

Questioning the *Statesman*

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How to cite this paper: Egyed, B. (2023). Questioning the *Statesman*. *Open Journal of Philosophy*, 13, 7-31.
<https://doi.org/10.4236/ojpp.2023.131002>

Received: November 2, 2022

Accepted: February 3, 2023

Published: February 6, 2023

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Abstract

There are three major themes in the dialogue thought to be Plato's *Statesman*: the nature of statesmanship, the difference between perfect and less than perfect regimes and the method of division. In this paper I focus on the first two themes. I argue, first, that the dialogue makes a plausible case for what it takes to be a wise statesman. In doing so, I play down the importance of the second theme: the difference between regimes. In fact, I consider this discussion to be deeply flawed and even irrelevant to the argument of the first. My main purpose is to provide a critical analysis of the political theory articulated in the dialogue. My analysis is made plausible by abandoning the traditional view that the *Statesman* was written Plato in its entirety as a unified whole. In my view, a close reading of the text supports the hypothesis that it is, at best, semi-authentic; namely, that it is most likely a collage of fragments written at different times by Plato and other members of the Academy.

Keywords

Statesman, Regimes, Plato

1. Introduction

Many readers of the *Statesman*¹ (Plato, 1992a) (STM) find the dialogue frustrating if not incomprehensible (Larivée, 2019; Ryle, 1995; Annas & Waterfield, 1995). Some readers explain the difficulties encountered in the text by claiming that problematic passages were planted by Plato deliberately in order to provoke his audience in the Academy to debate the merit of the arguments put forward. Some, believing that the dialogue, as we have it today, was written by Plato in its entirety, make great effort to render it coherent. Still, some others, inspired by a Straussian approach to Plato's corpus, see in it an attempt to mediate between an

¹*Statesman* (STM) Trans. Kemp, revised by Ostwald 1992. Mostly, I use this translation but I also rely on Annas/Waterfield.

esoteric philosophical teaching and popular views about politics (Miller, 2005).² My reading of the dialogue is not charitable. I consider it a seriously flawed text, a composite of a number of loosely put together arguments by someone, either a philosophically exhausted Plato or a younger member of the Academy.³ The approach to the text I present here is inspired by the fragmentarian reading of the *Republic* (*R*) (Plato, 1992a) proposed by Holger Thesleff (2009), and by his view that many of Plato's dialogues were semi-authentic, other writers having a hand in their final composition.⁴

In concrete terms, my reliance on Thesleff's hypotheses leads me to believe that STM was a collage of notes meant as a possible alternative to the middle books of the *Republic*, and possibly even as an alternative to Book IV.⁵ A problem solved by this approach is that it makes it possible to explain the relationship between the statesman of the dialogue named after him, and the two types of philosopher described in different parts of the *Republic* (Plato, 1992b). On my reading of it, the statesman has an affinity with the philosopher/guardians as they are described in Books II and III, but not with the philosopher king as it is described at the end of book V and in Books VI and VII.⁶ It is, in fact, possible that the author of STM was not aware of, or just ignored, the middle books. The same may be true even of Book IV. The end of STM, for example, makes an oblique reference to the doctrine of the unity of virtues, rejecting it (STM, 306c)⁷. But, it confuses a distinction, central to Book IV, between virtues and dispositions (parts of the soul). There are a number of other passages which, I shall propose, could not have been written by a philosophically mature Plato.⁸

It has been suggested by R. D. Masters (1977) that the author of STM was Aristotle. While Masters' arguments for this view are open to criticism, I find the idea that it was Aristotle who authored, at least a large section of the dialogue, intriguing. There are many passages in Aristotle's *Politics* which resonate with STM. Therefore, it is strange that he never refers to it by its title, or that he does

²M. Miller, *The philosopher in Plato's Statesman*, 2005, is a prime example of this approach. He sees the dialogue as a "complex act of indirect communication", "a set of double edged responses" to the sophisticated requests of the old Socrates and to the limited needs of an unsophisticated young Socrates. Larivée (2019) reads STM as a protreptic text: "a powerful attempt to play a crucial role in the birth of that still embryonic field of knowledge" (p.32), an invitation to philosophers to engage in politics.

³It is also possible that the dialogue is a collage of different arguments presented by a number of different members of the Academy, including Plato, Aristotle and someone else. The question of who put these pieces together, I take to be open.

⁴This is what Thesleff (2009) says on page 242 of his pioneering work: "Possibly only few, if any, of the Platonic texts were written down by Plato exactly as we have them...it seems quite reasonable to assume that many of them are after all 'semi-authentic'". I owe to Thesleff also my opinion that there was a "Proto-Republic" in circulation around the early nineties, containing what we have now as Books II-IV of the *Republic*.

⁵I will say more about Books VI and VII later.

⁶The *Republic* (*R*), I believe, is in its present form, Plato's master work, something he worked on, polishing it, till the end of his life, even if someone else put the final touches on it after his death.

⁷Unless it is stated otherwise, as, for example, in reference to the *Republic*, all Stephanus numbers refer to the *Statesman*.

⁸Thesleff also suggests that the *Republic*, in addition to being composed of independently written fragments, had not received its final (present) form till the 350's.

not identify Plato as its author. The idea that he makes crucial references to the dialogue without naming it, raises questions. Aristotle is notorious for his lack of generosity towards Plato's written works. So, why would he not identify Plato as the author of views he criticizes, or modifies, in his *Politics* (Aristotle, 1984).⁹ Given all this, I am prepared to assume a highly unusual, iconoclastic, approach to Plato. Not only do I doubt whether STM was written, in its entirety, by Plato near the end of his life, I even leave open the possibility that none of it was written by him, at all.

The structure of STM indicates that its author, if it was a single individual, changed his mind frequently at key points in the middle of arguments. There are, basically, three major themes in the dialogue: 1) the method of division for arriving at a true definition, 2) the definition of what it is to be a true statesman and 3) distinguishing, based on who or what rules in it, between the best and inferior forms of constitutions. I do not attach importance to the method of division since I do not think that it contributes much to the other two, more substantive, issues (Rosen, 1995).¹⁰ For example, the whole discussion about animal herding/rearing is rendered pointless at 275c where it is declared that in the present age, that of Zeus, "Those who rule these states of ours...are much more like their subjects in nature and far closer to them in training and in nurture than ever a shepherd could be to his flock".¹¹ This claim opens up possibilities for the way one is to conceive a true statesman in a context where even though there might be significant differences between them, rulers and ruled are basically equal. This is a possibility that the author does not fully explore.¹² Only at the very end does he touch on the possibility of how harmony ("sacred bond") between rulers and their subjects could be achieved. So, given the irrelevance of the method of division to the fundamental thesis of the dialogue, who was interested in putting so much emphasis on it? The answer is open to debate. Was it a young Aristotle, an old Plato, or some other member of the Academy? In my view,

⁹There is a passage about an "an earlier thinker" in Book IV of the *Politics* [1289b4] which most commentators think refers to STM. However, I think there are problems with this view (More of this later).

¹⁰Rosen (1995) is one of those who puts emphasis on the methodological aspects of the work. I am more interested in what it says about politics.

¹¹There is a revealing passage at 262a where ES rejects YS' way of distinguish the nature of men and beasts. The reason ES gives for his objection is that they should distinguish according to forms and not according to parts and wholes. 275C undermines this objection. In fact, as the rest of the dialogue shows, there is a formal distinction between men and beasts. The first possesses language and the capacity to reason while the second does not. As if to anticipate this counter-objection, ES introduces the highly implausible suggestion that cranes can also be thought of as rational. To my mind, the method of division, as it is presented there, is no more than an amateur experiment with animal taxonomy. The method seems more plausible in the *Sophist*. But even there, the division among imitators is more pertinent than the division among animals.

¹²There is another possibility: it may be that the similarity between rulers and their subjects indicates the shallowness of current rulers and not the relative intelligence of their subjects. Some interpreters, for example Rowe, imply this without saying so explicitly. If, on the other hand, there is no absolute difference between those who rule and those who are ruled, one might see Aristotle's position on the subject, expressed in Books IV-VI of the *Politics*, as an elaboration on statesmanship in the epoch of Zeus. It should also be noted that Protagoras in his long speech, in the dialogue named after him, also claims that subject and their rulers are basically equal morally.

whoever it was, it could not have been a mature Plato (Aristotle, 1912).¹³ It is hard to imagine a mature Plato engaging in such idle thought experiment.

