensable for nous, that is to say, if nous is to be able to produce a nomos without also becoming nonidentical with itself in the process (for a nous that was produced by a nomos would be, for Plato, no nous at all), and if nomos is to remain self-identical with itself in this apparatus as well (for colonization alone allows the philosopher to produce an apparatus of law free from the fear that his prescriptions will produce recounting within the community and thus too the very stasis against which law is supposed to immunize the community).

In *The Apology*, Plato's first work, Socrates speaks almost as though he were a stranger to Athens.⁶⁴ In the *Laws*, Plato's last work, a Stranger speaks in a setting outside Athens almost as though he were Socrates. From the only Platonic dialogue in which Socrates does not appear, the *Laws* would seem to offer a teaching that is perfectly befitting of the Stranger who here seems to appear in Socrates's place: philosophy can solve the war within the home only by presupposing a home away from home (which is literally what a colony, or *ap-oikia*, is in the *Laws*). Between the nous of philosophy and the nomos of the colony there would appear to be, in short, a relation not simply of hierarchy but also of cobelonging: the colony will have been that nomos that allows thinking itself—nous—to set itself up as a self-founding force, and that, for this reason, is inscribed essentially, if silently, each and every time nous appears in its selfsame autonomy.

Nothing here, of course, should imply that colonization allows the philosopher to escape from grounded practical matters into the clouds of theory. Colonization in the *Laws* is an operation that is at once much more intricate and much less Aristophanean than that. The introduction of the colony into philosophy enables the interlocutors to establish a proper rank—a philosophical rank—between the necessities of household management and the wisdom of philosophic lawgiving. Prior to the harmonious One, prior to the serious play that operates to immunize the community against division and stasis, colonization is that operation internal to the *Laws*' philosophic apparatus which produces the empty space in the absence of which, in turn, that apparatus would not be able to come into its own as philosophy—as a mode of autonomous thought that is capable of governing and arranging, distributing and disposing, the sensible world from the standpoint of the intelligible world. Even, especially, when it is not named as such, the clearing of the colony remains the definitive horizon for the specific mode of nous the *Laws* inaugurates.

Contemporary philosophers sometimes seem to presuppose that to be self-conscious of law's effects in and on philosophical thought is to be self-conscious of a very specific juridical form: the mandatory command or tyrannical prescription. But with this presupposition, philosophy demonstrates that it has not yet become fully self-conscious about the mode in which it becomes self-conscious of its own relation to law. From the *Laws* we learn something unexpected about the sort of dispositif that law is. If I should find that I am unable to think politics without first seeing and speaking of an empty space, a clearing or void in which the perfect polity stands a chance of coming into being, then already my voice and gaze dwell within a horizon opened for me by law's philosophic apparatus. The dispositif of the law, at least in Plato's *Laws*, is not then limited to the form of the tyrannical command, the injunction or imperative backed by threats. To seek out the clearing, this space defined by the potential for a home away from home, as though thought's estrangement in an empty space were the prior condition for any thought that truly is thought, is not at all to render inoperative the dispositif of the law. To the contrary, it is already to think in the innermost inside of the law, in the space that philosophy prepares in order for the law to be law, and in the space that law prepares so that philosophy may become philosophy.

The operation of this dispositif is apparent in each of the two reopenings of the Plato question we've outlined. To sharpen the point, it will be useful to recapitulate the teachings on law these respective Platonisms propose to transmit. For Badiou, reopening the Plato question holds out a very definite promise: it is an occasion for philosophy to think anew its relation to the One and thus too to the law, to discover in Plato's aporetic dialogues a way for philosophy to think law without also at the same time participating either in the One or in lawgiving. For Badiou, as we have seen, philosophy ceases to be philosophy as soon as it begins to rely upon criminal prescriptions to enforce its truths upon nonphilosophers. Philosophy can remain philosophy, can avoid its innermost and most intimate disaster, only if it suspends its temptation to use despotic injunctions to declare a permanent end to sophistry. This understanding of philosophy does not, as some commentators seem to have concluded from Badiou's writings on Saint Paul, commit Badiou to simple antinomianism, to a crude antithesis between philosophy and law. It commits him to nothing more, but also nothing less, than a newly aporetic understanding of the relation of philosophy and law. To the extent

that philosophy is able to maintain a philosophic relation to its own temptation to issue criminal prescriptions, its own desire to remain self-identical with itself will give rise to an imperative: that philosophers must regard as “*illégal*” (Badiou’s quotation marks) any use of law to substantialize or realize Truth.⁶⁵ Only by remaining loyal to this paradoxical imperative, this philosophic law against philosophic lawgiving, will philosophy be able to relate to law not as an inner temptation to disaster, but as a proper aporia—in a mode, that is to say, that is not nonphilosophical but now, for the first time, properly philosophical.⁶⁶ For Badiou, it would seem, reopening the Plato question would allow us to comprehend the relation between law and philosophy in rigorously philosophical terms: as a nonrelation.⁶⁷

