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Contemporary *Politikoi* [Statesmen] and Other Sophists in Plato's Political Dialogues*

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Abstract: This paper argues that Plato in the *Statesman* consistently rejects all existing forms of constitution, separating off one, “the

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knowledgeable constitution,” from any other sort of rule, whether by a single individual, by a few, or by the many, and whether rule and the offices into which it is organized are or are not governed by effective checks and balances – a division that gives us kingship vs tyranny, aristocracy vs oligarchy, and two different types of democracy. All existing “statesmen” are written off without exception as “sophists” and “experts in faction,” and the quality of the laws of any existing constitution is declared to be at best *sub iudice* insofar as they have all been formulated in the absence of the relevant political expertise. The paper goes on to consider these outcomes further, in relation to Plato’s *Republic* and *Laws*.

Keywords: Plato, Constitutions, Statesmen, Political Expertise, Faction, Sophists

§1. An analysis of key passages in the *Statesman*

Aristotle repeatedly talks of three types of constitution that are correct (*orthai*), namely kingship, aristocracy, and polity, and three that are deviations from these (*parekbaseis*): tyranny, oligarchy, and democracy.¹ This division – two trios, with rule by one, few, and many represented in each – is taken over from Plato, but with two crucial differences. The first difference is that the third item in the first trio in Plato is called by the same name as the third in the second trio, namely democracy, while the second, not unconnected, difference is that Plato treats all six without exception as “not correct” (*Stat.* 302b5),² calling them incorrect relative to a seventh kind, but dividing the six according to whether they are “law-governed,” *kata nomon / ennomoi* or “contrary to law,” *para nomon / paranomoi* (302e1-8).³ Both Aristotle and Plato recognize a *politike episteme* or

¹ For example, at *EE* 1241b26-31, *NE* 1160a31 ff., *Pol.* 1279a17-21.

² All translations from the *Statesman* are my own, as printed in Rowe, 1995, with occasional modifications; the translation is reproduced in Cooper, 1997 (and published separately in Rowe, 1997); the text is that of Burnet, 1900.

³ What precisely is meant by the distinction between *eunomoi* and *paranomoi* here will be discussed below.

techne, a science or expertise of politics, whose end is to make the citizens as good as possible: that is, a “politics” that is about as different from modern politics as it could be. For Aristotle, this science or expertise seems to be assumed to operate in his three “correct” constitutions, and presumably is what makes them correct (if, and insofar as, “the end of *politike* is not knowing but doing,” *NE* 1095a5). If it does not operate within them, then one assumes that they will cease to count as correct, or as proper examples of kingship, aristocracy, and polity. For Plato, by contrast, kingship, aristocracy, and the first kind of democracy are just the *ennomoi* (“law-governed”) counterparts of tyranny, oligarchy, and the other sort of democracy, and *politike* as properly understood – i.e., *politike techne*, real political expertise – is not assumed to operate within them any more than in the other three. This is the reason why they are “not correct,” and the epithet will, paradoxically, apply even though they are “yoked in good written rules, which we call laws”:⁴ even then they are discarded, along with those who participate in it, in the search for the true statesman, who will be found only in the seventh constitution, branded the “knowledgeable” one (*he epistemon*, sc. *politeia*, 303c1).

Why would a constitution with *good* rules (laws) be treated as “not correct”? The paradox is readily explained. There are two parts to the idea of a constitution being “yoked in good written rules”: it is, first, “yoked,” insofar as the monarchy, the aristocracy and the democracy are kept in check, i.e., maintained as the type of rule by one, few and many that they are, and prevented from sliding into their inferior counterparts. Secondly, the laws that “yoke” a (relatively) better sort of constitution must be (relatively) *good*, because those inferior counterparts will themselves still have laws of some sort. After all, any sort of constitution will have offices, and offices will need to be established, and their roles defined, in law. This point is recognized specifically in relation to the two types of democracy, in the next contribution by the Eleatic Visitor (hereafter “EV”):

And the rule of those who are not many, just as few is the middle between one and a large number, let's

⁴ The description is applied specifically to monarchy, at 302e10-11, so producing kingship, but in the immediate sequel it is implicitly extended to rule by the few and rule by the many.

suppose to be middling in both ways [*ep' amphotera*, 303a3: i.e., middling in the good it produces under aristocracy, middling in the bad it produces under oligarchy]; while that of the mass, in its turn, we may suppose to be weak in all respects and capable of nothing of importance either for good or for bad as judged by relation to the others, *because of the fact that under it offices are distributed in small portions (kata smikra) among many people* (303a2-6).