In the course of this essay I will point to a number of instances where the text seems to reach a conclusion only to continue by an abrupt shift to another topic. For example, at the end of the division of different species of animals ES offers a summary of what they have achieved regarding the definition of “political science” (267a-c). But when YS declares that they have thereby “reached their conclusion” ES objects, first, by noting that there are other rivals to the herdsman of humans, namely, those who feed mankind: merchants and farmers (267e). This is a strange move at this point, for, a detailed list of those who provide the material means of human existence is introduced later. However, the most unexpected, and significant, shift is to the Myth of Kronos. I, for one, do not see the immediate relevance of such a detailed discussion of cosmology to the question of statesmanship. Ruling over the cosmos does not, in my view, provide much insight into rule over human beings.¹⁴ It would have sufficed, in my view, to say what is said at 275c, namely, that there are two different images of ruling men, that of Kronos and that of Zeus; and that statesmanship has to be looked for in the context of the one associated with Zeus. Had that route been taken, more could have been said about the nature of political expertise as it relates to governing cities. That did not happen (Brisson, 1995)¹⁵, so, let me, now, turn to the substantive question of what the dialogue tells us about the nature of statesmanship. I will try to reconstruct the argument by jumping over a long interruption (291d-303b) treating the question of best and second best regimes, and the relative importance of laws to them.

2. Who Is a True Statesman?

257a-291d and 303b-311c

There are, then, two substantive issues in STM: the definition of statesman-

¹³Aristotle’s early experiments, hinted in *On the Parts of Animals* (Book I Sect. 2), with the method of division could have had their echo in the account of that method running through the first pages of STM. There is virtual unanimity among commentators that this dialogue was, along with the *Sophist*, a “late” composition. One reason the *Sophist* is considered late is the long digression in the middle of it: a presumed criticism of Parmenides’ views on being and nothing. The *Sophist* might also have been a composite of two separate themes; for, the link between the digression on not-being and sophism does seem tenuous. The reason for considering STM a late composition is its apparent dramatic proximity to the *Sophist*, and its apparent distancing itself from the political views of the *Republic*. However, it is possible that both are late composites of different thought experiments written at different times, and, regarding the relation between the *Sophist* and STM, it is possible that, whoever authored STM made it appear, with the addition of a few editorial adjustments, to be a natural sequence of the other dialogue. Why, for example, does the author of STM not show any understanding of the complex discussion of imitation, or even of sophistry, presented in the supposedly preceding dialogue? Why does he give such a poor description of what Plato says elsewhere about “imitation”? If the above hypothesis’s accepted, the author of that section of STM which features the method of division might well have been an aspiring member of Plato’s Academy, and not Plato himself.

¹⁴Ruling over the cosmos entails ruling over human beings as well. So, at best, the Kronos/Zeus dichotomy might mark the distinction between animal and human “herding”.

¹⁵See further comments on this issue in my note 21, on Brisson.

ship and the evaluation of the relative merits of law and expertise for governing a city. Because the discussion of the first is interrupted near its end by the insertion of the second, I will examine them separately. For now, I will try to determine whether one can find, disregarding the method of division, a coherent conception of statesmanship in the relevant part of the dialogue.

The dialogue gets off to a good start: statesmanship (kingship) is said to be a certain craft,¹⁶ a certain species of theoretical knowledge: one shared by mastery over slaves and estate management. In the same context, ES notes that an ordinary citizen possessing that form of knowledge may also be considered a king.¹⁷ However, the most telling comparison is with the master builder. It is the master builder who represents most accurately the kind of theoretical knowledge ES has in mind. He is not an actual workman, rather, he gives instruction to his workers about how to handle and assemble building materials.¹⁸ Central to the notion of theoretical knowledge introduced here is the combination of “evaluation” and “instruction”. This would be a promising start to the definition of statesmanship: on the basis of his grasp (evaluation) of the context in which a given situation arises the statesman would give instructions/commands to its subjects about how to act. But, this helpful notion of theoretical knowledge is soon abandoned.

The problem, with far reaching implication, begins with the subsequent separation of evaluation and instruction in the definition of theoretical knowledge; and going on as if the relevant knowledge required for kingship was only how to give instructions. Having left aside evaluation, and, therefore, knowledge in its fullest sense, ES introduces “production” as a defining characteristic of statesmanship which will lead to, in *Annas and Waterfield’s words (1995: p.19, note 22)*, to a definition which is “ludicrous” and which has “dubious relevance” to political theory.¹⁹ Still, one could ask what a statesman produces. It may be that his instructions, based on his evaluation of the given situation, would produce both material and spiritual benefits for his subjects. But it is only at the very end of the dialogue [305e-311c], in discussing “kingly weaving”, that what it means to produce in the realm of politics is introduced. Here,

¹⁶I will say more about considering statesmanship a craft later, in note 50.

¹⁷At [293a1], young Socrates repeats, with the approval of the visitor, that “the man possessed of the science of kingship [who] must be called a king, regardless of whether he is in power or not”. It is possible that two different ideas are expressed in the two passages. The first may suggest that a slave master or an estate manager, both private citizens, could advise the king based on their specific expertise. The second, which occurs in the context of the discussion of law versus expertise, the adviser is more likely to be an individual possessing the science of leadership, like someone who is trained at Plato’s Academy.

¹⁸Later, at [260c8], a confusion with further consequences is introduced: it is said that while the master builder exercises his authority over inanimate objects the king “works with living creatures”. But according to the notion of master builder introduced to exemplify the kind of theoretical knowledge ES is after, the master builder exercises authority over his workers and not only control over the inanimate objects they handle.

¹⁹They have in mind the division of living beings with two feet having, and lacking, horns in mind. My view is the same. That is one reason besides ES’ confession, at [275d] that by identifying shepherds of animals with managers of human beings, which the discussion had gone astray.

at the beginning, the division into different kinds of living creatures seems, at best, pointless.

After a long detour describing the difference between the ages of Kronos and of Zeus, (Brisson, 1995).²⁰ ES admits having made two mistakes in the preceding definition of statesmanship. First, it was incorrect, he says, to confuse the roles of animal herders and human herders; for, the first provides for all the needs of its flock all by himself whereas the second relies on assistance from others to produce and maintain its subjects, as well as itself. Second, in the age of Zeus, in our age, rulers are much more like their subject than were divine rulers to theirs. This means that the rule of a statesman in our age must be voluntarily accepted by those over whom he rules. This, in turn, requires a change in the definition of statesmanship. A statesman can no longer be thought of as maintaining its “flock”, he must be thought of as managing it. This change is faithful the original notion of theoretical science characterizing statesmanship. Namely, it reflects the combination of evaluation and instruction possessed by a knowledgeable king, thus, making the intervening *diaeresis* useless for the definition. Time would have been much better spent explaining the nature of evaluation and of instruction required for statesmanship, from the outset.

The first mistake was a result of introducing a too narrow conception of “production” as an essential feature of the statesman’s craft. This is what leads to conceiving kingship as a kind of “maintenance”. If it were not for this, it would be strange to see merchants, farmers and other producers of the means of material survival of citizens as “rivals” of the statesman.²¹ And, one would expect that once the mistake of confounding maintenance and management is recognized, producers of the means of existence would no longer be considered the king’s rivals. It is surprising, then, that ES continues, even after the long discussion of weaving, with the list of these producer/provider “rivals”.²² The impression one gets is that the author of the dialogue was more interested in naming those who fulfilled essential civic functions than in advancing the definition at hand. A discussion of how the statesman co-ordinates these functions might have been per-

²⁰L. Brisson (1995) claims that there are three different periods presented in the myth: 1) the rule of Kronos, 2) the world completely abandoned by the gods and 3) the rule of Zeus. He notes that in the age of Zeus “The situation of human beings is similar to the one described in the myth of *Protagoras* (320c-322c)” [p. 362]. And adds, helpfully, that, by contrast “nothing is said in the *Statesman* about the art of politics”. But he adds, less helpfully, that “the thing could be explained by the fact that, in the *Statesman*, the political art is defined in function of all the other arts” [p. 363]. If that definition were satisfactory, which it is not, it might say something about the art of politics. Also, during the age of Zeus, with help of gifts from the God, says Brisson, human beings have given themselves their own laws. This is true, but it is not the position defended by ES. If anything, his mistrust of written laws would lead him to take the opposite position.