Strauss’s return to Plato would seem to circle around an equally intricate set of reflections on law and philosophy. In his well-known writings on the problem of “persecution and the art of writing” that emerge out of his earlier, lesser-known studies of Platonism, Strauss explains why writers who hold heterodox views must communicate their thought “exclusively between the lines.”⁶⁸ If thinkers did not take care to inscribe their thoughts between the lines, Strauss suggests, they would run the risk that those thoughts would be censored or destroyed, and that philosophic teachings would cease to be transmitted to those few who are capable of them (or, in Strauss’s words, those “young men who might become philosophers”). Structuring this hermeneutics, this serious play of speech and silence, is a clear understanding of an irreconcilable gap between philosophy and law.⁶⁹ Because law cannot be philosophical—because the nonphilosophical multitude cannot govern itself by thought alone, and stands in need of law’s tyrannical commands and threats of force if it is to govern its passions and appetites at all—philosophy cannot fully obey law without also subordinating itself, in the process, to its opposite: nonphilosophy. Between law and philosophy there is not, however, a simple antinomy; there is instead an unstable equilibrium, an opaque force field, in relation to which both law and philosophy each remain constitutively open to the risk of becoming nonidentical with themselves. Just as philosophy that abides by law risks devolving into nonphilosophy, so too law that aspires to philosophy risks throwing into question the tyrannical commands and threats of force that alone allow it to govern nonphilosophers; law that gives full voice to its own self-stultifying aporias is no law at all. For Strauss, albeit in a much different way than for Badiou, the relation between law and philosophy also should be understood as an irreducible nonrelation: as an unbridgeable distance between philos-

ophy's open question ("what is?") and law's definitive declaration ("what is"), and by extension, between Athens and Jerusalem, between reason and revelation.⁷⁰ The subtle relations of speech and silence that structure the surfaces of exoteric texts are thus anything but empty forms. There is a content to their form: they are signs of a nonrelation that is no less irreducible and aporetic than is Badiou's philosophic imperative.

7

If we may speak of a *koinè* that joins Strauss to Badiou, it is not, however, because each thinker finds in Plato the resources to hold open a nonrelation between law and philosophy. It is because each thinker leaves unthought the space that at once enables that nonrelation and collapses it from within. Strauss and Badiou alike underestimate the extent to which the apparatus of law in Plato is not simply a tyrannical command, but also, even primarily, a *nomos*—a political space.⁷¹ And not just any political space, but a very distinct political space, one whose specifically political character derives, paradoxically, from the absence within it of any polis whatsoever. In short: an impolitical space. The empty space of the colony is not a *res extensa*, an exterior space upon which the philosopher inscribes his interior blueprints. It is that clearing that alone allows philosophic thought to separate itself from the order of the sensible and to set itself up in the *atopia* (or, better, *atopicité*) that, in turn, is the only place where autonomous thinking is really at home with itself; it is that place alone that allows thought to produce laws out of its own autonomy.⁷² The blank slate or *tabula rasa* exemplified by the colony is not then exterior to lawgiving thought; it is the innermost interior and indispensable condition of lawgiving thought. It is the very horizon of thought that allows thought to render itself intelligible to itself as lawgiving thought.

This holds even, especially, where thought cannot name or think the clearing that allows it to see and speak of law; it holds even and especially when thought misrecognizes this clearing as a space exterior to law, a space of nonlaw that would seem to promise to thought an ability to relate to law in the mode of a nonrelation. In Straussian hermeneutics, this misrecognition will take place in a most symptomatic way, through Strauss's excessively literal naming of the blank slate or *tabula rasa* that appears between the lines in exoteric texts. The space of the colony will provide the horizon and lexicon within which Strauss explains what it means to read writing between the lines. At the opening of his famous 1941 text, Strauss outlines his hermeneu-

tic project, his desire to interpret the blank slate—the surface of the empty page—that is there between the lines, with catachrestic reference to colonization: “This expression [writing between the lines] is clearly metaphoric. Any attempt to express its meaning in unmetaphoric language would lead to the discovery of a terra incognita, a field whose very dimensions are as yet unexplored and which offers ample scope for highly intriguing and even important investigations. One may say without fear of being presently convicted of grave exaggeration that almost the only preparatory work to guide the explorer in this field is buried in the writings of the rhetoricians of antiquity.”⁷³ Strauss’s unmetaphoric use of metaphor here may at first appear to be nothing more than play, but read to the letter it has an effect that is far from unserious: a claim that opens with logical paradox—what might it mean to read writing in a space where there is none?—is closed down by rhetorical commonplace (namely, that knowing the unknown is akin to exploring an unexplored land). It is, of course, no accident that Strauss will treat the empty surface of the page as though it could be rendered intelligible as a colonial space (an unknown land that is there to be discovered by a reader who is, in effect, an explorer, a founder of a colony). Quite the opposite: this swerve will have been prescribed for Strauss in advance by the very text in which he claimed to find the best regime in the first place. In Plato’s *Laws*, the empty space of the colony is that *topos noetos* in which alone the best regime may be found each and every time it is possible to find it, up to and including when that empty space is the empty space between the lines of an exoteric text. Strauss’s self-conscious metaphorization of the limit to metaphor is, in this sense, the unself-conscious mark within Strauss’s thought of a *dispositif* that Strauss, who thought the relation of law and thought in Plato as dispensation, could not think on its own terms. For Strauss, the poetics of colonization would seem to provide the best, clearest, or perhaps just the most obvious device for seeing and speaking about a mode of thought, philosophy, that seeks to escape the persecutions of law by inscribing its lessons in the empty spaces that appear on the blank page. Loyal Straussians certainly might want to downplay Strauss’s playful reference to colonization, as if it were merely an unserious aside. But Strauss’s loyalty was not to Strauss but to Plato, and it was a loyalty that was far more excessive than either Strauss or his disciples perhaps are able to admit. In particular, Strauss is excessively loyal, more loyal than he knows or can even manage to know, to that part of the *Laws* that requires the clearing of the colony before thought can be thought as thought. But this same clearing undermines