By implication, offices will be distributed “in larger portions” under the other two types of rule, i.e., by one and by a few. (In any case, I take it that any sort of rule must involve some form of delegation: there could no more be direct control of everything by the few, still less by a monarch, nor, I think, can that be in Plato’s mind.) But if there are offices established, there must be laws to establish them.

This is why EV is careful to characterize the contrast between the two trios, at least initially, as being between *ennomoi*, “law-governed” constitutions and *paranomoi* ones, ones “contrary to law” (302e7, with e1-2). But then only four lines later the inferior sort of monarchy can suddenly be called *anomos*, “lawless” (e11). This is licensed by that curious circumlocution, “yoked in *good written rules, which we call laws*,” the purpose of which, I propose, is to say that *bad* laws are not, strictly speaking, laws at all. This is a familiar move in Plato, involving what Melissa Lane calls a distinction between “strict” and “loose,” or “evaluative” and “descriptive,” uses of vocabulary items, the “strict” uses employed “when one wishes to deny that someone or something who [or which] may descriptively seem to count as an X is in reality an X at all, because they are not capable of fulfilling the proper evaluatively laden function of their role” (Lane, 2023a, p. 24). In the present case, the “laws” in question in the second trio of constitutions⁵ fail in their primary function as checks and balances, leaving the “constitution” (*sensu lato*) “uncontrolled” (*akolastos*, 303b2).⁶ Thus, *sensu lato*, such

⁵ Or “constitutions,” being not, strictly, constitutions at all, just as the “statesmen” who operate within them are not strictly such at all: 303c1-2.

⁶ Compare the description of oligarchy at 301a5 as a matter of “not taking notice of the laws,” not of not having any; also Sørensen, 2018, §2: “This characteristic of democracy [the distribution of offices among many people (303a5-6)] is clearly meant to apply to both law-bound *and lawless* [Sørensen’s italics] forms of democracy, since it is what explains their relative position in the ranking of

“constitutions” have laws, and behave *para nomon*, but *sensu stricto* they are lawless, *anomoi*.⁷

The immediate context in the *Statesman* is concerned with answering the question “which of these “not correct” constitutions⁸ is least difficult to live with, given that they are all difficult, and which is the heaviest to bear?” (302b4-5). Kingship wins the competition:

If all the types are law-governed,⁹ [democracy] turns out to be worst of them, but if all are contrary to law, the best; and if all are uncontrolled (*akolastoi*), living in a democracy takes the prize, but if they are ordered (*kosmioi*), life in it is least livable, and in first place and best by far will be life in the first, except for the seventh [sc. the true *politeia*, ruled over by expertise] (303a7-b3).

constitutions.” Sørensen disagrees, however, with my interpretation of 302e10 *grammata agatha*; he proposes (relying on a reading of 300b1-6 that I continue to regard as at best highly unlikely: see below), in common with many others, that monarchy here – and by implication aristocracy and the better sort of democracy – is supposed to have good laws overall, i.e., a law code as a whole that is a passable imitation of the one an expert statesman might devise for a city, despite the absence of such expertise from the constitutions in question. (On my interpretation, the only laws the “better” trio certainly gets right are those that ensure that officers of state remain within their proper limits, that presumably being an element of the legislation that establishes those offices in the first place.)

⁷ For the general interpretation of 302e10 *zeuchtheisa en grammasin agathois* adopted here, compare the helpful over-translation by Skemp and Ostwald, 1992: “The rule of one man, if it has been kept within bounds [i.e., properly, which takes account of *agatha* in the Greek] by the written rules we call laws” My reference (in the note on 303a3-6) in Rowe, 1995, to “the king’s oversight of good laws” is a mistake; in this version of kingship, it is the laws that oversee the king rather than the other way round (other corrections and improvements to my 1995 I leave for the reader to identify).

⁸ I.e., the ones we have described as imitations, and not the real thing (*sensu stricto*). ‘Not correct’ is in quotation marks because EV is, I take it, referring back to 293d-e.

⁹ Here *nomimoi*, instead of *ennomoi* (cf. *eunomoi* at 293e4): a typical example of Plato’s love of *variatio*.