²¹At [268c] ES suggests that the king must be “made to stand out on his own by stripping away the surrounding crowd who claim to be its rivals”. This implies that kingship must be separated from the other arts that claim to maintain the human herd, but its distinctive art will still be one of maintaining, rearing.

²²It would be much better to see them as craftsmen over whom a statesman exercises indirect control I will come back later to the relation between the practitioners of special crafts and the science of managing them.

minent, but that aspect of statesmanship is never brought out either.²³

At a key point in the dialogue [277a1], after having heard the new definition of statesmanship as management freely accepted by the whole human community²⁴, YS declares that “at this point we have really completed our definition of the statesman”. ES disagrees. It would have helped to hear why he disagrees. But instead, he goes into a lengthy discussion of weaving. At the end of the weaving analogy [287b1] he suggests that they go back to the definition of statesmanship, applying the example of weaving to it. Statesmanship, considered as a form of weaving, might have helped to clarify how an individual having superior political knowledge than the rest of the citizens would rule them. But, instead, what the application of the analogy amounts to is a rehashing of a point made earlier [267e]; a point that was made in the context in which statesmanship was still considered a form of “maintenance”. It, again, compares the “kingly art” to “other arts not yet distinguished from statesmanship” [287b5].

The lesson learned from the weaving analogy is only that these arts can be divided into “contributory” and “productive”. It is not clear, at this point, how the distinction between these two types of arts helps with the definition of statesmanship.²⁵ There are, ES says, seven arts pertaining to what is essential to the material survival of a city. It is not clear why it is important to distinguish them from the kingly art. Who would fail to distinguish kings from cooks and entertainers? Practitioners of these crafts may play an essential role in the maintenance of cities, they may also give informed instructions to their own helpers, but they do not provide general enlightened instructions for the community at large.

The seven crafts are followed by a diverse lot: slaves, labourers and merchants. What these add to the previous list, and why they could not have been included in it, is not clear. These are, again, followed by three other arts and their practi-

²³The metaphor of the master builder, presented at the beginning, could have better served here. The difference between it and the statesman is that while he supervises, using his judgement, the various craftsmen in constructing a building, the statesman, with its judgement, supervises the construction of a well run state. The question of supervising subjects who are like the ruler in many respect is mentioned briefly at [275c3] following the myth. But instead of elaborating on how rule is to be exercised under those circumstances, ES proceeds to give a lengthy discussion of weaving. Again, instead of explaining the political aspect of weaving, he goes on to give a long list of crafts purporting to be the kingly art’s rivals. A reader of books II-IV of the *Republic*, where different social functions within a city are described, could have seen the various crafts listed at [287b3-291a1] as a fuller account of those function. In other words, the list of crafts and their management would contribute to how good city would be run. But, as a way of advancing the definition of statesmanship the long list of crafts has only a marginal relevance.

²⁴The actual language of the passage [276e8] is: “tendance freely accepted by herds of free bipeds” in Skemp’s translation, or “the management by consent of willing, two-footed gregarious creatures” in Annas and Waterfield’s translation. This still carries, without any need, the reference to the division of species of animals. Since we are now clearly speaking of human beings, I find the reference gratuitous. In their note 22 to [267c3] Annas and Waterfield also find “The definition so far...not only ridiculous in itself but of dubious relevance to political theory”.

²⁵The concept of weaving is shown to be relevant to political theory only at the very end of the dialogue. Also, the discussion, just before that, of the king’s auxiliaries, suggests that it is they who are producers and that the king is a contributor to their actions, by supervising them.

tioners: clerks, soothsayers and priests. Unlike the previous ones, these arts are pertinent to how a city is governed. They fulfil its government's administrative and, what might be called, its "ideological" function. Priests might be considered real rivals to the statesman. In the real world religious institutions are often in conflict with political ones. Exploring the nature of that conflict would have helped with the definition of statesmanship, but, once again, the occasion was missed.

By way of answer to the question: "why ES did not agree at [277a1] that their definition has been completed?" One might say two things. First, it might be said that seeing the statesman as a kind of weaver of the social fabric would confirm its being a non-dictatorial king, thereby clarifying the distinction introduced earlier between kingly and tyrannical rule. Second, rule by consent does not necessarily mean just and benevolent rule. Any unjust and unwise, but clever, ruler may receive the consent of free citizens through appeal to their irrational natures: through a form of perverse persuasion. And it is in this regard that sophists and party politicians are the most dangerous rivals of the statesman. It would, then, be of great importance to explain the difference between these two false claimants, tyrants and sophists, for true political leadership and why they are to be eliminated from the competition. Without indicating why sophists are the arch-rivals of statesmen, ES introduces them at [291a1] quite abruptly. And, as abruptly as he introduces them, equally abruptly he leaves them aside.²⁶

At [291a] ES proposes that they look at "another group—quite a large mob" (sophists and party politicians). But instead of doing that, he shifts, without any warning, to listing five different regimes: tyranny, kingship (Skemp (Plato, 1992a): "constitutional monarchy"), oligarchy, aristocracy and democracy. What follows almost immediately after introducing these regimes is a long digression into the relative merits of rule by law and rule by political expertise. The digression ends with a list of seven regimes at [302c4]. Significantly, he refers, at that point to the intervening discussion, from 291d1 to 302c as a "footnote" (Annas and Waterfield (1995): "this argument [which has now burst its banks]"), suggesting that the discussion was only tangential to the definition of statesmanship. What contribution this digression makes to the definition is not clear. But, there are reasons to think that the "return" to the definition at [303b] might be better seen as a more natural continuation of [291ab].²⁷ I will say more about this at the end of the second part of the essay. In any case, I will skip the long digression for now and pick up the definition of statesmanship as it is continued after it.²⁸

²⁶As I said at the beginning of this essay, mine is not a charitable reading of STM. But, in spite of all its weaknesses, one could see, beneath its omissions and inconsistencies, sensible things that its author could have said, but did not. To explain why that is, is one of the challenges facing readers of the dialogue.

²⁷There is another reason for suspecting that the second theme, the discussion of best and second-best regimes, does not constitute an integral part of the first theme, the definition of statesmanship. The view that rulers are much like their subjects in nature [275c2] contradicts the notion of an absolute ruler central to the second theme. Only at the end of the dialogue, in discussing the kingly weaver, is it suggested that subjects are also possessed of enough reason to achieve a divine bond of right opinion among them [309c].

Having identified sophists and “the so-called politicians” at [291], ES continues, at [303d], to set these imposters apart from “all true practice of statesmanship”. Therefore, he turns to the last, and most worthy,²⁹ “the precious elements which are akin” to the king: generals, judges and orators. With the introduction of imposter politicians at [291] and at [303c2]³⁰ he has moved on to managers. For, sophistic politicians also claim to be managers of the city and its citizens. With orators, generals and judges we are clearly also among managers: individuals who give instruction using their best judgement.

All these higher functionaries do the work of governing, under the control/supervision of the king who does not act on its own [305d1]. They all have special expertise in their respective fields, but it is up to the king to decide when, and how, they should exercise them for the benefit of the whole city. The case of judges and generals is fairly uncontroversial: they have to have sound judgement and good character. But, there are some expertise missing from the list of auxiliaries. As I mentioned earlier, it is puzzling why priests were not included among government functionaries. It is even more surprising that educators were not included, given the important role assigned to them in the subsequent discussion.³¹ It is also puzzling why rhetoric is given such important place, given ES’ mistrust of that art. The simplest reason for ES’ inclusion of rhetoric is the acknowledgment that not all citizens can attain perfect knowledge of political matters. Therefore, the second best thing is for the ruler to have assistants who are expert in the craft of rhetoric, acting under his control. They use imaginative stories to achieve consensus regarding important political decisions.³²

The definition of statesmanship concludes by unpacking the metaphor of weaving as it applies to political leadership. The discussion opens [306ab] with the presumed “conflict” between two virtues: self-control and courage. There are two problems with this claim. First, virtues cannot be in conflict with one another. For example, a person lacking in temperance is not courageous, it is foolhardy. Thus, in the relation of courage to self-control, it is important to distinguish between courage and rashness on the one hand, and between caution and cowardliness, on the other. Second, in the context of the discussion it would have been more appropriate to speak about a conflict between inclinations or

²⁸As I hinted earlier, in my view it makes more sense to see [303b9] as an immediate sequel to [291c8] than to [303b6].