the very hermeneutics it seems to enable, for it collapses from within the nonrelation upon which Straussian hermeneutics at root depends. From the *Laws*, we learn that the clearing in which alone thought is at home is not at all exterior to law, but is to the contrary law's most indispensable condition. The colony, in other words, is not law's antipode; it is the only place where law has a chance to achieve perfection. Strauss deploys the poetics of colonial space in order to name the interpretive horizon inside of which the thoughtful writer may transmit his thought of the best regime in nonrelation with the thoughtless censor who, in turn, seeks to persecute that writer—or, in Platonic terms, where nous may express itself with being ordered by nomos. But precisely this deployment is the best sign that Strauss cannot think the juridicality of the very horizon on which he depends for his interpretations. The empty space that Strauss supposes is exterior to law is itself already a space internal to law, is already the innermost interior and indispensable condition of lawgiving thought. Strauss's return to Plato would thus seem to reopen the Plato question in a manner that exceeds, from within, not only Strauss's own reading of Plato, which circles around a nonrelation between law and philosophy, but also the hermeneutics he proposes to have retrieved from Platonism, which brings that same nonrelation to the surface of the written page now as a problem for reading.

What is true of Strauss's thought in the mode of the poem is true for Badiou's thought in the mode of the matheme. For Badiou, Plato's aporetic thinking can be sustained only insofar as it remains atopic thinking: philosophy's act is nothing more, but also nothing less, than to open an "active void within thought."⁷⁴ The "empty gap" that results from this operation allows for the appearance of truths, but only so long as philosophy manages to maintain those truths in nonidentity with the void that provides them with their background.⁷⁵ The "ethics of philosophy," as Badiou calls it, is to avoid the temptation to transform this empty gap into a spacing where Truth appears not as a void, but as being.⁷⁶ To the extent philosophy caves in to this temptation, it succumbs to its own internal inverse: terror. Philosophy becomes a force of terror when it no longer limits itself to the work of poking a hole in sense or declaring the void inside of the domain of what is, but instead gives truth a presence in a specific place and assigns a specific sacred name, in the process annihilating the void itself and destroying the very possibility of declaring what is not.⁷⁷

On this point, it must be said, there is between Strauss and Badiou no koinè whatsoever. There is only diagnosis. Badiou's ethics of philosophy

explains, with great clarity, what precisely is terrible in Strauss's localization of philosophy and law, reason and revelation, in Athens and Jerusalem. This localization of Truth has produced a sacralization of the West, the terror and dogmatism of which require no additional elaboration here.⁷⁸ Especially because Strauss privileges a close and sustained reading of Plato's *Laws*, the very text in opposition to which Badiou develops the ethics of philosophy in the first place, Strauss's Platonism is the very paradigm of disaster in the Badiouian sense of the word; it is, in other words, the very best example of philosophy at its worst.⁷⁹

That same exemplarity, however, also points to something else: the sense in which Badiou's own ethics disjoins itself in its most intimate and essential region. The paradox of Badiou's operational void, which strives to maintain the empty place of Truth and so to guard against any disaster, is not that it is disloyal to Plato; it is that it is also excessively loyal to Plato, above all to the Platonic text in which Badiou locates the disaster of Platonism itself.⁸⁰ On the terms of Plato's *Laws*, the clearing of an empty space in sense, and the setting up of thought in the operational void that results, is not at all a renunciation of lawgiving thought; it is, to the contrary, the paradigmatic form of lawgiving thought. In the *Laws*, the empty space is not a step back from the ecstasy of place; it is the ecstatic place par excellence. The apoikia of the *Laws*, in fact, is nothing so much as a place of *ek-stasis*, a place that immunizes politics against stasis by placing itself outside of stasis.

To be sure, Badiou's recourse to the "exceptionally severe" laws of mathematics certainly does allow him to displace the unmathematical use of the One that Jacob Klein found at the core of Platonic politics.⁸¹ It is certainly therefore possible to generate a reading of Badiou as the thinker who cancels out the apoikia, thinking it through to completion: by thinking the void that Plato could not think, and by opposing the One that Plato did think, Badiou puts himself in a position to rethink the place and function of the colony in the philosophic apparatus Plato establishes in the *Laws*.⁸² But even this reading would need to confront the possibility, immanent to the very procedures of Badiou's ethics of philosophy, that Badiou does not so much cancel out the apoikia as sublimate it, iterating its empty space now in a higher form, indeed as the very hallmark of philosophic thought itself.⁸³ Understood purely from the perspective of its deployment, after all, Badiou's operational void produces the same philosophic autonomy that the colony produces in Plato's *Laws*: the operational void, like the empty space of the colony, allows philosophy to separate the intelligible from the sensible, and

to establish the rank of the intelligible over the sensible. It is perhaps no surprise, then, that the space of the colony should reappear so consistently in Badiou's descriptions of philosophy itself. "The philosopher is always a stranger," Badiou argues; the philosopher's thought constitutively exceeds any "home for truth," which is defined by nothing so much as its emptiness, its exteriority to any home, such that thinking can only "take place abroad," in a "foreign" country, such that the hallmark of any true philosophic commitment is its "internal foreignness."⁸⁴ It's as though the ethics of philosophy were reducible to a most familiar imperative: that philosophy will have been philosophy only if it first dwells in the topos noetos of the ap-oikia, this empty space, this home away from home.