Why does kingship win? According to the implication of the argument of the passage,¹⁰ kingship wins because power is concentrated in one person, not distributed among either few or many, and so is likely to do more good than bad. But this is on the strict condition that this one person's regime is ordered (*kosmios*); and what makes it ordered is law, not any quality or characteristic of the king himself (and how could it be, when he is himself a pure number, i.e., distinguishable only as a single individual instead of few and many?).¹¹ The law here fulfils its function of checking and controlling him, limiting him to ruling in a way that can broadly be conceived as being for the good of the city and the citizens at large rather than for his own, on pain of his sliding into the role of tyrant. The qualification "broadly conceived" is important here: the king in this case, after all, explicitly lacks political expertise, which according to EV's argument is present only in the true constitution, "the seventh."¹² In other words, what distinguishes the (relatively) superior trio of "constitutions" from its inferior counterpart is that the checks and balances preserving the constitutional *status quo* operate effectively, as they do not in the case of the other trio. It is on this basis that we "talk of [the "better" constitutions] as *eunomoi*" (*has ... hos eunomous legomen*, 293e3-4).¹³

¹⁰ Which is entirely couched in terms of the number of rulers: the rule of a few is middling in its effects because "few is middle between one and many," while the mass is ineffective "in both directions" because there are too many of them to do any significant harm or good.

¹¹ Nor, correspondingly, is there any suggestion that the populations of the two respective trios are qualitatively different (the "better" democracy does not have a more respectable *plethos* than the "worse" one); the whole setup is schematic through and through.

¹² It is not spelled out explicitly that kingship will do more good than bad, but that is presumably the implication if aristocracy and oligarchy are both somehow "middling" in their effects, and democracies do "nothing significant" either way. Tyrants stand out as doing nothing but bad, not having even peers to control them; is EV suggesting that the *kosmios* monarch will do more good than bad because there is no one to challenge or dilute his decisions, which are at any rate consistent with order?

¹³ Lane, 2023a, advances the general thesis that throughout his political dialogues Plato is consistently and importantly engaged with what she calls "the Juvenal question" ("who will guard the guards?"). The book does not discuss 303a-b or its larger context, but I think the passage adds useful weight to Lane's thesis.

No other analysis of the content of 302b5-303b7 will, I propose, fit with what immediately follows: namely, the treatment of the *koinonoi*, the leading “participants” or players, in all six constitutions without exception as experts in faction (*stasis*) rather than in *politike*, *stasiastikoi* rather than *politikoi* (303b8-c2). If every *techne* works towards its own end or good, *stasiastike* (if there is any such *techne*) will promote the good of this or that part of the whole against the rest,¹⁴ while *politike techne* will work for the good of the whole.¹⁵ Thus all existing *politikoi* – and by implication, I think, all their predecessors too – are to be removed (*aphaireteon*, 303c1) from the list of candidates for the role of statesman. The leading participants in all constitutions other than the “knowledgeable” seventh “preside over insubstantial images on the largest scale, and as the greatest imitators and magicians they turn out to be the greatest sophists among sophists” (303c2-5). So, finally, we have an explanation of the somewhat mysterious reference, a dozen Stephanus pages back, to “a certain other very large crowd of people” (*tina heteron pampolon ochlon*, 291a2-3), a type said to include people resembling lions, centaurs, satyrs and chameleons, and further described as “the chorus of those concerned with the affairs of cities” (291c1), each of them being “the greatest magician of all the sophists and most versed in that [sophistic] expertise” (c3-4).¹⁶ The only change is that in 303 the expertise belonging to the type is specified differently, as *stasiastike* rather than as *sophistike*: by the time we reach this later context we know more about the people in question, and can add to their description. But they are still *sophistikoi* too, insofar as they are

¹⁴ Just as the (relatively) better rule in the hands of one, few or many needs to be restrained to prevent it from slipping into its (relatively) worse counterpart, so, I suppose, the one, the few and the many each must be permanently on their guard to maintain their position. This is the only expertise that they – i.e., allegedly, all contemporary *politikoi* – currently display and deploy.