²⁹In introducing the last three rivals, ES suggests that the elements listed up to now were “different, foreign and repugnant” [303e8] to the statesman. It is fair to assume that the author of the dialogue had in mind here sophists “the chief pundits of the deceiver’s art”. And, for that reason, it is more plausible to read [303b9] as a natural continuation of [291c8] than of [303b6].

³⁰Note, again, that I consider these two entries to belong together, constituting one continuous passage.

³¹One reason for leaving them out of the list of assistants might be that the author of the dialogue could not decide whether moral and religious education should be the exclusive domain of the king, or whether it should be shared with others. There are passages toward the end of the dialogue that suggest this ambivalence.

³²The fact that rulers and subjects are like one another in nature does not mean that they possess the same level of expertise about politics. For that reason, those who do, may have recourse to non-rational means of persuasion as long as it benefits the whole community.

dispositions and not virtues.

Courage and self-control are virtues and not dispositions, but one can find dispositions corresponding to them. *Republic* IV has a detailed explanation of the relation between virtues and dispositions (parts of the soul). However, I doubt that the author of the concluding pages of the STM, whoever he was, had that Book in mind. It is more likely that the discussion of the conflict of virtues found in those pages was influenced by an earlier passage of *Republic* II [375]. The distinction made there is between spirited and gentle.³³ Also, it is already suggested in the early *Republic* passage that gentle and “high-spirited” characters should, when possible, be combined: “Philosophy, spirit, speed and strength must all, then, be combined in the nature of anyone who is to fine and good guardians of our city [R. 376c2].

ES’ recommendation is that the goal of education should be to weave together, first, the two conflicting dispositions within the souls of individuals [307de], and, second, as far as possible, individuals who have conflicting characters should be partnered with one another. Genuine statesmanship will have a crucial role in the educational system. The king will first select, on the basis of tests performed for his benefit, those among young who will be suitable for citizenship. These he will, then, hand over to competent educators who can “fashion them to a structure proper to their specific function” [308cd]. Having made a further selection, eliminating those who “are impelled to godlessness and to vaunting pride and injustice by the drive of an evil nature” [308-9], and keeping those whose nobility of character permits their being combined into a unity.³⁴ By way of explanation of what the scientific king does, ES offers the following explanation. He “first unites the element in their souls which are eternal by a divine bond, since it is akin to the divine” [309c1]. Since this comment suggests a deeper account of the kingly role, it requires some further analysis, one that is based on the notion of “divine bond”.

The divine bond is not between courage and moderation. It is, rather, what makes the weaving together of the two conflicting characters possible in the first place. Put simply, it is the imprinting of moral values regarding what is “honourable, just and good” [309c6]. This is possible because human beings are “a race which is of supernatural lineage” [309c9]. Being of supernatural lineage means that human beings possess reason, to different degrees, and for this reason they are open to moral education. And those who have been united by the bond of true conviction; namely, those who achieved true opinion about moral

³³It is significant that in that early book of the *Republic* gentle and philosophical natures are assimilated. One possible difference between the early *Republic* and STM is that while in the first it is made clear that the desired mixture is that of guardians, in the second it is not clear that whether all citizens or only a few select need to have their souls weaved in the desired manner.

³⁴It is not clear what precise role the king and his subordinates play in this process of education. The most plausible interpretation of what is said would be that the subordinate educators, specialist in various crafts, will take over the young and make them suitable for specific tasks [308e5]. The king, by contrast, will oversee the character development of all citizens. More specifically, he will ensure the proper weaving together of mild and spirited characters.

values, can then, have their conflicting dispositions harmonized.³⁵ Having the divine link already forged, human bonds are also easily acquired. Different types will consent to marry types opposed to theirs. The highest civic functions will be occupied by those in whose soul there is a proper balance of conflicting dispositions, and those among them whose soul is dominated with one or the other dispositions will be united with their opposites in performing their official duties.

The definition of statesmanship was started by the claim that it required good judgement and the ability to give direction. It concludes by emphasizing the importance of a form of kingly weaving that achieves unity, mutual concord and friendship: the “best of all fabrics”, on condition that the “kingly weaver maintains his control and oversight over it” [311c]. Statesmanship is understood throughout the development of its definition as “kingship”. A statesman is not said to be an ordinary politician using its intelligence and strength of character to attain, and to maintain itself in, power. It is assumed that he has sovereign power, or the knowledge required to advise someone who has it. The most important tasks of the ruler of a city is to weave together, with its associates, a just and happy state. But it also has to exercise enlightened control over those who help him in the project of weaving. For this he needs to have a knowledge of the complex totality of the state, the psychology of different types of individuals, and the right moment to make crucial decisions. All this is presumed by the definition even though it is not developed in sufficient detail. And, contrarily to what most interpreters of the dialogue assume, the discussion of the relative merits of written law codes and rule by scientific experts adds nothing to what has already been achieved by the definition worked out without it.

3. What Should Have Absolute Authority, Law or Expert Knowledge?

291d-303b

After an abrupt break in the definition of statesmanship following the critique of sophism and party politics, suddenly the discussion turns to a list of possible forms of governments known hitherto. A slightly modified list is provided later, at the end of the description of two types of regimes, one ruled by experts and one ruled by written laws. What is the significance of using these two lists as “book ends” to evaluating the relative merits of written laws and of scientific knowledge? The first list [291d1] gives three different regimes based on the number of indi-

³⁵The discussion of kingly weaving at the end of the dialogue is burdened by a number of difficulties. First, it is not explained why educators are excluded from those who are “closer akin to the kingly ruler” [303d4]. Second, the educational function of the king is not sufficiently distinguished from that of his auxiliaries. It could be argued that all three of the specifically listed auxiliaries: orators, generals and judges are, themselves, educators. This would explain how they would educate in their special area of expertise, and how the king supervises their activity as educators along with their other activities. But, this would raise another question: are only potential auxiliaries of the king educated, or is education meant for all citizens? This would not fit easily with the general description of kingly weaving proposed by ES.

viduals ruling them. The first two: the rule by one and the rule by a few, are further divided into rule by force or by consent, and the third: rule by the many, “democracy”, is said to be the same whether it is ruled by force or by consent.³⁶

The argument contained in the digression about best and second-best regimes starts by asserting that whether a regime is ruled by many or a few; whether it obeys the law or disregards it, cannot be the only criteria for defining a true constitution [292a5]. Having said this, ES recalls that kingly rule was characterized as a science which could judge and could direct [292b7].³⁷ And he adds, tantalizingly, that beyond that, they are “unable as yet to say precisely what form of knowledge (kingly rule) is” [292c3]. This comment suggests that in what follows a precision will be given of that form of knowledge, making the reader expect that the following digression, in which it is claimed that the scientific ruler is above the law, provides the required precision.³⁸ But, instead of giving it, ES asks: in which of those constitutions listed is the science of ruling “practiced in the actual government of men?” [292d3]. And, the answer he gives is that only one, or at most a few, in government, could possess the required knowledge.³⁹ This somewhat artificial transition to the second substantive theme of the dialogue is suspect. It gives rise to a suspicion that it is merely an attempt to make it seem plausible that the two themes are intimately connected. But they are not. Claiming that a scientific statesman is above the law does not explain why he is above the law. It does not explain the nature of the knowledge that qualifies him to do that.⁴⁰ What it shows, at most, is that a statesman must be a king or at least

³⁶There are two questions that need to be asked here. First, why is rule with consent associated with rule according to law? Is it not possible that rule according to law may itself be repressive? This is the case when rulers have absolute control over making and changing laws. It seems to be assumed that law abiding regimes are, by the same token, consensual ones as well. This question will receive further attention later. Second, what to make of ES’ rather implausible explanation for the change in the conception of democracy in the second list? The second list includes the ideal regime in addition to the others, and in it democracy comes to have two forms: law abiding and law violating. Given ES insistence that the best regime cannot be ruled by the many, this leaves open the possibility that it is either a form of kingship or a form of aristocracy. So, it seems unnecessary to present the best regime as radically different from them. All that would need to be said is that it is a type of kingship, or aristocracy, whose rulers are in possession of the science of politics. ES’ implausible explanation at [302e] is that by singling out a regime that is superior to those ruled by codes of law, all other constitutions, including democracies, have to be divided into law abiding law flouting ones. This is just false. What difference does the hypothesis of a regime whose ruler is above the law makes to whether one needs to distinguish between lawful and lawless democracies? A more plausible explanation is that at the time of writing the first list the author meant by “democracy” “populism”: the tyranny of the many forcing its own agenda onto the few rich, whether it had its own laws or not. And, by the end he had a more generous view of it, allowing for the possibility of a law abiding democracy that was not tyrannical. But, then again, why can other law abiding regimes not be tyrannical, also?