The ethics of philosophy too, the ethics of philosophy above all, would thus seem to circle around an aporia. This aporia, however, consists not of a nonrelation between law and philosophy, but of a relation of excessive identity, a relation in which philosophy is so completely interior to the empty space of the ap-oikia, and consequently too so completely in thrall to its own autonomy, that the very notion of empty space has become for it, precisely, an imperative. "The event is in excess of all law"—this philosopheme, so central to Badiou's oeuvre, would appear to be capable of thinking everything except the event of law itself, everything except the genesis of law in and from an empty space that reappears, in Badiou's thought, as the imperative of all imperatives, the nonlaw governing any and all philosophic relations to law, as the dead center of the very thinking of thinking undertaken by the thinker of the event. The truth of the void, on the terms of Plato's *Laws*, is that the void is not a void. It is an impolitical space that lawgiving thought must occupy if thought is at all to become able to issue laws in and from its own autonomy. The open void in which Badiou finds the possibility of restraining philosophy from caving in to disaster is, in other words, precisely that space that alone enables the criminal prescriptions that are, for Badiou, the hallmark of disaster itself. Badiou's thought, it would seem, must therefore expose itself to disaster in the very same place, and by virtue of the very same ethical imperative, that allows it the possibility of restraining itself from disaster. In principle, of course, a void that is inconsistent with itself should not be inconsistent with Badiou's Platonism, which emphasizes the necessity of inconsistency in the void.⁸⁵ But the inconsistency internal to the colony of the *Laws*—to this atopic space that is the paradigm not only for lawgiving thought but also for the complete absence of lawgiving thought—points to a very different problem: a disjunctive synthesis of law and thought

that is as central to Badiou's Platonism as it is unthinkable on the terms of that Platonism.

Notes

I thank Nicole Starrett, Klaus Mladek, George Edmondson, and two anonymous reviewers for their comments on an earlier draft of this essay.

- 1 See, variously, Badiou, *Manifesto for Philosophy*, 65, 98–100, 120–22. See also Badiou, *Conditions*, 229; Badiou, *Deleuze*, 100–101; Badiou, *Handbook of Inaesthetics*, 38; Badiou, *Briefings on Existence*, 101, 159; Badiou, *Infinite Thought*, 31–37.
- 2 Badiou, *Manifesto for Philosophy*, 120. Compare Kenneth Reinhard, “Introduction,” in Badiou, *Plato's Republic*, viii–ix. Badiou also mentions Stalinist Marxism as one of the six major schools of anti-Platonism of the last century. What Badiou is less clear about, his occasional asides notwithstanding, is the way that anti-Platonism also conditioned the emergence of neoliberalism at the moment of its very birth. Not only Ludwig von Mises (writing in 1944) and Friedrich Hayek (also in 1944), but also Karl Popper (writing in 1945) and Alexander Rüstow (writing in 1949) denounced Plato in particular and by name as the thinker par excellence of state planning and therefore too, in one of the signature slippages of neoliberal thought, totalitarianism. For the neoliberal thought that originated in the Colloque Walter Lippmann of 1938 (convoked by Rüstow) and Mont Pélerin in 1947 (organized by Hayek, and attended by Mises and Popper), the decentralized and localized modes of *savoir faire* enabled by the free market not only provide for a less ignorant knowledge of things and goods than that presumed by “modern philosopher-kings” like Stalin and Hitler; these same modes also make for better decision making than that which takes place in command economies, and thence too better politics as well (so long as by *politics* we mean a special sort of biopolitics, i.e., continual enhancements in living standards and in quality of life). “Violent opposition to Platonism” thus binds together not only bitterly opposed schools of philosophy (analytic and continental) but also bitterly opposed schools of political economy (command and neoliberal).
- 3 Badiou, *Manifesto for Philosophy*, 28, 115; Badiou, *Infinite Thought*, 33–34.
- 4 Badiou, *Manifesto for Philosophy*, 119; Badiou, *Infinite Thought*, 37–39, 42.
- 5 See, variously, Badiou, *Manifesto for Philosophy*, 103; Badiou, *Conditions*, 103, 210; Badiou, *Second Manifesto for Philosophy*, 56, 124–25. Badiou, *Briefings on Existence*, 159; Badiou, *The Communist Hypothesis*, 229n1.
- 6 Of the fifty or so essays collected in Ramond, *Alain Badiou*; Hallward, *Think Again*; and Riera, *Alain Badiou*, only two, one by Jacques Rancière and the other by Claude Imbert, both dating to 1999, devote sustained critical attention to Badiou's Platonism. Since then, Martin Puchner and A. J. Bartlett have published Badiouian rereadings of Plato (Puchner, *The Drama of Ideas*, 185–92;

