

THE TREATMENT OF NON-IDEAL CONSTITUTIONS IN THE *POLITICUS*: FURTHER  
CONSIDERATIONS

My interpretation of what I take to be the crucial passage affecting the subject of non-ideal constitutions in the *Politicus* is already on the record (most recently, and in the most considered form, in a piece in the *Journal of Hellenic Studies* entitled ‘Killing Socrates’ [JHS 121 (2001), 63-76]), and will form the starting-point for my contribution to the present occasion. In short, I claim that when the Visitor from Elea says, or rather asks, at 300c5-7 in Burnet’s Oxford text, οὐκοῦν μιμήματα μὲν ἂν ἐκάστων ταῦτα εἶη τῆς ἀληθείας, τὰ παρὰ τῶν εἰδότων εἰς δύναμιν εἶναι γεγραμμένα (clearly expecting the answer ‘yes’), this is not – as it has traditionally been understood – an endorsement of laws *per se*, with ταῦτα referring back to νόμους καὶ συγγράμματα in c1-2, but rather a reference to an ideal set of laws: ταῦτα refers *forward*, to τὰ παρὰ τῶν εἰδότων εἰς δύναμιν εἶναι γεγραμμένα, and the authors of existing laws are none of them εἰδότες. (Nor is there anything particularly striking about οὗτος’s having a forward reference: it happens, even if the general rule is for it to refer backwards).<sup>1</sup>

The Visitor is in the process of trying to persuade the young Socrates that the second-best thing, if an ideal *politikos* is not available, will be for cities to stick to their existing laws, the all too easily available alternative being a decline into lawlessness, and rule governed by considerations of profit or personal favour (300a1-7). Or rather – and this is a crucial point: the Visitor is trying to persuade Young Socrates that it is *no better* than a second-best; it will be better for a city, absent the ideal statesman, to stick to its laws than it will be for it to live without laws. (But sticking faithfully to the established laws will have some bad consequences, among them the banning of research and the execution of anyone who tries his hand at it: 299b-e.) On the interpretation I have proposed, the ‘imitations of the truth’ in question in 300c5 are – not the laws and written rules of c1-2, which will include those imagined in the preceding section as set up by assemblies of one kind or another, but – *ideal* laws, if that is not a contradiction in terms (cf. ‘written down as far as they can be’: laws, we have been told, are inevitably imperfect, because too general). That is, what these ‘imitations of the truth’ will be are laws that *are as good as any laws could possibly be*, not just *any* laws. Even then, the Visitor goes on to say, the true *politikos* will not stick to the laws he has set down, because political, kingly/statesmanlike, expertise will always be able to do better, in every situation, than any set of general rules, even those written by the expert himself.

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<sup>1</sup> For two alternative translations of the relevant passage of the *Politicus*, see Appendix below. The difference is between (the traditional sort of interpretation, on the one hand) ‘Then laws [sc. in general – whatever laws/rules were in question] would seem to be written copies of scientific truth in the various departments of life they cover, copies based as far as possible on the instructions received from those who really possess the scientific truth on these matters’; and (on the other hand) ‘Well, imitations of the truth of each and every thing would be these, wouldn’t they - those things issuing from those who know, which have been written down so far as they can be?’ The latter is my preferred translation, which makes only those laws/rules that derive from knowledge count as ‘imitations of the truth’: that is, laws that embody knowledge – as I suppose, of the truth as this would be possessed by the ideal statesman, who would – as again I suppose – also be the ideal, godlike, philosopher; a knowledge, however, which would have been translated into writing only ‘so far as [it] can be’, i.e. as effectively as anything can be translated into writing. Cf. *Politicus* 294aff.

For (I suggest, most fundamentally), in the absence of the true statesman, knowledge will also be absent; how, then, except in his presence can there be any *παρὰ τῶν εἰδόντων ... γεγραμμένα* ('things written ... *issuing from those who know*')? And in any case, existing laws are evidently not drawn up by those who know. So the reference *must* be, not to existing laws, but to ideal ones. And this is crucial, of course: with the traditional interpretation, the passage gives us an endorsement of existing, non-ideal constitutions; with my preferred interpretation, there is no such endorsement, but only a recognition that law-bound constitutions are at least better than lawless ones. (In fact, as I shall go on to suggest, even this concession to them is subsequently made subject to an important qualification.)