³⁷This “reminder” indicates no more, in my view, than an attempt to stitch together the two sections of the dialogue.

³⁸Larivée (2019) suggests that STM is “a protreptic to a science *that was still to come*” (p. 320, italics in original). She does not do so, but she could have cited this passage in support of her view that there was no political science before Aristotle. On my reading of it, the passage [292c3] is more like a promise, one which was meant to be fulfilled subsequently in the rest of the dialogue. And the last pages of the dialogue [303d-311c] go a long way toward doing just that.

³⁹It is YS who is made to provide this answer, adding that even those who are not in power may also be in possession of that knowledge.

a collection of few individuals who know how to govern. In any case, the digression is not directly about statesmanship, it is about regimes, how they are ruled and not about what qualities rulers must have in order to be able to rule them expertly.

The long digression [291d1-303b4] about the difference between best and second-best regimes has two tacit objectives: first, to show that existing laws should only be changed with the help of expert knowledge, and, second, that cities that do not have rulers with expert knowledge must follow existing laws rigidly. The assumption behind the way these two alternatives are formulated is an absolutist view of governing cities: either rule by a scientific expert who has absolute power, or, lacking that, rule by existing laws, which also have absolute power [294a4]. Without this absolutist assumption the conclusion of the main argument, that knowledgeable rulers should be absolutely above the law, does not hold. It is true that in exceptional situations executive decisions overriding existing laws may have to be made. It is also true that expert knowledge is required in order to make certain medium to long term changes in existing laws, even in normal circumstances. But ES does not, in support of his defence of the absolute authority of a (knowledgeable) person, invoke a state of exception (Schmitt, 2005)⁴¹. And, not giving a “precise” account of what scientific expertise entails, ES’ insistence on absolute authority of expert kings to change laws unilaterally, sounds hollow. How, for example, is political knowledge different from having right opinion about political matters? As I shall show, ES flirts with the idea of respecting ancient tradition by second-best regimes. Could such second-best regimes not change their written laws to accord with tradition, provided they have rulers possessing right opinion about what is best for their cities?

The long digression (“footnote”) that corresponds to the second main theme of the dialogue also begins promisingly. In a correct regime, written laws cannot have absolute authority because the situation may change regarding what is best for the city⁴². The true constitution par excellence, ES declares, is not one in which the rulers simply make “a show of political cleverness” but one which is ruled by men “really possessed of the scientific understanding of the art of government” [293cd]. Here, for the first time, he clarifies that the scientific principle involved in government is “following justice and act to preserve and improve the life of the state so far as may be” [293d8]. And, those possessing this type of scientific understanding “may rule with or without a written code of laws” [293a7]. When YS objects that, “what you say about ruling without laws is a hard thing

⁴⁰The same quality that enables a king to weave together the fabric of the state is also what allows it to legislate and to change laws. In discussing kingly weaving at the end of the dialogue, it is assumed that it presumes a knowledge of the city as a whole, and a capacity to seize the right moment for bringing to the fore the appropriate character trait. But these two conditions are nowhere mentioned during the discussion of the expert king’s superiority over the law. It is significant that the kingly weaver’s ability to legislate [309d2] and to make use of laws to foster a common bond [310a3] is emphasized, also, at the end. This suggests that the long digression about law versus expertise was not primarily about statesmanship. But kingly weaving was.

⁴¹Carl Schmitt (2005), the Nazi legal scholar, argued for the power of sovereign decision in a state of exception. For Schmitt, in such a situation, not expert knowledge but a grasp of what the people (*Volk*) wanted was needed.

for us to hear” [293e6] ES replies that while the art of kingship includes law-making, “the best thing of all is not full authority for laws but rather full authority for a man who understands the art of kingship and has wisdom” [294a5].

But, is an absolute dichotomy between the authority of laws and of expert individuals tenable? Would it not be desirable that in the normal course of events everyone, even rulers, should be subject to laws; but that in exceptional circumstances laws need to be changed by extra legal executive decision, or if long term changes are desirable, they should be made in accordance with scientific understanding. This raises the question of what precisely was behind YS’ objection. Was it, as some interpreters suggest (Rowe, 2006; De Long, 2011)⁴³, that existing laws must always be obeyed rigidly, however inadequate they might be? Or, did YS have in mind the more moderate position that, unless there are pressing reasons, laws should rule over everyone? ES’ rejoinder to YS’ objection is valid only if the first, radical, interpretation of rule of law is assumed. The clearest indication in the text about how ES understands YS’ objection is at [294a5] where he says that full authority should go to a man in possession of the art of kingship and not to laws. It is true that laws do not come into being and they do not change by themselves; in that sense people have authority over them. But, by the same token, during the normal course of things, laws have full authority over people for whom they were legislated. ES, in sum, collapses two distinct alternatives: 1) an expert could rule without laws, and 2) an expert will not follow written laws rigidly, recognizing exceptions to it. The second alternative is clearly valid, but, the first is not. And, it is more probable that YS was opposed to the first alternative and not to the second (Berges, 2010)⁴⁴.

ES makes a distinction between two types of regimes: the best and second-best. One in which a wise statesman has full authority, and one in which the laws have it. But he never makes it clear whether the best regimes have written laws [295b4] and, if they have them, are they binding only for an unenlightened population but not for rulers as well [294d1].⁴⁵ Nowhere does he say that rulers themselves should abide by the laws, most of the time. All in all, this portion of STM is a

⁴²On my reading of it, the most coherent position implicit in the text is that, at times existing laws need to be changed and that knowledgeable rulers, and only they, should be allowed to make these changes. They can do this because of their superior judgement about the timing and the context in which changes need to be made. However, ES muddies the water somewhat by suggesting that written laws fail because the “differences of human personality” and “the restless inconsistency of human affairs” makes it impossible for any art to issue unqualified rules. [294b4] As he suggests later [294d9 and 295a5] laws could be formulated in “a less refined manner” in which case they would not need to be changed frequently. Laws are enacted for the general community, not for each individual; no government, in whatever manner it is ruled, whether by written laws or by scientific kings, could satisfy the needs of each its citizens, all the time.

⁴³Ch. Rowe (2006) and J. De Long (2011) claim that YS is advocating the view that laws should never be questioned. And, for that reason they have a more generous view of [291-303] than I do. They see it as a *reductio ad absurdum* of that narrow constitutionalist position. I just see it as absurd.

⁴⁴S. Berges (2010), like most interpreters of STM, strives to render the dialogue coherent. She approaches it from the point of view of virtue jurisprudence. In the end, her view is that the laws of the wise king of STM “are supplemented by equity, judgements tailored to the needs of a particular situation” (p. 21). This would, indeed, make ES’ position more tenable. But this reading is too charitable. It presents what ES could have said, rather than what he did say.

paternalistic and authoritarian document. There are references in it to rulers preserving the lives of their subjects and reforming their character if the regime is to be well run [297b1]. But there is no explanation of how this would be done, and no suggestion to the effect that having good laws is a positive factor in having good civic education and civic loyalty. In sum, it is not made clear just how authoritarian each of the two regimes are meant to be. In the best regime rulers are to have absolute authority over the laws, but it is not explained how having that authority enables them to improve the souls of citizens. In law regimes, by contrast, written codes are meant to have absolute authority, but it is not explained how they are enforced, and by whom?

At [296a6] ES takes up a “plausible argument” for limiting the scientific king’s power to change laws: should he have to persuade its subjects or can he force his new laws on them unilaterally? He asks. His reply, attempting to justify the use of force rather than persuasion, relies on the dubious analogy with doctors. Should a doctor not force a treatment on his patients against their will, or even in contradiction with written prescriptions, if it will benefit the patient? he asks again. But this analogy will not work. Cities are not usually sick patients, and rulers do not normally have the power to force a cure on them. In any case, medicine is a very different science from the way ES sees governing. Decisions by individual doctors are guided by professional norms. No individual practitioner of that science has a monopoly over what is the best treatment. Second, patients will not accept any intervention from just anybody. Doctors, before they undertake a new method of treatment will have to have the confidence of their patients based on previous experience with them.