- Bartlett, *Badiou and Plato*). But one searches in vain for a Platonic rereading of Badiou. This situation may change with the publication and English translation of Badiou's "hypertranslation" of Plato's *Republic*, which he developed in the three seminars he devoted to Plato during the years 2007–10 under the rubric "Pour aujourd'hui: Platon!" See Badiou, *The Communist Hypothesis*, 229–30n1; Badiou, *Plato's Republic*.
- 7 For his seminars, Badiou, *Manifesto for Philosophy*, 152n5.
- 8 Badiou, *Manifesto for Philosophy*, 122, 134; Badiou, *Conditions*, 155, 158.
- 9 Badiou, *The Communist Hypothesis*, 229–30.
- 10 On Heidegger, see Strauss, "An Introduction to Heideggerian Existentialism," in *The Rebirth of Classical Political Rationalism*, 27–46. On neo-Kantianism, see Strauss, "Preface to the English Translation," 15, 18–28. Strauss also, of course, wanted to generate a response within political philosophy to the blithe confidence of social scientific positivism, which Strauss understood to be founded on the basis of the distinction between facts and values. See Strauss, "What Is Political Philosophy?," in *What Is Political Philosophy?*, 18. Compare Strauss, *Natural Right and History*, 35–80.
- 11 Strauss, *Philosophy and Law*, 37–38. See also Strauss, "Introduction to Heideggerian Existentialism," 41; Strauss, "Preface to the English Translation," 12.
- 12 Strauss, *Philosophy and Law*, 95–100. See also Strauss, "Persecution and the Art of Writing," in *Persecution and the Art of Writing*, 24; Strauss, "Exoteric Teaching," in *The Rebirth of Classical Political Rationalism*, 63–64; Strauss, "On a Forgotten Kind of Writing," in *What Is Political Philosophy?*, 221–32.
- 13 Strauss, *The City and Man*, 50–138. For Strauss, modern political philosophers are literally footnotes to Plato. See, on this point, Ferrari, "Strauss's Plato," 48.
- 14 On moderation, see Strauss, "Liberal Education and Responsibility," in *Liberalism Ancient and Modern*, 24. For a summary of Strauss's reading of Plato, see Esposito, "Introduzione," xxxii–xxxiii. Strauss's critique of the visionary excesses of modern philosophy must be understood alongside his critique of the figure of the prophet in Islamic Aristotelianism: if modern philosophers seek to realize the truth through law, medieval Falasifa understood the truth already to have been realized by the revelations of the prophet. See Strauss, *Philosophy and Law*, 75, 128.
- 15 On Heidegger and historicism, see Badiou, *Manifesto for Philosophy*, 113–16. On neo-Kantian moralism, see Badiou, *Ethics*.
- 16 On Nietzsche's overturning of Plato, see Badiou, *Manifesto for Philosophy*, 98–101. On Deleuze's incomplete overturning of Platonism, see Badiou, *Deleuze*, 26–27, 100–101; Badiou, *Logics of Worlds*, 385. Although this is not the place to sort out the truth and error of Badiou's writings on Deleuze, it should be noted that Deleuze—like Badiou, only in the mode of affirmation rather than redress—understood Plato himself to have established the conditions for anti-Platonism. See Deleuze, *The Logic of Sense*, 256.
- 17 On transmission, discipleship, and universal address, see Badiou, *Conditions*,

- 27–28, 45, but compare Badiou, *Infinite Thought*, 29, 38; Badiou, *Deleuze*, 96; Badiou and Žižek, *Philosophy in the Present*, 25.
- 18 Badiou, *Conditions*, 229. To formulate the Plato symptom, Badiou even goes so far as to retranslate Heidegger's 1942 dictum on translation—"Tell me what you think of translation, and I will tell you who you are"—replacing *translation* with *Plato*: "Tell me what you think of Plato, and I will tell you who you are" (Badiou, *Deleuze*, 100). It's as though the name *Plato* were not simply a metonym for translation but more fundamentally an antonym to translation, a name for that which exceeds translation, for that impossible real which remains untranslatable for philosophy, and which as such incessantly calls forth translations in philosophy—as if the entire history of philosophy itself were nothing more than, and necessarily so, a single series of mistranslations of Plato.
- 19 Badiou, *Manifesto for Philosophy*, 129–30, 135, 144. Badiou, *Conditions*, 89, 127, 166–71; Badiou, *Ethics*, 71, 84–85; Badiou, *Second Manifesto for Philosophy*, 71–72.
- 20 Badiou, *Manifesto for Philosophy*, 134; Badiou, *Conditions*, 155, 158.
- 21 Strauss, "What Is Political Philosophy?," 34. In the *Laws*, in contrast to the *Republic*, Plato produces a city in deed and not simply in speech. As such, Strauss characterizes the *Laws* as Plato's "only political work proper," his "most political work," and his "political work *par excellence*." See Strauss, "Plato," 78, cf. 67–68, 72; Strauss, "What Is Political Philosophy?," 29; Strauss, *The Argument and Action of Plato's Laws*, 1.
- 22 Strauss, *The Argument and Action of Plato's Laws*, 129. Book 10 of the *Laws*, Strauss had earlier written, is Plato's "theological statement *par excellence*." See Strauss, "How Fārābī Read Plato's *Laws*," in *What Is Political Philosophy?*, 134. By this Strauss does not mean that book 10 affirms the theological as a paradigm for politics, only that it raises the question of the theological within politics. See Strauss, *Philosophy and Law*, 76. Strauss does not then fully disagree with Giorgio Agamben's argument that the proof of the existence of the gods in book 10 of the *Laws* is "ironic." See, on this point, Agamben, *The Sacrament of Language*, 28–29.
- 23 Badiou, *Manifesto for Philosophy*, 122.
- 24 Strauss, "On Classical Political Philosophy," in *What Is Political Philosophy?*, 84.
- 25 Strauss, *The Argument and Action of Plato's Laws*, 2, 91, 127, 156. Daniel Tanguay, it should be noted, has suggested that Strauss's own position on the "theological-political problem"—this problem that, in 1924–25, caused Strauss's return to Plato in the first place—is embodied by the Athenian Stranger who manages the dialogue of the *Laws*. See Tanguay, *Leo Strauss*, 233n36. Not dissimilar is the position held by Hans-Georg Gadamer, who argues that the Stranger is the figure in whom "more than anyone Plato has most obviously hidden himself" (Gadamer, *Dialogue and Dialectic*, 71).
- 26 On "zetetics," see Strauss, *On Tyranny*, 196.
- 27 All the same, a small gesture in this direction will not be out of order. In his diagnosis of Lacan's anti-Platonism, Badiou locates the error of Lacan's reading