Both of these two interpretations, as I have always admitted, give us perfectly reasonable readings of the Greek text. The two alternative translations of 300c5-7 are

- (A) 'Well, wouldn't those laws [sc. the ones mentioned in c1-2] – written with the advice of people who know so far as possible – be imitations of the truth on each subject [the argument at this point is about written rules in any area]?'; and
- (B) '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 as far as they can be.'

(B) is my translation; (A) is the translation that the editor of the Hackett *Plato: Complete Works*, John Cooper, insisted should be added, in a footnote (though it is, in truth, rather a paraphrase than a translation), as an alternative to mine, which he was disinclined to believe, or at any rate to impose on readers. And (A) already contains, or purports to contain, the answer to my objection to the traditional interpretation, namely that if the reference is to non-ideal situations, there just aren't any knowledgeable people, *εἰδότες*, around: what is in question is just 'people who know so far as possible;' and while I find it a little difficult to accept that Plato would recognise a category of knowing that was just 'so far as possible', still I recognise that the interpretation commits no significant crime against the Greek of the passage.

To serve as an introduction to the traditional interpretation, here is a section of a friendly attack on my reading of the political argument of the *Politicus* made recently by Thanassis Samaras, in his excellent book *Plato and Democracy* (Peter Lang, 2002; reviewed by Malcolm Schofield in *Plato* [this internet journal] for 2003):

'... law is "second best" ... in the sense that it is, in the absence of philosophical wisdom, intrinsically valuable [I have omitted a 'not only ... but also' here which is irrelevant to my own point].

'Where does this value come from? The answer is given in 300b: "laws ... have been established on the basis of much experience [*πειρα*], with some advisers or other having given advice on each subject in an attractive way, and having persuaded the majority to pass them." This procedure bestows some authority on

law. The advisers concerned are not possessors of full knowledge. But their ability successfully to initiate a law can be taken as an indication that they possess at least true opinion [‘know so far as possible’?] and, as we shall soon see, Plato does recognise the practical usefulness of opinion in the last pages of the *Politicus*. Moreover, given that what is described here is an event that has taken place in the past, the laws have tradition on their side. These features do not legitimise law as a source of political authority to the same degree that the living decisions or even the laws of the Ideal Ruler are legitimised. Given his probable absence, however, they do provide a constitutional framework which is not simply better than any alternative, but also the most rational way that a city can organise its political affairs in this absence. The success of this recipe is conceded by Plato in 302a: “cities have suffered [from the lack of political expertise] now for an unlimited time, but nevertheless some particular ones among them are enduring and are not overturned.” If we do not want to attribute the perseverance of those cities to sheer luck, we should accept that there is something intrinsic in their constitutions which is the source of this success. The obvious candidate is, of course, law and the adherence to it.’ (Samaras, *Plato and Democracy*, p.177).

This last point has some force. The Visitor begins the little speech of his that Samaras refers to by suggesting that it is the very fact that cities are run ‘according to written rules and customs without knowledge’ that causes them to suffer the evils they do: ‘Do we wonder, then, Socrates, at all the evils that turn out to occur in such [sc. law-abiding] constitutions, and all those that will turn out for them, when a foundation of this sort underlies them, one of carrying out their functions according to written rules and customs without knowledge (κατὰ γράμματα καὶ ἔθῃ μὴ μετὰ ἐπιστήμης) – which if used by another expertise would manifestly destroy everything that comes about through it?’ (301e6-302a2: here and from now on I shall use my own translation exclusively, as published in the Hackett *Plato: Complete Works*). Here the Visitor repeats the kind of thing he said at the end of his earlier thought-experiment with sailing and medicine, at 299e5-9 (‘It’s clear both that we should see all the various sorts of expertise completely destroyed, and that they would never be restored, either, because of this law prohibiting inquiry; so that life, which even now is difficult, in such a time would be altogether unliveable’); and just as, on the traditional interpretation (and that of Samaras), that apparently negative judgement will be softened by the comparison of utterly law-bound constitutions with lawless ones, so we might suppose the Visitor’s point here in 302a to be, despite everything, a qualified *endorsement* of law. If the city is, as he says, a surprisingly resilient thing (‘Or should we rather wonder at something else, namely at how strong a thing a city is by nature?’ 302a2-3), what else would make it strong but its constitution and its laws?