It is possible that a ruler cannot always convince all citizens that a change is desirable. Those who have vested interest in the *status quo* will resist. In that case he would be justified in using constraint. For example, the ruler could impose limits on production of consumer goods in the interest of the community as a whole. In short, part of wise kingship must be the ability to explain the need for civic decisions vital to the welfare of the whole population.

It might be that the scepticism about the political use of persuasion is motivated by the author’s view regarding its misuse by the Sophists. Still, could one not expect the best regime to have a sufficiently enlightened citizen body, one that would be open to reasoned persuasion? It is notable that this, second, substantive portion of the dialogue gives neither a satisfactory account of true statesmanship nor a satisfactory account of what a best regime is. The reader is presented only with a circle: the true statesman is the ruler of the best regime, and the best regime is one ruled by a true statesman. Nor does this second, substantive section, of the dialogue give a detailed enough account of what constitutes a second-best regime.

The second-best regime is said to be an “imitation” of the best in so far as it

⁴⁵Speaking of laws as a form of control suggests that they are meant to have a coercive force over the general population alone. The reference to “mutual contractual obligation” [295a1] suggests, also, that the laws in question focus on the daily commercial life of citizens alone, not including more profound matters, such as their civic education or service to their community.

follows “its” laws rigidly. The ambiguity in this sentence is notable. One has to decide, oneself, whether “its” refers to the laws of the best regime imitated by the second-best, or to the laws second-best regimes give to themselves. An attempt at explaining the difference between those two regimes is made at [297c1]: “Only in the hands of a select few or of an individual can we look for that one true constitution. For we must call all other constitutions mere imitations of this”. But there are two problems here. First, are what are referred to here as “other constitutions” only democratic constitutions, ones ruled by the many; or are they all those constitutions which are not ruled by a “true” (scientific) statesman? In other words, are constitutional monarchies and aristocracies also “mere imitations” of the best? Second, as even YS points out, it is not clear in what sense second-best regimes are imitations of the best. Are imitations of the best regime more or less faithful copies of it? Are imitations intended to reproduce the main features of the best? Or, are they deliberate falsifications of it?

The sentence following [297c1] might help answering these questions. Given that the best regime is ruled by a wise king who is above the law, and given that the best regime is just and impartial, the sentence: “Some (regimes) are more perfect copies of (the best), ...others are grosser and less adequate imitations”, may help here. The best imitations would be ones which sought, as far as possible, to be just and impartial, but having only right opinion about governing they would fall short of the ideal.⁴⁶ The worst imitations would be ones in which its rulers felt themselves to be above the law, not because they were wise but because they were unjust and ignorant. Such regimes would fall very short of the ideal. At a later stage of the argument ES flirts with the idea that second-best regimes are viable if they are ruled by opinion and are acting according to law [301b3]. But, once again, instead of giving a plausible answer to YS’ request to make him understand what he means by “imitation” ES proceeds to give an absurd and irrelevant response.

His response begins by “exposing the error which is rampant today in all that is said about it” [297c9]. Said about what, the definition of imitation, or about the nature of second-best regimes? The “error” seems to be the failure to recognize “that there is only one constitution in the true sense”, and that the rest “owe their very preservation to their following the written code of laws enacted for this true state”⁴⁷ [297d5]. This presumes that 1) the best regime has a written code of law, and 2) that all regimes have a choice of following, or not following, these laws. A clarification of these two possibilities would have helped, had it been given. But, instead, ES paints a scenario of law making that reveals serious ignorance of the debate about changing laws in 5th-4th Century Athens.

In the Archaic and Early Classical periods, Athenians were committed to the practice of not changing laws. However, at the turn of the 5th and 4th Centuries,

⁴⁶This point is made, later, at [300d7].

⁴⁷This is perplexing. Second-best regimes are to follow, if they want to survive, laws enacted for the true state. But, what are these laws, and, how are they known by citizens of less than ideal states? There is confusion here. If the ideal state does not exist, how can second-best regimes imitate it? And, if best regimes are only an ideal, all existing regimes are imitations of it.

due to an adhesion to a political system that placed value on popular sovereignty, resistance to legal change came under criticism. From that point on, there was a tension between oligarchs who were generally legal conservatives, and democrats who favoured frequent changes in law. A compromise was reached after the defeat of the oligarchs in 404, and this had implications for the authority of law. While there was greater tolerance, and institutional recognition, for legal change; at the same time, strict conditions were introduced for changing laws. Another significant innovation was the introduction of a clear distinction between laws and decrees. New decrees could be introduced provided that they did not contradict existing laws, the latter being considered to be more fundamental. In such system a balance could be reached between legal stability and the need to introduce changes in response to changing situations. Just how difficult it was to introduce changes in laws is indicated by the possibility of bringing public action, by any citizen, against new initiatives that would violate laws which were in force. The so called “*graphe paranomon*” were meant to discourage frivolous or ill founded proposals for legal innovation (Canevaro, 2015; Schwartzberg, 2004).⁴⁸

In view of these historical facts it is difficult to see who among 4th Century audience of STM would have seen the insertion from 297e8 to 300a9 as anything but an inept farce. The insertion begins with the supposition that citizens would mistrust any form of expertise, and for that reason would want to constrain all practitioners of crafts to follow written codes of conduct. The assumption is that since statesmanship is a craft it would be just as absurd to force rulers to follow written laws strictly, as it would be to force all craftsmen to follow strictly codes of laws imposed on the practice of their art. But while it would be ridiculous, indeed, to force doctors to follow rigidly rules laid down for them by an ignorant politically motivated assembly, it makes sense to expect rulers, however knowledgeable, to follow laws enacted by political experts with the consent of citizens.⁴⁹ Also, the correct observation that citizens would mistrust tyrannical rulers does not mean that they could not accept the authority of political expertise, if it were exercised prudently.

There is every indication that the author of STM was a political elitist. There is

⁴⁸The comments in this paragraph were inspired by a number of legal historians, including: Melissa Schwartzberg (2004), and Mirko Canevaro's (2015), “Making and Changing Law in Ancient Athens”.

⁴⁹I have already raised questions about assimilating medicine and statesmanship. The same point is made by Protagoras in the dialogue named after him. At the time Socrates makes no objection to Protagoras' view. Instead, he changes the subject. Protagoras' point is that statesmanship is not a craft like any other. In his view, some individuals may be better qualified for political leadership than others, but everyone is qualified for participating in politics. Most crafts have no direct impact on human nature; carpentry, ship building etc. are such crafts. Nor does the art of sailing require knowledge of human nature, directly. Medicine is a craft acquired by learning about the human body and what ailments it is vulnerable to. It is a craft that is practiced on human beings individually requiring only a minimum knowledge of psychology, something that distinguishes it from the veterinary crafts. It is true that mob oversight on the crafts would be absurd, and no one in 4th Century Athens would have found it to be acceptable. So, in this absurd insertion ES introduces absurd examples of political interference in crafts, and uses these examples to discredit popular involvement in politics by relying on the unproved assumption that statesmanship is just like any other craft.

no doubt that he mistrusted popular decision making. Yet, it is also evident that he was not a narrow advocate of oligarchy. So, looking at the (long) digression [293a6-303b5] about the relative merits of rule by law and rule by expertise, one could conclude that he was trying to steer clear of the two legal ideologies, the democratic and the oligarchic, competing at the turn of the century. He was opposed to frivolous legal change, advocating that laws be changed only in light of scientific knowledge of politics. At the same time he would be in favour of changes in the law if there were good reasons for making them. The strict dichotomy he makes between law regimes and ones ruled by intelligence, obscures what might have been an important philosophic contribution to the emerging compromise between democratic and oligarchic visions of law in the early 4th Century.