of Plato in Lacan's "strange and restated conviction that Plato concealed his thought more than he presented it" (Badiou, *Conditions*, 245). This reading of Plato, which according to Lacan was shared by his "master" Alexandre Kojève, is of course the reading produced by Strauss under the rubric of the esoteric. That Lacan could have received Strauss through Kojève is less improbable than the reader might suppose. In 1936, the very same year that Strauss noted his plan to coauthor a book with Kojève on Hobbes and Hegel, Kojève undertook preparations to coauthor a book on Freud and Hegel with Lacan. See, on this point, Strauss, *The Political Philosophy of Hobbes*, 58n1; Roudinesco, *Jacques Lacan*, 104–5. Although neither book ever appeared, it at least should be clear that Kojève was in a position to transmit teachings, even to mediate, between these two thinkers during the most formative periods of their intellectual production. Badiou's diagnosis of Lacan's strange reading of Plato, in any event, perhaps amounts to his most explicit critique of Strauss as well.

28 Plato, *Laws*, 713a.

29 Plato, *Laws*, 713b.

30 Plato, *Laws*, 713c–714b.

31 For commentaries on Plato, see, for example, Cairns, *Legal Philosophy from Plato to Hegel*, 35; Friedrich, *The Philosophy of Law in Historical Perspective*, 18–19; Kelley, *A Short History of Western Legal Theory*, 19, 22, 25; Letwin, *On the History of the Idea of Law*, 16. "The best regime is that in which a god or demon rules as in the age of Kronos, the golden age. The nearest imitation of divine rule is the rule of laws" (Strauss, "Plato," 83). Strauss is even more direct in his later book on Plato's *Laws*. What the Athenian seeks here, he argues, is "the highest possible ground of law: rule of law is rule of god" (Strauss, *The Argument and Action of Plato's Laws*, 58).

32 *Perplexity* is the term that Hannah Arendt used to describe these passages in 1951, when she located in them the hermeneutic key for comprehending the relation of law and the Good under conditions of secularization. Arendt, *The Origins of Totalitarianism* (1978), 299.

33 Plato, *Laws*, 714a.

34 See Plato, *Plato IX: Laws*, 286–87n1. See also Pradeau, *Plato and the City*, 142 (calling this passage a "wordplay").

35 Schmitt, *The Nomos of the Earth in the International Law of Jus Publicum Europæum*, 75, 342. "Pun": Voegelin, *Plato*, 239n8. "Anagram": Bernadete, *Plato's "Laws,"* 134.

36 On *dispensationem*, Plato, *Omnia divini Platonis opera*, 454.

37 Strauss, *The Argument and Action of Plato's Laws*, 58, 60–61, 63–64. As a metonym for "dispensation," Strauss sometimes uses "disposition" (2, 58).

38 Aristotle, *Politics*, 1261a. Here a somewhat digressive note is in order. Beginning with Aristotle, Platonic political philosophy has been criticized for confusing the oikos with the polis, the political space of the home with that of the city. This criticism was renewed by Hannah Arendt, and has reappeared in Giorgio