¹⁵ Compare Aristotle, *EE* 1216a23-8: “most *politikoi* do not deserve the name, for they are not truly statesmen. A statesman is someone who chooses noble deeds for their own sake, whereas most [*politikoi*] take up their career for personal gain and advancement.” I suppose that in Aristotle’s scheme a properly kingly monarchy, a true aristocracy and a “polity” worthy of *its* name will harbor actual *politikoi*; Aristotle’s version of *politike* is based not so much on knowledge as on the nature and quality of choices made.

¹⁶ On this passage see now El Murr, 2023.

also expert pretenders or imitators (as sophists are, according to the preceding discussion in the *Sophist*): pretenders at being *politikoi*.

So: we are to exclude this type from our search, and it has turned out to include the leading players in all existing constitutions, whether “law-governed” or not. *A priori*, we might have expected the introduction of a distinction between “law-governed” constitutions and constitutions “contrary to law” to be central (as many readers of the *Statesman* have supposed and continue to suppose). But that will not be the case if the laws that matter for the immediate analysis are specifically those laws that control the growth of the powers invested in one person, a few people, or the many, and if such laws are present in both trios of “constitutions.” The difference between the *ennomoi* / *nomimoi* / *eunomoi* “constitutions” and the *paranomoi* / *anomoi* ones is nothing to do with the presence or absence of law, but rather to do with the effectiveness, and so quality, of one particular subset of laws (the lack of such effectiveness in the case of the *paranomoi* making the “laws” in question not, *stricto sensu*, laws at all – and making the constitutions that have them *anomoi* rather than merely *paranomoi*). In any case, in the sequel any difference between the two trios fades into insignificance beside the difference between all six – the two trios taken together – and the seventh, “the knowledgeable one” (*he epistemon* [*politeia*], c1): “So then [in our search for the *politikos* we must ... remove those who participate in these constitutions, all except the knowledgeable one [i.e., the seventh] ...” (303b8-c1).

§2. The larger picture: *Statesman, Republic, Laws*

What is truly important, then, is the presence or absence of *knowledge*. If knowledge, and a knowledgeable person, are not available, then we shall require a fallback, in the shape of a collection of rules that will not only act as a check on the growth of the power of a particular individual or faction (this is an absolutely minimum requirement), but will also, and crucially, try to mimic overall what the knowledgeable, *epistemon*, person *would* say if he or she had been available:

As things are, when it is not the case – as we say – that a king comes to be in cities as a king-bee is born in a hive, one individual immediately superior in body and mind, it becomes necessary – as it seems – for people to come together and write things down, chasing after the traces of the truest constitution (301d8-e4).

In other words, we need – everyone needs – the best set of laws that reason can contrive in the absence of knowledge itself; and we will self-evidently not find this set of laws in existing constitutions, if none of them evidently either presently contains the relevant *episteme* or, so far at least as we have been told, ever has.¹⁷

Just such a set of laws, André Laks urges in his new book (Laks, 2022), is “written down” in Plato’s *Laws*. That is, the code of laws sketched in the *Laws* represents a reconstruction of what the person with actual knowledge would prescribe – a true second-best, i.e., the very best we can do if we cannot have the first (because “a king [does not] come to be in cities as a king-bee is born in a hive,” or perhaps ever). At the same time these laws cannot themselves, strictly speaking, be any more than “imitations,” insofar as they will possess a rigidity that the edicts of a living possessor of knowledge, a living *epistemon*, prescribing in full awareness of the circumstances of each and every particular situation, will lack. (So they are “imitations,” *mimemata*, in the sense of being shots at, attempts at, the real thing, made by the best people available.) The truth of a true *politeia* will be guaranteed, or at least indicated, both by the intention of its designers (for example the three who meet in the *Laws* to design a constitution for a new Magnesia) and by the quality and persuasiveness of the arguments they use in the course of their design. With such a *politeia* or constitution we may contrast the

¹⁷ At best they will have laws “established on the basis of much experiment (*ek peiras polles*), with some advisers or other (*tinon sumboulon*) having given advice on each subject in an attractive way (*charientos*), and having persuaded the majority to pass them”: the much-debated passage at 300b, which surely does not come close to describing anything approaching knowledge – unless *tines sumbouloi* are *epistemones*, but why would anyone suppose that? And why would the *epistemon* have to put advice *charientos*, or persuade the majority? Whatever the “seventh” constitution is, it is not a democracy.