ES introduces what I have called a caricature of law regime by suggesting that “an error” commonly made about it can be avoided by examining how the second-best regime “is achieved in practice”. Yet, the only thing valid about his correcting the error is the observation that law regimes arise because of peoples’ desire to curb absolute rule by a tyrannical individual.⁵⁰ But, instead of explaining how a politically wise ruler could govern less wise but, nevertheless, politically informed citizens, ES produces a historically inaccurate picture of what it is for the law to rule.⁵¹ In my view a much better case could have been made against even a non-absolutist version of the rule of law (Gill, 1995).⁵²

It helps to keep in mind that the mention of the so called “error” is invoked as a response to YS’ request that he be made to understand “what you said before about these ‘imitations’” [297c6]. The request is, as I suggested earlier, ambiguous. Is it about what is meant by “imitation”, or is it about what it is to imitate

⁵⁰ES concludes his caricature of law regimes by introducing the possibility that an unscrupulous magistrate might take possession of the laws. In the context a demand for popular oversight of magistrates he noted earlier, this is absurd. The prospect of a tyrannical individual disregarding existing laws was the motivation for introducing audits to begin with. In all this discussion one question is left open: how bad laws have to be before their existence is worse than not having laws at all? What seems to be lurking in the background is the view that democratic law regimes can easily slide into tyrannical regimes. And, therefore, legislating democratically is no better than not having laws at all.

⁵¹The fact that the insertion about the emergence of second-best regimes is so hopelessly flawed leads me to think that it was a hasty, later, addition to the dialogue. Also, as I suggest in the main body of this essay, the response to YS could have started more appropriately at [300b1], leaving out the absurd caricature.

⁵²A number of commentators on STM suggest that the absurd caricature was intended as a *reductio ad absurdum* of law regimes; that it was a reply to YS’ objection at [293e7] that, “ruling without laws is a hard thing for us to hear”. However, it is worth repeating, the *reductio* argument works only against an absolutist version of law regimes. And that is how defenders of the caricature see all law regimes. For example, C. Rowe (2006) holds this view. Even Ch. Gill (1995) (“Rethinking Constitutionalism” p. 297) who thinks that in the end ES comes around to constitutionalism, maintains that “The error that is illustrated in this picture (my ‘caricature’) seems to be that of believing that there is no objective *politiche thechne* or *episteme*, and that the only criterion of correctness in political life is that of conformity with established laws and customs of the community”. But there is no evidence to indicate that YS does not believe in the objectivity of laws. [293e7], nor is there evidence that a reasonable 4th century Athenian would hold that belief. Otherwise they would not have taken care to avoid frivolous changes in the law.

The problem with constitutional monarchies (ES’ favoured regime among the second-best) is that since in such a regime the monarch does not have absolute power, his legislation, however enlightened and benevolent it may be, could be contested.

regimes? As the previous discussion implies, ES is interested in exploring the difference between the two regimes, the one being imitated and the one that imitates. For that reason, it makes sense for him to claim that the first is superior to the latter. And, whatever one might think of it, in ES' view the regime whose ruler needs no laws is superior to one that does. Still, the question arises: "What to make of a regime imitating an other?" This is the first meaning of YS' request. Already, the point has been made that some rulers/regimes, ones that are law abiding, imitate the best ruler/regime more faithfully than those who do not [293e4]. As I suggested earlier, ES' notion of imitation is problematic: How does a law abiding regime imitate the best?

Earlier, I also suggested a way of differentiating between good and bad imitations. That difference works well for individuals, not so well for regimes. How does having laws constitute an imitation of an ideal regime? In the *Sophist* (S) (Plato, 1993) a good imitation is said have the same structure/proportion as the one that it copies [S. 235c1]. The same might be said here: by having laws, a regime reflects/copies the structure of the best. It does so because having laws, however limited they are, means having a form of rational order. Laws based on tradition, experience and good council, especially if they respond to the needs of citizens, will contribute to the regime's having an orderly structure. They may also enhance the safety and well being of the city. The absolutist framework within which ES draws the distinction between best and second-best regimes is an obstacle to construing imitation this way. However, as I shall show, there are indications that the author of STM flirted with the idea of rational second-best regimes.

In fact, a more pertinent response to YS' request is made at [300b1] where ES declares that "the laws which have been laid down represent the fruit of long experience". If, indeed, his goal is to explain how "the state of affairs we have just called second-best is achieved" [297e5], moving immediately to [300b1], and leaving out the misguided detour about law regimes, would have been a better fit.⁵³ Existing laws are, indeed, the fruit of long experience incorporating the "clever advice of some counselor" [300b3]. Reference to clever advisers and, a few lines later, to different departments of life, leaves open the possibility that in the natural course of events legislation is based, also, on the special expertise of master craftsmen. The role of legislators would, then, be to co-ordinate and harmonize the advice of these local experts. And, once these laws are enacted those in government would forbid acts of contravention of these laws [300c3]. This would seem to be a reasonable way to proceed. A system following these instructions would work well if the special craftsmen and their governors acted with intelligence and justice. The question I am raising throughout this essay is why the author of STM did not explore that possibility.

⁵³This explanation of the origin of laws does not make reference to the Athenian public's mistrust of absolute authority. Perhaps, a distinction could be made between the slow evolution of unwritten laws and the emergence of the emphasis, made by popular demand, on the universal obedience to written laws.

I suspect that the answer to this question is that the author had in mind a sharp distinction between knowledge and true opinion. The importance of the distinction is emphasized at the end of *Republic V* where it is said that opinion is fallible while knowledge is infallible [R 477e5]. It is also said there that opinion is about what becomes and knowledge about what is [R 478d]. Assuming that the author of the second section of *STM* had a knowledge of that way of making the distinction, it is possible that he thought of the “true statesman” as having infallible knowledge about the nature of reality as a whole. Presumably, in the political context, this would be having an infallible knowledge of what justice is, what benefits a state and how the souls of citizens could be improved. However, at the end of *Republic V* opinion is distinguished from ignorance, a distinction that *STM* does not always observe.

At times, the text of *STM* suggests that having regimes based on true opinion and following the laws, is a valuable achievement. They provide order and stability. But at other times the text insists that “there is only one constitution in the true sense” [297d4]. So, one is left wondering whether the true constitution exists only in thought, in which case a true statesman would be one who is able to bring political reality as close to that ideal as possible. A series of strange comments suggests that ES was ambivalent about the role of the political ideal in the governance of states. At one point [300d4] he notes that individuals having a code of law might try to introduce some changes in them, thinking that they act as the true statesman would, copying the true original. The implication is that it is possible to copy the original well or badly. Who decides whether the original was copied well or badly? And how is that decision made? If kingship is a craft about changing things: citizens and their political institutions, could it not be practiced well without absolute, infallible, knowledge?

In a passage following the last one mentioned above, ES suggests that “if one individual governs according to laws, imitating the truly wise ruler, we call him ‘king’”.⁵⁴ Then, he adds, we make no difference in name between rule by scientific knowledge and by opinion, acting according to law. What is the purpose of making this observation? Is ES suggesting that in the real world the best one can hope for is constitutional monarchy, a more or less knowledgeable king acting in the context of established laws? But, would that not mean that in the real world correct changes in the law are possible? Why could valid legal reform not be instituted on the basis of right opinion resulting from intelligent discussion, as it was done in 4th Century Athens?

As if to answer these questions, in a subsequent passage [301e1] ES admits that “kings do not arise in cities in the natural course of things...(and) therefore it seems men have to gather together and work out written codes, chasing to catch the tracks of the true constitution”. Is this not a concession to the need for a form of constitutionalism in the real world? Chasing the true constitution is what law abiding regimes do. Would it not have been more profitable to focus on this “chasing” in order to attain an adequate view of how legislation in the

⁵⁴Earlier, I addressed this paradox of law regimes imitating the best.

best actual world would look like? The author's ambivalence is revealed by the paragraph just preceding [301cd]. The paragraph states, first, that men choose a less than perfect regime because they "turn down the idea of the one true scientific ruler". This misleading claim—people do not turn down the idea of "one true scientific ruler", they turn down the idea of a tyrant, an absolute, unquestionable ruler—is, then, undermined by the suggestion that "if the kind of ruler we have described were to appear on earth he would be acclaimed". How would such a ruler be recognized if the multitude had no knowledge of correct rule? And, if they have once turned down the idea of scientific ruler, why would they acclaim the one who would appear?