Agamben's study of *oikonomia* (see Arendt, *Between Past and Future* [1961], 106; Agamben, *The Kingdom and the Glory*, 21, 31, 49–50). Perhaps, however, the problem with Platonism is not so much the collapse of the polis into the oikos, as the classical Aristotelian complaint would have it. What Plato's *Laws* would seem to show is that the oikos cannot on its own terms resolve the stasis it itself sets into motion, the stasis that would unbind it from within and preclude it from remaining an oikos at all. The polis, and later the state, certainly is one of the dispositifs that political philosophy deploys "to prevent this unbinding" (as Badiou has put it in *Being and Event*, 104–11). But it is not the only such dispositif, or even the most definitive one. From the *Laws* one learns that to prevent the stasis it itself inevitably entails, the oikos needs to extend beyond and outside of itself, needs to become a colony, an ap-oikia. The ap-oikia is not then incidental to the oikos. It is the immanently transcendent place where the oikos seeks its perfection. Plato doesn't resolve division in the city, in other words, simply by treating the polis as an oikos—by metaphorizing the city on the model of the Oneness of the despotic family. He solves it also, and perhaps above all, by displacing stasis into a space that is neither that of the oikos nor that of the polis. From this perspective, the problem is not the overextension of the oikos onto the polis. It is the nonidentity of the oikos with itself, its inability to deal with divisions within the home except by extending the home beyond itself, into a home away from home, an iterated home that proposes to resolve the divisions internal to the home by reproducing a model of the home in a space outside of the home. If political philosophy is to think the relation between the polis and the oikos, it will need to think a space that is neither the polis nor the oikos, that is the condition of possibility for its own autonomy as philosophy, and yet that is not itself present within its philosophic lexicon: the ap-oikia. What's unthinkable both for Strauss's Platonism and for Badiou's Platonism is not only the nonidentity of the oikos with itself, but that philosophizing itself should be identical with an activity that is not itself philosophical: the settlement of an as yet unsettled space, of a political space that strictly speaking is not yet a political space at all, even as it remains indispensable for any and all thought of the polis—the impolitical space of a colony.

- 39 Schmitt, *The Nomos of the Earth in the International Law of Jus Publicum Europæum*, 70, 326–27, 345; Heidegger, "Letter on Humanism," 238. For Heidegger, "*nomos* is not law [*Gesetz*] but more originally the destiny secured in and by the dispensation [allocation or allotment] of Being [der Schickung des Seins geborgene Zuweisung]."
- 40 Agamben, *The Sacrament of Language*, 16–17.
- 41 Badiou, *Conditions*, 42, 101, 243.
- 42 Heidegger, *On Time and Being*, 46, 50; Heidegger, "Letter on Humanism," 194.
- 43 Pradeau, *Plato and the City*, 142, emphasis added.
- 44 See, variously, Foucault, *The History of Sexuality*, 75–132 ("Le dispositif de sexualité"); Deleuze, "What Is a *Dispositif*?" 159–68; Agamben, "What Is an

Apparatus?," 1–24; Esposito, "The *Dispositif* of the Person," 17–30. "Play," it is worth mentioning, is a subtle but decisive element in Foucault's thinking on the question of the *dispositif*. Compare Foucault, *The History of Sexuality*, 81–91 (a subsection originally titled "Enjeu" but translated as "Objective"); Badiou, *The Adventure of French Philosophy*, 95. Badiou's use of the term, meanwhile, begins with the very first page of his very first book. See Badiou, *The Concept of Model*, 5. He continues to use the term in *Manifesto for Philosophy* as a name for the mode of philosophy (or, elsewhere, "thought") that is set up in and through Platonism; and, of course, he uses the term freely and consistently in his various assessments of his contemporaries. See Badiou, *Conditions*, 64, see also 171, 307. See also, on this point, Louise Burchell, "Translator's Preface," in Badiou, *Philosophy and Event*, x–xix.

45 Badiou, *Manifesto for Philosophy*, 122, 130–31, 144; Badiou, *Conditions*, 155; Strauss, *Argument and Action*, 137, cf. 87.

46 Deleuze, "What Is a *Dispositif*?" 160.

47 Foucault, *The Government of Self and Others*, 254. Compare Strauss, *The Argument and Action of Plato's Laws*, 105; Huizinga, *Homo Ludens*, 18–19, 27, 37, 159–60, 162, 211–12. See also Jouët-Pastré, *Le jeu et le sérieux dans les Lois de Platon*, 31–37. For Jacques Derrida, meanwhile, Plato merely plays at taking play seriously. See, on this point, Derrida, *Dissemination*, 156–58.

48 Plato, *Laws*, 643d. "Education" here of course is closer to "culture" understood as "formation," as in the German *Bildung* or the Latin *humanitas*. On the latter point, see Heidegger, "Letter on Humanism," 201.

49 Plato, *Laws*, 685a–b, 769a, 803d.

50 Plato, *Laws*, 803c.

51 And, by extension, Platonic political philosophy more generally. As Gilles Deleuze wrote in 1967, Platonic political philosophy acquires its very capacity to reflect upon law only through two forms of "play." "Humor and irony," Deleuze argues, "are the essential forms through which we apprehend the law. . . . Irony is the play [le jeu] of a thought that permits itself to found the law on an infinitely superior Good; humor, the play [le jeu] of that thought which permits itself to sanction the law with reference to an infinitely more just Best." See Deleuze, *Masochism*, 81–82, translation modified.

52 Plato, *Laws*, 811d.

53 Plato, *Laws*, 817b. On anagrams and the permutation of letters in Plato's works, see Derrida, *Dissemination*, 158–59.