But to concede that is not to concede much, and certainly not as much as Samaras and other defenders of the traditional interpretation actually need. Even if sticking to a code of laws will prevent a city from ‘sinking’ for a considerable length of time, and for longer than one would expect, it is still the implication of the whole passage 301e-302b that abiding strictly by the laws (a) is the cause of more κακά than one, and (b) would be expected to sink a city sooner or later; it is no guarantee of security.

‘For in fact cities have suffered such things [sc. the κακά that law-bound cities suffer from] now for time without limit, but nevertheless some particular ones among them are enduring and are not overturned. Yet many from time to time sink like ships, and perish, and have perished, and will perish in the future through the depravity (μοχθηρία) of their steersmen and sailors, who have acquired the greatest ignorance about the greatest things – although they have no understanding at all about what belongs to the art of statesmanship, they think they have completely acquired this sort of expert knowledge, most clearly of them all’ (*Politicus* 302a3-b3, my translation.)

There is no indication here that the ‘depravity’, and ignorance (which I take to be closely related to if not identical with the ‘depravity’), of the steersmen and sailors is restricted to lawless cities; indeed, these lawless cities have not been mentioned in the context at all. Moral: sticking to your laws will give you a chance of keeping your city above water (sc. as failing to stick to them, and allowing the city to be ruled by the motivations of its individual and ignorant rulers, will not); but sticking to your law-code is no guarantee that you are safe, nor is that the only bad result of such a policy. It then seems a reasonable thing to ask, if these law-abiding constitutions are, or rely on, ‘imitations of the truth’, whether they shouldn’t offer more than that: i.e. more than a merely conditional salvation, along with one or more other unspecified evils, κακά. (I say ‘unspecified,’ but among these κακά, it seems, is likely to be a less than hospitable attitude to research into the truth and those who conduct it. This the Visitor made one of the consequences of a medical or nautical regime run κατὰ γράμματα, at 299b-d, all the time giving the clearest possible signals that he was referring to actual political regimes, and one in particular – the one that killed off old Socrates. It would hardly be surprising that *that* should count as a κακόν, if the research might have led to a cure for the ignorance that will, eventually, cause the city’s downfall. Or has Plato changed his mind about Socrates, and decided to exonerate Athens? My *JHS* paper argues: surely not.)

However, this is not the chief objection I wish to raise against Samaras’ defence of the traditional interpretation. My chief objection is to his answer to the question about where the ‘intrinsic value’ attaching to law (as suggested, according to his view, by 300c5-7) is supposed to come from (I repeat the passage, which states a necessary feature of the traditional interpretation with particular clarity):

‘The answer is given in 300b: “laws ... have been established on the basis of much experience, with some advisers or other having given advice on each subject in an attractive way, and having persuaded the majority to pass them.” This procedure bestows some authority on law. The advisers concerned are not possessors of full knowledge. But their ability successfully to initiate a law can be taken as an indication that they possess at least true opinion and, as we shall soon see, Plato does recognise the practical usefulness of opinion in the last pages of the *Politicus*. Moreover, given that what is described here is an event that has taken place in the past, the laws have tradition on their side. These features do not legitimise law as a source of political authority to the same

degree that the living decisions or even the laws of the Ideal Ruler are legitimised ...’