At the end⁵⁵ of the discussion of the difference between best and second-best regimes ES comes back to the classification of actually existing regimes. Rating less than perfect regimes is "not directly relevant to our purpose", he declares. What seems to be relevant is, not the differences among these regimes, but, the difference between all of them and the best. Still, ES admits, "the aim of all the action of men everywhere is to secure for themselves the most tolerable life they can" [302b9]. It is for this reason that the classification of less than perfect regimes is (indirectly) relevant. But, if, as ES holds, the law abiding regime ruled by one individual is the best among less than perfect, the question is: by virtue of what can it be superior to them? Law regimes are superior to law flouting regimes, but if all law regimes must follow written codes slavishly, why is the one ruled by one individual better than the one ruled by many?⁵⁶ Presumably, the one ruler, benefiting from expert advice, has greater knowledge of how to govern and legislate. Would not the superiority of such governor/legislator depend on its ability to make adequate changes in existing laws when they are called for?

In sum, the whole discussion of the difference between law regimes and ideal regimes, as ES presents it, has little concrete political relevance. At best, it suggests that all existing regimes, if they aim to rule with intelligence, should have in front of them an ideal which they must seek to attain.⁵⁷ And, if true statesmen of the real world are those who follow in the tracks of the ideal, the discussion of what makes the best actual regimes best, could have helped in that regard. But it seems that the author's ambivalence about right opinion vs infallible knowledge regarding politics, makes that line of approach unavailable to him. In the end, as

⁵⁵I believe that the treatment of the second theme ends at [303b5] and not at [303d2]. First, referring to these governments as "bogus governments" does not make sense if "these" refers to constitutional monarchies or aristocracies. At best, "these" could refer to democracies. Second, immediately after the reference to bogus governments, their leaders are described as "supreme imitators, "sophists", centaurs" and "so called politicians". These qualifications apply, almost, word for word to the crowd of false statesmen introduced at [291a-d]. For these reasons it is most likely that the second theme was inserted between [291d1] and [303ca1]. The second theme is about the distinction between best and second-best regimes and the distinction between second-best regimes and seriously flawed regimes. Second-best and flawed regime, both, imitate the best—the ideal—but they imitate differently one well, the other poorly. And, this, last fundamental distinction would be lost if the passage: [303b7-d2] referred to all less than perfect regimes.

⁵⁶This may be a reason for not rating them.

⁵⁷A similar point about following an ideal is made at [R. 592].

I suggested earlier, the author of STM assumes an absolute dichotomy between law regimes and regimes that are governed by intelligence. In this, he goes against not only Athenian precedent, but also against common sense interpretations of when it is rational to change laws, and what degree of political expertise is required for doing so.

4. Conclusion

My reading of STM is unusually critical. Most commentators, whether they like it or not, accept it as a Platonic dialogue. I challenge that view. In my view the dialogue is at best semi-authentic, very likely a composite of different projects. I find it highly unlikely that Plato was responsible for its entire content. Anyone who had wished to present the work as Plato's alone could have added fillers/stitches to it connecting what may have existed as Platonic lectures, or as written sketches written by him or someone else. These fillers might have included the addition of links to the *Sophist* (Plato, 1993) at the beginning of the dialogue [258b3], and, later, in the context of explaining the importance of "due measure" [284b7]. It is difficult to imagine that Plato, at any time of his life, would have written such a flawed dialogue in its entirety.

One plausible hypothesis is that Plato wrote some parts of what I identified as the two substantial themes. It is possible that at some point in his life Plato experimented with the method of division only to realize that it was not suitable for discovering the nature of true statesmanship, but used it to show how inappropriate the shepherd analogy was to political rule. This hypothesis gains some support from [275c2] where the shepherd analogy is abandoned.⁵⁸ The part of the dialogue treating the question of statesmanship could have been written sometime before the middle books of the *Republic* (Plato, 1992b), which I consider, following Thesleff, as late additions to the rest. The discussion of the king in that part of STM recalls the description of guardians in Books II and III. The treatment of the virtues at [306+] seems to be ignorant of the discussion of that topic in Book IV. But, in the final analysis no one can make a definitive judgement about the authorship of the STM. Still, freeing oneself from the need to make the text coherent worthy of an authentic Platonic work, allows one to explore what it actually says however flawed it might be.

Another possible hypothesis is that Aristotle wrote parts of the dialogue separately and that someone else combined them producing the text we now have. I find Masters' arguments for the authorship of the dialogue plausible. His argument could have been stronger if he allowed for the possibility that STM consists of fragments (Masters, 1979).⁵⁹ Regardless, I am not completely convinced that Aristotle is its author. For that to be established more evidence is needed to show that passages in the *Politics* which resonate with STM refer to something he, rather than someone else, had written. And while what I have tried to show here

⁵⁸The shepherd analogy comes under strain in *Republic* I already, where Thrasymachus sees it as a form of domination while Socrates sees it as a form of tending [R. 342e-343b].

goes some way in that direction, it provides no conclusive proof for it.

Previous commentators assumed, almost without exception, that Plato was the author of the entire dialogue. Some gave up on it in despair, others invented far fetched interpretations of the text to show that its author was, indeed, as brilliant as the tradition takes Plato to be. Still, a number of commentators, recognizing how problematic the text is, attempted to link it to Plato's other writings on politics. Including these are the so called "developmentalist", those who believe that the text represents a change in later years of views he held in the *Republic* (Plato, 1992b). This, however, does not explain why the text is so mediocre. The commentator whose opinion I take most seriously is Ch. Rowe. Rowe is a unitarian, believing that STM is thematically, and logically, aligned with the *Republic*. Thus, he identifies the statesmen of STM with the philosopher king of the *Republic*. I disagree with Rowe's reading of both texts. While I do not share the developmentalist view, I do not identify the statesman with the philosopher king of the middle books of the *Republic*. Books VI and VII are in my opinion more about philosophy than about politics. For that reason I hold that Books II-IV contain the primary political teaching of that work.

Rowe devotes a number of essays to the refutation of the developmentalist thesis. His main adversary is Sabine who thinks that in his later life, in STM and the *Laws* Plato abandoned his hostility to democracy and even changed his mind about the trial and execution of Socrates (Sabine, 1937). Sabine's main support for his thesis is in the passage that I consider an absurd caricature of law regimes. Rowe disputes Sabine's thesis, arguing that, if read properly, the passage is a reductio of strict adherence to fundamentally imperfect (democratic) laws (Rowe, 2001: pp. 67+73). Also, he believes that, 303c proves that in Plato's view all non-perfect regimes are ruled by imposters (Rowe, 2006: p. 4). The main source of my disagreement with Rowe is my view that 303c does not refer to all non-perfect regimes, but only to ones ruled by demagogues.

The main motive behind my writing this essay was to undermine the conviction that all the texts attributed to Plato were written by him in their entirety. For, in my opinion, approaching his dialogues with that point of view in mind risks distorting what they actually say. And, I have chosen STM because it is, in my mind, the best example to illustrate that point. But, regardless of who its author was, STM points to some important issues. First, presenting the statesman as someone who weaves together different elements within a city is an important contribution to political philosophy. Its discussion of the auxiliary arts adds to what is said about a just city in Books II and III the *Republic* (Plato, 1992b). For example, the guardians of those early books are said to have sufficient knowledge to allow them to make judgements "about the city as a whole and the maintenance of good relations both internally and with other cities" [R. 428C7+]. So, why did someone who, one can assume, had familiarity with the early part of the

⁵⁹One reason Masters abandons his view, that Aristotle was the author, is the length of STM. But it is possible that what was known in ancient times as Aristotle's *Statesman* was only part of what is known today as STM.

Republic not make the connection between the guardianship and statesmanship explicit? Second, the assumption that statesmanship is a craft just like any other, is questionable. And, given that the problem was already noted in the *Protagoras* (Plato, 1956) [320+], why was that point not mentioned here?

Finally, the explanation of the difference between best and second-best regimes is highly problematic. It relies on a false dichotomy between absolute rule by law and absolute rule by a knowledgeable individual. And, for that reason, it does not provide a useful account either of what constitutes true statesmanship, nor what are best and second-best regimes. Nevertheless, at times the author's ambivalence about what it means for an actually existing regime to be well ordered can be glimpsed in between the lines, especially at [301]. This regime, based on things ES says in the rest of the dialogue, would most likely be a form of constitutional kingship. So, why did STM not come out in favour of some form of constitutionalism guided by the ideal of a scientifically governed constitution? All these considerations make STM, freed of the assumption that it is a Platonic masterwork, both a provocative and a problematic text.

Conflicts of Interest

The author declares no conflicts of interest regarding the publication of this paper.

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