ramshackle constructions we *call politeiai* in the course of our ordinary existence, put together as they are in the absence both of the right aim and intention and of any rational basis beyond the furthering of individual and/or partisan interests, though with the admixture in the better cases of an orderliness, *kosmiotes*, deriving from the presence of effective constitutional checks and balances. Such constitutions – any contemporary one, or (as I suppose) any previous one – constitute the “insubstantial images, on the largest scale” (*eidola megista*) of *Stat.* 303c: *politeiai*, “constitutions,” that are nothing of the sort. In the *Laws* the Athenian calls democracy, oligarchy, and tyranny *stasioteiai*, a formation combining *politeia* with *stasis*: “factutions,” perhaps (“all of them would most correctly be called *stasioteiai*, none of them a *politeia*”: *Laws* VIII, 832c1-3). Kingship and aristocracy are not mentioned in this context in the *Laws*, but then – as we have seen – the *Statesman* treats them as no more than law-governed (law-yoked) versions of tyranny and oligarchy, calling their participants, as much as their counterparts in democracy, oligarchy, and tyranny, “experts in faction” rather than in political expertise, and there is no reason to suppose the *Laws* to be taking a different view. All six types *pretend* to be constitutions, just as the players in them pretend to be statesmen. This fits well enough with the final definition of the sophist’s “expertise” in the dialogue *Sophist*: “A belief-based expertise, the word-conjuring part of the apparition-making kind from image-making (*eidolopoietike*)” – and *eidola*, “images,” do not come bigger than whole constitutions. So contemporary “statesmen” really do, all of them, “preside over insubstantial images on the largest scale, and as the greatest imitators and magicians turn out to be the greatest sophists among sophists” (*Stat.* 303c2-5).

One of the signal achievements of Laks, 2022, is to show the precise relationship between Plato’s *Republic*, on the one hand, and his *Statesman* and *Laws* on the other. The *Statesman* often used to be supposed to mark a turning-point between the other two dialogues: the middle painting in what Laks calls a triptych, or more specifically the middle point in a journey from the utopian ideal of the philosopher-ruler to a recognition of the need for the rule of law, in light of the inescapably corrosive force of political power on both individual and group. Laks suggests that this remains the majority view, and there are some indications that it at least remains the default

position.¹⁸ Laks argues that *Statesman* is rather part of the second panel of a diptych, along with *Laws*, with *Republic* as the first panel. There is, he says, a “deep solidarity” on a number of different fronts between *Statesman* and *Laws*, which places the two dialogues together even while they remain irretrievably part of the same painting (if a diptych may count as such), the same overall representation, as *Republic* (Laks, 2022, p. 159-68). I fully concur with this description. In what follows I intend to concentrate on one particular aspect of this “deep solidarity” between *Statesman* and *Laws*: the topic of *law* – not least because I think this is the area where there has been the most confusion among readers of Plato’s political dialogues. I say “confusion”: others might say, more politely, “controversy” or “disagreement,” but I myself locate the source of the disagreement in actual, and demonstrable, misunderstandings of Plato’s text.

Let me begin with the view referred to above (whether “default” or “traditional”), that *Laws* embodies Plato’s final rejection of the ideal, sketched in *Republic*, of the direct rule by one or more philosophical individuals, in favor of the rule of law – which must nevertheless always, because of the limitations of established, written laws, be a second best. That the idea of philosopher-rulers as such never recurs in Plato, even in a dialogue (*Timaeus*) that seems to begin by summarizing its argument, is certainly consistent with his having changed his mind. But on any account philosophy remains so

¹⁸ One such indication is that the revised Bloomsbury *Handbook of Plato* (= Press and Duque, 2023) can preserve, alongside Melissa Lane’s (2023b) clear-headed account there of politics and the *politikos* in Plato (including the insight that *politike* is always a matter of full knowledge, not intention), the view that the danger of the statesman’s being hidden among “the greatest enchanters among the sophists” is “forestalled by dividing governors into leaders of genuine and imitative (303c) polities, including kingly and tyrannical monarchies, aristocracies, and lawful and lawless democracies. Among leaders of genuine polities, the statesman is finally divided from his governor subordinates, notably generals, judges, and rhetoricians” (Sayre, 2023, p. 113). If this implies that kingship, aristocracy, and lawful democracies are “genuine polities,” as I think it must, then the implication is that those leading them will be “genuine *politikoi*” – presumably because of their adherence to law, which are assumed to be of at least a workable sort. This seems to me to rest on a clear misreading of Plato’s argument, which surfaces elsewhere in the same volume (Stalley, 2023, p. 271, on which see further below). See also on Sørensen, 2022, which notes other recent supporters of what he himself terms “the traditional view.”