54 On this read, in other words, book 4 of the *Laws* would extend and intensify the allegory of reading that governs the turn to the "city in speech" in book 2 of *The Republic* (368d–369a, 402b). It also should be noted that, in the reading we are developing here, Plato's apparatus of law comes into view only and precisely at the vanishing point between two declensions of the political that often are considered distinct: the theologico-political and the biopolitical. If it's the case, as Peter Sloterdijk asserts, that reflections on politics since Plato have always

- implicitly unfolded as reflections on the best way to breed and care for flocks of human livestock, then even and especially the rule of Cronos—this divine despotism that, precisely through its withdrawal, provides the wise lawmaker with the model of the best regime—amounts to little more than a blueprint for the breeding and caretaking of man by man (or, in Sloterdijk’s memorable phrase, for making “rules for the maintenance of the human zoo”). From this perspective, there is little to no difference between the theologico-politics of the *Laws* and its biopolitics: the best political regime has always already been best because it is also the best biopolitical regimen. See Sloterdijk, “*Rules for the Human Zoo*,” 25, 27.
- 55 Deleuze, *Masochism*, 82.
- 56 On stasis, see Loraux, *The Divided City*; Agamben, *Stasis*. In contrast to Loraux (who thinks stasis with reference to the distinction between oikos and polis) and Agamben (who thinks stasis as a zone of indistinction between oikos and polis), this essay thinks stasis as the dynamic by which the oikos exceeds itself in the apoikia (see note 38 above).
- 57 Pradeau, *Plato and the City*, 159. Badiou’s own concept of law is loyal to this conception. For Badiou, law is that which ensures the “count-for-one” of that which is presented in the situation. See Badiou, *Being and Event*, 52–53, 93–101.
- 58 In Badiou’s lexicon, dianoetic thought is only the first “pincer of Truth.” The second and more fundamental is the “operational void of Truth.” Compare Badiou, *Being and Event*, 34; Badiou, *Manifesto for Philosophy*, 130. See also Badiou, *Briefings on Existence*, 87.
- 59 I explore this in more detail elsewhere. See Sitze, “*Nous and Nomos in Plato’s Laws*,” 36–70.
- 60 Plato, *Laws*, 702c2.
- 61 Plato, *Laws*, 736c5–737b10.
- 62 On zero, see Badiou, *Number and Numbers*, 8.
- 63 See, on this point, Loraux, *The Divided City*, 143–69.
- 64 Plato, *The Apology of Socrates*, 17c–d.
- 65 Badiou, “Le (re)tour de la philosophie *elle-même*,” in *Conditions*, 72.
- 66 Badiou, *Conditions*, 167, 170–71. See also the definition of justice and communism (“what is nonlaw may function as law”) in Badiou, *Theory of the Subject*, 159.
- 67 On nonrelation and philosophy, see Badiou and Žižek, *Philosophy in the Present*, 11, 14–15.
- 68 It should be underlined that Strauss’s 1941 “Persecution and the Art of Writing” was not his first study of esoteric writing. This took place in his 1935 *Philosophie und Gesetz*, a study of medieval Jewish and Islamic philosophers that unfolded with close and special attention to Platonism.
- 69 See, on this point, Esposito, “Introduzione,” xix.
- 70 Strauss, *Natural Right and History*, 91, cf. 121, 123; Strauss, “Jerusalem and Athens,” in *Jewish Philosophy and the Crisis of Modernity*, 377–80, 396, 402–4; Strauss, “Progress or Return?,” in *The Rebirth of Classical Political Rationalism*, 269–70.

- 71 On this concept, see Galli, *Political Spaces and Global War*.
- 72 The term *atopicit * derives from Luc Brisson and Jean-Fran ois Pradeau, who use it to characterize the mode of thought that allows the interlocutors in the *Laws* to set up their colony. See Brisson and Pradeau, *Les Lois de Platon*, 55.
- 73 Strauss, "Persecution and the Art of Writing," 24.
- 74 Badiou, *Manifesto for Philosophy*, 141.
- 75 Badiou, *Manifesto for Philosophy*, 143.
- 76 Badiou, *Manifesto for Philosophy*, 129, 134, 144.
- 77 Badiou, *Conditions*, 127, 158.
- 78 See, on this point, Norton, *Leo Strauss and the Politics of American Empire*, 201–20; Xenos, *Cloaked in Virtue*, 125–44.
- 79 Badiou, *Manifesto for Philosophy*, 134.
- 80 It should be noted, in fact, that even as Badiou names Plato's *Laws* as the text in which Plato succumbs to disaster, Badiou does not, and perhaps cannot, locate in Plato's *Laws* one of the conditions that he requires in order for a disaster to be a disaster, namely, the "ecstasy of place." The only ecstasy of place he names in Plato he finds not in the *Laws* but in the *Republic*, the "Myth of Er." See Badiou, *Manifesto for Philosophy*, 129; Badiou, *Conditions*, 157.
- 81 Klein, *Greek Mathematical Thought and the Origin of Algebra*, 90–98. It is worth noting that Heidegger's 1924–25 course at Marburg (published under the title *Plato's Sophist*) was, according to Strauss, attended by Klein "regularly," which may explain some of the points of correspondence between Klein's thinking on this point and Heidegger's (e.g., Heidegger, *Plato's Sophist*, 81). See Strauss, *Jewish Philosophy and the Crisis of Modernity*, 462, cf. 450, 458.
- 82 Badiou, *Briefings on Existence*, 39, 61, 125.
- 83 On sublation and/as iteration, see Badiou, *The Rational Kernel of the Hegelian Dialectic*, 53–57, esp. 55.
- 84 Badiou, *Conditions*, 156; Badiou and  i ek, *Philosophy in the Present*, 23–24.
- 85 Badiou, *Briefings on Existence*, 116–17, 159.