Even if one grants that *πεῖρα* means ‘experience’ rather than ‘experiment’ (as I prefer), still the whole passage at 300ab1-6 is an odd kind of recommendation: if experience helps, why the reference just to ‘some advisers’? In the preceding thought-experiment, the Visitor specified that the assembly laying down the rules for medicine and navigation will include non-experts as well as experts; if he had wanted to give the advisers in the present passage at least some degree of, or some approximation to, expertise (‘knowing so far as possible’?), why did he leave us with the mere ‘some’? And, *pace* Samaras, the position of the *Politicus* in relation to the ‘intellectual abilities of common people’ (Samaras, *op. cit.*, p.195 n. 16) is in fact perfectly clear. Or at any rate, the Visitor has said not very long before that he thinks it ‘impossible to contradict’ the view ‘that a mass of any people whatsoever would never be able to acquire this sort of expert knowledge and so govern a city with intelligence’ (297b7-c1), which seems to me to make it hard to suppose him to be holding, less than three Stephanus pages later, that ‘a mass of any people whatsoever’ could be assumed to have anything useful to say about the subject of ruling, let alone ‘to know so far as possible.’ (Or, to put it in Samaras’ terms, why should the mass of the people suddenly be supposed – without anything to counteract the effect of that fairly uncompromising earlier statement – to have true opinion? And if they don’t have true opinion, why should their endorsement carry any weight whatsoever?) Even if we leave out the implications of that adverb *χαριέντως* in 300b2 (‘with some advisers ... having given advice on each subject *in an attractive way*’), the passage as a whole looks – at best – lukewarm about the sources of the authority of *this* sort of law. That is perfectly compatible with the proposal, which the Visitor is certainly making, that laws of that pedigree (even of that pedigree) have some value, when a city built on them is compared to a city that has thrown away its laws altogether; but it gives absolutely no grounds for describing such laws as originating with people who ‘know so far as possible.’ It looks more like the sort of thing the Visitor would say in order *not* to commit himself to the ‘intrinsic value’ of laws established under such conditions (i.e., primarily, in the absence of knowledge) while still allowing him to say that they bring some sort of relative benefit – which in my view is restricted, so far as the argument of the *Politicus* is concerned, to giving the city a degree of *stability*.

Why does all this matter? It matters, of course, because if the traditional interpretation were right, Plato would have changed his mind about non-ideal constitutions in a quite radical way (i.e., if we suppose that the *Republic* was written earlier than the *Politicus*, as most people do). The *Republic* treats even timocracy as a ‘diseased’ type of constitution (VIII, 544c); but now – so people are inclined to say – here is the *Politicus* allowing that any and every set of laws is in ‘imitation of the truth.’ Yet any reader, at such a juncture, will have to assume that it is only a partial change of mind, for it is the same *Politicus* that we find treating ‘those who participate in all these constitutions, except for the one based on knowledge, as being, not statesmen (*πολιτικούς*), but experts in faction (*στασιαστικούς*); we must say that, as presiding over insubstantial images [where ‘insubstantial images’ renders the single word *εἶδωλα* in the Greek], on the largest scale, they are themselves of the same sort, and that as the

greatest imitators and magicians (γόητας) they turn out to be the greatest sophists among sophists' (303b8-c5). The negative judgement on all 'participants in all these [non-ideal] constitutions' is further, and unmistakably, stressed in the following lines. (Nor does the text give us any justification for supposing that the original law-makers in these constitutions were any better than the present στασιαστικοί – so allowing in that ingredient of *tradition* that constitutionalists so love. Samaras finds it already in 300a, but unless it is hidden behind the reference to 'experience', or 'experiment' [πεῖρα], I cannot find it there. Indeed, that reference to [sc. mere?] πεῖρα might itself be a way of *undermining* the value of tradition. What, after all, is the value of experience, or trying things out, if there is no knowledge available to make use of it?)

If, then, 300c means what it has traditionally been taken to mean, at the very least the Visitor in the *Politicus* is not speaking with a single voice. From here on we have two options open to us: either (1) to follow Julia Annas' line, in her introduction to the Cambridge translation of the dialogue, and simply accept that the *Politicus* 'is a record of entanglements [i.e. inconsistencies, but well-intentioned ones?]' (*Plato: Statesman*, edited by J. Annas and R. Waterfield, 1995, p. xxii: 'this uneven, often puzzling but seminal dialogue,' as she calls it: vii); or (2) to question the traditional interpretation of 300c. And since, as I claim, 300c is already capable of being interpreted in a way that does not give rise to inconsistencies (or 'tensions'), the second route – I claim – looks the more immediately attractive, and for the right reasons.