central to Plato's thinking about politics that the abandonment – if that is what it is – of the idea of direct rule by philosophers would anyway be a relatively minor matter; philosophy, and philosophers, will somehow be involved both in the design and in the running¹⁹ of any Platonic state. The idea itself, of such direct philosophical rule, is of course partly intended to shock,²⁰ just like Socrates' suggestion in the *Gorgias* that he is the only one among his contemporaries to try his hand at true politics (*Grg.* 521c6-8); partly also it grows out of the context of the argument of the *Republic* itself, where the task is to find a cure for an already feverish city (prescription: train up a cadre of rulers who have no interest in power and ruling at all).

It is this contextual nature of Plato's ideas – or, as I would prefer to put it, the contextual nature of the *expression* of those ideas – that is so often missed. In the present case, law apparently supersedes individual rule, but (a) there is no reason to suppose that Plato thought philosopher-rulers would do without laws, (b) the philosopher-rulers in the *Republic* are trained up precisely to have no concern for private interests, and (by law?) have none in any case, and (c) it would be a surprise to discover that the knowledge, *episteme*, of the ideal statesman was not at least philosophically based (he is not born to rule like a king-bee, as EV puts it). Maybe, as has often been suggested, Plato really did give up on philosopher-rulers because he was disillusioned by his experience in Syracuse. But why should we suppose that he had any illusions in the first place?²¹

¹⁹ Even if that turned out to be no more than a matter of minor adjustments, or of the justification of arrangements in place. On the relationship between philosophy and statesmanship in Plato, see especially Lane, 2005.

²⁰ As it shocks Socrates' interlocutor in the *Republic*.

²¹ Of course we need some explanation for Plato's presence in Syracuse in the first place. But philosopher-rulers are part of a complex structure in Callipolis; either Syracuse offered a paradigm for the whole structure, or for none of it. In any case, as Laks says (p.161), basing our understanding of Plato's dialogues on a reconstruction of Plato's psychological history is a doubtful move. Laks declines to reject "the possibility that it took the sharp eyes of an older Plato to ... decide, finally, to place the law above any human power." That seems to me to be to concede too much; in my view there is already in the *Republic* a clear sense that what governs in Callipolis too is impersonal reason itself, however imperfectly instantiated, rather than particular individuals. (The philosopher-rulers are so far as possible identical both in birth and in formation; fictionally at least, their

It is not just the expression of Plato's ideas that is (at least partly) determined by context; context must also be borne in mind when we are interpreting his *arguments*. This is particularly important, I suggest, in the present case. Take the following statement of part of the argument of the *Statesman* on law:

On one line of interpretation, Plato is arguing that ideally the expert politician should rule without constraint but, where such a person is unavailable, rule by law is a second best. Indeed, a city without an expert ruler should stick rigidly to its laws, even if the processes by which those laws are chosen are not particularly rational (Stalley, 2023, p. 271).

Such an interpretation mistakes Plato's purpose. The only constructive suggestion (I shall explain that qualification, "constructive") he makes about what people should do in the absence of the person with knowledge is located in that instruction²² that people should "get together and write things down, chasing after the traces of the truest constitution" (301e2-4): they must look *beyond* what they already have, for the kinds of things that would be laid down in a constitution that so far as possible followed the pattern that would emerge from the mind of the (true and only, knowledgeable) statesman.

The only advice given to existing constitutions, I propose, is that they must not pretend to expertise they do not have. This is the essence of EV's proclamation that non-ideal (so-called) constitutions "must never ... do anything contrary to what is written and their ancestral customs, if they are going to be a good imitation" of the best (300e11-301a4).²³ The true *politikos* would improve on what we have now because he has the requisite knowledge; if we, lacking his knowledge, try to improve on what we have, that would be an *attempt*

personalities, if they had any, are entirely suppressed by their commitment to knowledge.)

²² See the beginning of this section.

²³ The sentence is often referred to without the all-important conditional – all-important, because for reasons EV goes on to explain, existing constitutions cannot "imitate" the best successfully at all.

at imitation of the best, but the attempt must fail in the absence of knowledge. So, the argument goes, we had better stick to what we have – which will be an imitation of the best if expertise is understood, reasonably, as including knowing when not to intervene, i.e., if the requisite data are lacking. This instruction is addressed to aristocracies (301a6-8), then to kingship (a10-b3), and by implication to the better sort of democracy (last mentioned immediately before the instruction in question),²⁴ and following it is described as a matter of ruling “according to laws,” but “with opinion” rather than “with knowledge” (301a10-b3).

What emerges from this is that the injunction “stick to the laws” is not an endorsement of whatever laws are in force, rather a mark of what these constitutions lack (expertise), which simultaneously offers a sense in which they “imitate” the best: their mode of “imitation” being by way of the purely formal feature that they do not change their laws in the absence of expertise. This move is needed for the conclusion that the participants in these constitutions, as much as those in their inferior counterparts, are sophists, “imitators and magicians,” “presiding over insubstantial²⁵ images (*eidola*).” If EV were endorsing their laws, then the “images” in question, the imitations produced, would be more than *eidola*; they would be genuine approximations to the real thing. EV then portrays a representative of the second trio, the tyrant, as mimicking another aspect of the true *politikos*:

And what of when some one ruler acts neither according to laws nor according to customs, but pretends to act like the person with expert knowledge, saying that after all one must do what is contrary to what has been written down if it [sc. what is contrary ...] is best, and there is some desire or other combined with ignorance controlling this [attempt at] imitation (301b10-c3).

²⁴ Cf. also 301c6-7, which generalizes the lessons EV has just taught over all six constitutions.

²⁵ The filling out of *eidola* as “*insubstantial* images” in my translation of 303c2 is justified by the fact that sophists in the context are “magicians,” that is, mere pretenders, a type that purports to offer one thing but delivers something quite else.

The tyrant too, then, is someone else who “imitates” the expert in a purely formal way – just by virtue of his tendency to set aside existing laws, which resembles what the expert will do but is of course something quite different (and again, what holds of tyranny will also hold for oligarchy and the other sort of democracy; 301c6-7 and see n. 24).

My conclusion is that if “rule by law is a second best” (Stalley, 2023, p. 271) according to Plato and EV, it is not rule by the laws that we find in existing kingships, aristocracies, and democracies (of the better sort). When EV suggests that they should “stick rigidly to the laws,” that is because they do not have the resources to do anything else – and if they try, they will be in danger of tipping over into tyranny, oligarchy and (the inferior) democracy. The vivid depiction in 298a-300a of the consequences of sticking to written rules, including the execution of truth-seekers (like Socrates, who is clearly evoked) and the banning of research, itself counts against our taking the injunction “stick to the laws” as a straightforward recommendation. Could Plato truly be suggesting that the Athenians were after all right to kill off old Socrates? Admittedly, they no more than anyone else had the expertise to enable them to distinguish a true expert or researcher²⁶ from a pretender and a sophist, but if killing off Socrates is part of the best they or any existing constitution can do, then it comes at a considerable cost (blocking off as it does any route to improvement).²⁷ The most that EV concedes is that “the laws [in such constitutions] ... [will?] have been established on the basis of much experiment, with some advisers or other (*tines sumbouloi*) having given advice on each subject in an attractive way, and having persuaded the majority to pass them” (300b1-3), and of course sticking to laws²⁸ is better than not having them at all, or not being bound by them.

²⁶ I refer again to Socrates' striking claim at *Grg.* 521c6-8.

²⁷ Sørensen, 2022, has a subtle way of finessing the Socrates reference, which would have Plato here not so much applauding a city for eliminating Socrates as a truth-seeker, but rather depicting it as (necessarily, as a law-observing city?) setting itself against those proposing extra-legal solutions. But that seems more like a spelling out of what “sticking rigidly to the laws” would involve than a justification of it.