However, still more is at stake. So what, one might say, if Plato changed his mind? Isn't that what philosophers do, all the time; and shouldn't we applaud them for doing it? Here would be one clear case where a change would be for the good (surely?). That uncompromising view which says that it's all or nothing – either the ideal constitution, or mere shams ('insubstantial images'): isn't that, ultimately, an unnecessary and unhelpful view, and one that we should be pleased to see Plato abandoning? Something like this train of thought, I half suspect, lies behind Julia Annas' readiness to discover those 'entanglements' ('even confusion,' *ibid.*) in the *Politicus*. I think, nevertheless, that this sort of approach is mistaken. To begin with, the Athenian Visitor in the *Laws* comes close to making the very point that is implicit in the *Politicus*: that existing forms of constitutions are 'non-constitutions', στασιωτεῖαι rather than πολιτεῖαι (832c-d). Admittedly only three types of constitution are named (democracy, oligarchy, and tyranny), and the point of comparison is different: roughly, the absence of consent in those three, compared with the freedom under the law allowed by Magnesia. But what is in common between the two contexts, in the *Laws* and in the *Politicus*, is the way that they identify one feature or set of features as defining constitutions, and then roundly declare that any arrangement lacking that feature or set of features is not (really) a constitution *at all*. And this is for a very good reason: in both cases, the non-constitutions simply fail to do what constitutions, *qua* constitutions, are supposed to do (if we extrapolate from the account of what it is that a true *politikos* does): look after the true interests of the citizens as a whole. Why do they fail to do that? The answer, I suggest, is *because they are based on ignorance*. What it means to read the *Politicus* as rehabilitating democracies and oligarchies is not to take the talk about *knowledge*, i.e.

expert knowledge, seriously enough; an odd omission, when political expertise is on any account the central subject of the whole dialogue.

Further support for my reading is, I think, to be found in 302e10-12: ‘Well, when monarchy is yoked in good written rules, which we call laws, it is best of all six; but if it is without laws, it is difficult and heaviest to live with.’ What ‘we call laws,’ I take it, is written rules; the qualification ‘good’ is added because the ‘written rules’ must be good if monarchy is to be best. The Visitor cannot mean that ‘we’ only count good rules as laws, even on the traditional interpretation; for on *that* interpretation, it seems, all laws must count as good, or at least all the laws that have been established according to the procedures outlined in 300a must be good: procedures that are themselves, I think, the direct descendants of the procedures in those assemblies establishing the rules for medicine and navigation in what I have called the ‘thought-experiment’ that precedes. For if the laws the assemblies, or the mass (πλήθος, 300b3), set up are actually ‘imitations of the truth,’ how could they fail to be *good*? Or, if the supporter of the traditional interpretation were to concede that such laws could actually be bad, will that not itself undermine the proposal that Plato is offering a serious rehabilitation of democracy, or of oligarchy? In fact, I cannot see any way in which laws set up as envisaged in 300b (and before that passage) could be unfailingly, and without exception, good: how could they be, without knowledge? So the proposal is that *law* is what matters, whether good or (sometimes?) bad. But, significantly, when it comes to establishing the relative worth of the different types of constitution, the distinction law-bound/lawless is no longer sufficient. Any law-bound constitution is better than a lawless one (for the reason that I have suggested: sticking to the laws gives stability, even if it doesn’t guarantee it). What, though, if we were to compare, say, a monarchy with bad laws and a democracy with good ones? (Presumably, knowledge being absent, the Visitor means to refer in 302e to *relatively* good laws. These might only be identifiable on circumstantial grounds – e.g., in terms of stability and the durability of the city in which they were in force; in any case they would be readily distinguishable from the worst kinds of laws, which might well – on the interpretation I am proposing – include the law envisaged at 299b-d, prohibiting the very research that might lead to the knowledge cities lack.) The playing-field has to be levelled, if proper comparisons between the rule of one, few and many are to be made; not surprisingly, the Visitor opts for comparing the law-bound versions on the assumed basis that they all have (relatively) *good* laws.

The next question must clearly be why the Visitor makes the rankings that he does. Here is the remaining part of the passage (303a2-b5), i.e. after young Socrates has replied ‘Possibly’, or ‘Likely so’ (κινδυνεύει) to 300e10-12 (‘Well, when monarchy is yoked in good written rules, which we call laws, it is best of all six; but if it is without laws, it is difficult and heaviest to live with’):

‘And as for the rule of those who are not many, just as few is in the middle between one and a large number (πλήθος), let’s suppose it to be middling in both ways; while that of the mass (πλήθος), 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 in relation to the others, because under it offices are distributed in

small portions among many people. For this reason, if all the types of constitution are law-abiding (νομίμων), it turns out to be the worst of them, but if all are contrary to law, the best; and if all are uncontrolled (ἀκολάστων), living in a democracy takes the prize, but if they are ordered, life in it is least liveable, and in first place and best by far will be life in the first, except for the seventh. For of all of them, *that* one we must separate out from the other constitutions, like a god from men.’ (‘This seems both to follow,’ replies young Socrates, ‘and to be, as you say; and we must do as you suggest.’ 303b6-7).

The advantage monarchy has over the rule by few and by many (when all three are under good laws) is evidently that government is not weakened by being split into different parts. I suppose we must assume that the monarch, having been brought up under good laws, will be good, and could be expected to do a proper job of administering the city in accordance with the laws; he would thus give a greater sense of direction than is achieved by fragmenting the government into pieces, each of them doing its own little bit. What perhaps lies behind this is the sense that a city with (relatively) good laws will be one with laws that, somehow or other, achieve something like the effect that the true statesman would achieve either with or without laws: a *good* city, i.e. a city whose citizens are at least to some degree good – perhaps like the Persia of Cyrus described in Book III of the *Laws*. The progress of Athenian democracy described in the same book – from the time of Marathon to the present – might also offer analogues for the two types of democracy identified in the *Politicus*: one capable of some minimal sort of achievement, the other at any rate less harmful than other lawless forms of constitution.

This is of course speculative, since the *Politicus* itself gives us no direct indications as to what are to count as good laws. But we are not given any other way of measuring quality except in relation to the ideal; ‘good’ must, then, in this context mean ‘bearing at least some resemblance to the best’. However (and this what I wish particularly to stress), I take it to be at least moderately clear that *up until 302e*, the *quality of any particular set of laws has not been in question*: the only distinction that has been in play is the distinction between constitutions that stick to their laws (are ‘law-bound’) and constitutions that do not (are ‘lawless’). This is what I propose to try to confirm in what will be the final part of this paper.

The process of comparison with the ideal, always in terms of μίμησις, begins with that passage at 300c5-7, for which I now offer my own preferred translation, without alternative, since I think that I have done more than enough to justify it:

‘Well, imitations (μιμήματα) 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 as far as they can be.’

Next, we have

VISITOR: ‘Well, any individual whatever or any large collection (πλήθος) of people whatever, for whom there are actually written laws established, who

undertake (ἐπιχειρήσωσι) to do anything at all that is different, contrary to these, on the grounds that it is better, will be doing, won't they, the same thing as that true expert, so far as they can (κατὰ δύναμιν)?

YOUNG SOCRATES: 'Absolutely.'

VISITOR: 'Well then, if they were to do such a thing without having expert knowledge, they would be undertaking (ἀν ἐπιχειροῖεν) to imitate (μιμεῖσθαι) what is true, but would imitate it altogether badly; but if they did it on the basis of expertise, this is no longer imitation (μίμημα) but that very thing that is most truly what it sets out to be (αὐτὸ τὸ ἀληθέστατον ἐκεῖνο)' (300d4-e2).

With the bad 'imitators', obviously, there is no question of *deliberate* 'imitation' of the ideal (see 301b10-c4 for a more precise account of such a situation); it is just that, in doing what they do, they are 'so far as they can' doing the same thing as the ideal statesman. But that is not very far: the *only* thing they have in common with the ideal statesman is that they, like him, act contrary to the laws. And this sort of imitation obviously has nothing whatsoever to do with the 'imitation' in 300c, where the *laws themselves* are 'imitations of the truth.' Then, contrasting with that 'altogether bad imitation,' we have 'good imitation:'

VISITOR: 'But it is established as agreed between us – we agreed to it before, at any rate [sc. at 292e] – that no large collection of people (πλῆθος) is capable of acquiring any sort of expertise whatever.'

YOUNG SOCRATES: 'Yes, it remains agreed.'

VISITOR: 'Then if some sort of kingly expertise exists, neither the collection (πλῆθος) of people that consists of the rich, nor all the people together, could ever acquire this expert knowledge of statesmanship.'

YOUNG SOCRATES: 'How could they?'

VISITOR: 'The requirement, then, as it seems, for all constitutions of this sort, if they are going to produce a good imitation of that true constitution of one man ruling with expertise, so far as they can (εἰς δύναμιν), is that – given that they have their laws – they must never do anything contrary to what is written or to ancestral customs (πάτρια ἔθη)' (300e4-301a4).