²⁸ This is a second-best method of proceeding (*deuteros plous*, 300b6) for such constitutions just in that the first best *for them* would be to write better laws, which

So there is, I claim, no positive injunction to imperfect constitutions to stick to their necessarily imperfect laws – necessarily imperfect, because established without the knowledge of the true and only statesman, and not just because *all* laws must be imperfect (because of their rigidity). It is merely the best they can do; nothing more, if we discount – as I do – the fact that they have resulted from due process. These constitutions are what they are, and the astonishing thing, EV remarks, is how strong an institution the city is, to survive in so many cases for an apparently unlimited period despite the fundamental flaw at its heart (the ignorance of those who govern: 302a-b). Of course, as is shown by the repeated appearance especially of aspects of Athenian law in the constitution of the new Magnesia in *Laws*, inferior constitutions may nevertheless contain good laws, whether by the law of averages or, possibly, because individuals of exceptional quality may once have played a part in their formation (Solon, Lycurgus?).²⁹ But even they had to have their laws enacted by the ignorant, and who knows what damage may have been inflicted on their legacy once they were gone. EV’s, and Plato’s, judgement on existing forms of constitution remains uncompromising, and withering: they are simply “not correct,” not true constitutions at all, because they are put together without political knowledge/expertise, without the insight that the true

if it were available to them, which it is not, would ultimately be “imitations of the truth ... issuing from those who know ... written down as far as they can be” (300c4-5, a crucial and – in my view unnecessarily – disputed sentence). What they certainly mustn’t do is imitate the true statesman’s license to ignore written laws when she sees fit (which is the assumed *protos plous* in their case), because they lack the knowledge that gives the true statesman that license. What I take to be an unwary alignment of this reference to a second-best with the treatment of the city of the *Laws* as “second ... in relation to the best” (V.739a, cf. 739e, 746b-d, IX.853c, 875d) – so, most recently (or so I take it), in Sørensen, 2022, especially p. 2 – is in my view one of the chief reasons why scholars continue to underestimate the degree of Plato’s condemnation of (in truth, contempt for) any and all existing constitutions. (Sørensen’s argument requires a proper response, to which the present piece is no more than a first contribution.) A “second sailing,” I suppose, will not be a second-*best*, exactly, in all contexts: rowing into a storm will not be better than sailing into it.

²⁹ I have my doubts about whether either Solon or Lycurgus would match up to Plato’s (here, EV’s) extraordinarily high standard for political expertise; neither they nor the Athens and Sparta that they helped to shape seem very close to his vision of the best city, however much detail he may owe to them.

statesman has into what they, or rather societies in general, are *for* (the betterment of the citizens, and of their lives) and how that end can be brought about.

To attribute this damning verdict on contemporary constitutions to Plato seems to me not merely a “controversial” proposal, or a mere difference of interpretation: the “line of interpretation” proposing that the *Statesman* recommends that “a city without an expert ruler should stick rigidly to its laws, even if the processes by which those are chosen are not particularly rational” (see above) is an actual misreading of the text, because it leaves out the context in which the apparent recommendation is made, and the conditions that attach to it. Similarly with the question at 300c5-6 *oukoun mimemata men an hekaston tauta eie tes aletheias, ta para ton eidoton eis dunamin einai gegrammena* (“Well, imitations of the truth of each and every thing would be these, wouldn’t they – the things issuing from those who know which have been written down so far as they can be?”): taking the *tauta* as referring back to the laws of the six non-correct constitutions, as my opponents here do, not only gives us an “inappropriate thought” (Laks, 2022, p. 165) but is surely and controvertibly wrong. Everything³⁰ EV has said, properly understood (that is, if we understand the contextual nature of that so-called injunction to the three law-governed constitutions), points to the separation of existing constitutions from the one called “knowledgeable,” *epistemon*. The laws of those constitutions are emphatically not treated as “imitations of the truth.” And how can they be, when existing constitutions of every stripe – according to Plato; not so much to Aristotle³¹ – are built, and survive, on ignorance

³⁰ Or almost everything, if we were to allow for the past influence of a Solon or a Lycurgus (see n. 33 above).

³¹ That is, because Aristotle typically behaves as if there are true constitutions, or at least approximations to them, in existence. Herein manifests itself one of the fundamental differences between him and Plato. For Plato, if something is not a true *x*, then it is not an *x* at all; for Aristotle there will always tend to be ways of allowing that there are *xes* beside the true ones. This is why Plato writes a *Statesman/Politician*, and a *Laws*, while Aristotle writes on “politics,” *ta politika* more generally. It is the difference between an evangelist (one who nevertheless knows his way around the world) and someone who is as interested in how things are as in how things should be.

of their true purpose? To resist this reading of the *Statesman* (and of the *Laws*) is, to me, to miss a large part of what Plato is *about*.

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