Once again, there is absolutely no mention of the contents of the laws; the sole feature that these 'good imitators' appear to share with the best is that they do not change the laws they have. Of course, the best kind of constitution would, in principle, precisely refuse to stick to its laws, if it had any. But this is not the point, which rather lies in the importance of avoiding the mistake of the 'bad imitators'. The argument goes like this: (1) to change the laws without knowledge is a bad imitation of the best (sc. because the true statesman only changes things *because he has* knowledge). (2) It is impossible that any sort of mass of people (πλῆθος) should have knowledge. (3) So any rule by more than one (the wealthy in this context are the few) will lack the authority that the true statesman has, to change the laws. (4) So they will stick to the laws they have (or will be best advised to do so), and (5) this will be as far as they can get by way of 'imitating' the true statesman – so that what they achieve is a case of καλῶς μιμεῖσθαι. If they do do this, it will probably be because they are convinced constitutionalists; like Young

Socrates at the beginning of the argument, they won't have grasped the real reason why they should do it. So they *accidentally* imitate the best constitution, as we might put it. (This now seems me a better way of expressing the point than the one I chose either in my 1995 commentary on the *Politicus* or in 'Killing Socrates': cf. the diagnosis, to which I referred earlier, of the 'sinking' of cities in 302a-b.)

Finally (in this review of what the Visitor says about 'imitation' – apart from the description of the tyrant in 301b-c, which I have already noticed in passing), we have the case of the single person who rules, 'imitating the one with knowledge':

(VISITOR:) 'And, in turn [sc. as in the parallel cases of the few ruling, we call law-bound rule aristocracy, lawless oligarchy], when one person rules according to laws, so imitating the person with expert knowledge (μιμούμενος τὸν ἐπιστήμονα), we shall call him king, not distinguishing by name the one ruling on his own with expert knowledge or the one doing so on the basis of opinion, according to laws' (301a10-b3. My translation of μιμούμενος τὸν ἐπιστήμονα as 'so imitating ...' supplies what is not explicit in the text – what exactly it is that the 'imitation' consists in. This seems reasonable, given (a) what has been said about all law-bound constitutions in 300e11-301a4, and (b) that, as I have argued, 'good imitation' in effect consists in not changing the laws; but I should drop the 'so' in any future version of the translation).

Importantly, the Visitor does not say that the non-ideal king has *true* opinion; he merely has *opinion*, or *belief* (δόξα), where the true statesman has knowledge. Nor would there have been any justification for introducing true opinion here; the point is just that the non-ideal king rules according to laws, without knowledge (and if he does not have knowledge, he will have δόξα; but that means, at this stage, no more than that his mind will not be blank). In other words, here too the 'imitation' in question carries no reference to the content, or quality, of the laws according to which the ruling is done – except to the extent, first, that the ruler himself has no knowledge, and second, that we have no reason to think that the laws he refers to were themselves based on knowledge (so that we have no guarantee that they are good, and a fair expectation that they will not be). And after all, even he will soon be written off as a charlatan, magician and sophist (303b-c).

It seems to me to follow from this, quite straightforwardly, that 'good imitation' (300e-301a) is something radically different from 'imitation of the truth' (300c). It may look, superficially, as if they ought to refer to the same thing. But close examination of the Visitor's argument (I claim) shows that they do not. In fact, those constitutions that imitate the best one, the seventh, 'well' (καλῶς) are no closer to the truth than those that imitate it 'altogether badly' (παγκάκως); or at least, not *reliably* closer to the truth – for they may, it seems, get things (relatively) right even in the absence of knowledge. That concession seems to me to be the only clear deviation in the *Politicus* from a quite uncompromising, and somewhat chilling, position: that knowledge is hard, if not impossible, to find, but that ultimately only knowledge will do. However, that one concession is perhaps enough; for it allows the possibility, and the validity, of our attempting to *approximate* to the truth – of 'imitating' it, in the sense of 300c. That, I

think, is what permits the writing of the *Laws*, which is a sketch of a philosophically based legal system. But that is a subject for another occasion.

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## APPENDIX

Skemp/Ostwald (Library of the Liberal Arts/old Hackett) tr. of *Politicus* 300a-301a:

*Str.* Yes, but there is a further possible degradation to consider. Suppose we compel each of these arts to function according to a written code and place a magistrate in charge of this code either by election or by the fall of the lot. Suppose then that he has no regard for the written code and, from motives of personal profit and favoritism, embarks on a course contrary to law, without any knowledge. Evil as the former state was, will not this latter one be still worse?

*Y.S.* It will indeed.

*Str.* *The laws which have been laid down represent the fruit of long experience - one must admit that. Each of them incorporates the clever advice of some counselor who has persuaded the public assembly to enact it. Any man who dares by his action to infringe these laws is guilty of a wrong many times greater than the wrong done by strict laws, for such transgression, if tolerated, would do even more than a written code to pervert all ordered activity.*

*Y.S.* Yes, of course it would.

*Str.* Then so long as men enact laws and written codes governing any department of life, our second-best method of government is to forbid any individual or any group to perform any act in contravention of these laws.

*Y.S.* True.

*Str.* *Then laws would seem to be written copies of scientific truth in the various departments of life they cover, copies based as far as possible on the instructions received from those who really possess the scientific truth on these matters.*

*Y.S.* Yes, of course.

*Str.* And yet we must never lose sight of the truth we stated before. The man with the real knowledge, the true statesman, will in many instances allow his activities to be dictated by his art and pay no regard to written prescriptions. He will do this whenever he is convinced that there are other measures which are better than the instructions he previously wrote and sent to people at a time when he could not be there to control them personally.

*Y.S.* Yes, that was what we said.

*Str.* So any individual or any group who possess a code of laws but try to introduce some change in them because they consider it an improvement are doing the same thing according to their lights as the true statesman.

*Y.S.* Yes.

*Str.* But if they acted like this with minds unenlightened by knowledge, they would indeed try to copy the true original, but would copy it very badly. If on the other hand they possessed scientific knowledge, it would no longer be a case of copying at all; it would be the real and original truth we are talking about.

*Y.S.* Certainly.

*Str.* Now it has been argued already and we have agreed that no large group of men is capable of acquiring any art, be it what you will.

*Y.S.* That stands as our agreed conclusion.

*Str.* Granted then, that an art of kingly rule exists, the wealthy group or the whole citizen body would never be able to acquire this science of statesmanship.

*Y.S.* How could they?

*Str.* It seems to follow that there is an invariable rule which these imitative constitutions must obey if they mean to reproduce as far as they can that one true constitution, which is government by the one real statesman using real statecraft. They must all keep strictly to the laws once they have been laid down and never transgress written enactments and established, ancestral customs ...

Rowe tr. (Aris & Phillips, and new Hackett: slightly emended in both cases):

*Visitor:* But what about the following consideration? If we were to compel each of the things we have mentioned to be done according to written rules, and the person who has been elected or has been appointed to office by lot, on the basis of chance, to oversee these written rules of ours, but this person were to take no notice of what is written down, for the sake either of profiting in some way or of doing some personal favour, and were to undertake to do different things, contrary to these, when he possesses no knowledge, would this not be an evil still greater than the previous one?

*Young Socrates:* Yes, very true.

*V.:* Yes, for if, I imagine, contrary to the laws that have been established on the basis of much experiment, with some advisers or other having given advice on each subject in an attractive way, and having persuaded the majority to pass them – if someone dared to act contrary to these, he would be committing a mistake many times greater than the other, and would overturn all expert activity to a still greater degree than the written rules.

*Y.S.:* Yes – how would he not?

V.: For these reasons, then, the second-best method of proceeding, for those who establish laws and written rules about anything whatever, is to allow neither individual nor mass ever to do anything contrary to these, anything whatsoever.

Y.S.: Correct.

V.: *Well, imitations of the truth of each and every thing would be these, wouldn't they - those things issuing from those who know, which have been written down so far as they can be?* [for the apparently redundant εἶναι after εἰς δύναμιν, see LSJ s.v. εἰμί [*sum*], which actually cites the present passage ('the Inf. frequently seems redundant')].

Y.S.: Of course.

V.: Now we said – if we remember – that the knowledgeable person, the one who really possesses the art of statesmanship, will do many things with his expertise in relation to his own activity without taking any notice of the written laws, when other things appear to him better, contrary to the things that have been written down by him and given as orders to some people who are not currently with him.

Y.S.: Yes, that's what we said.

V.: Well, any individual whatever or any large collection of people whatever, for whom there are actually written laws established, whatever they undertake to do which is different, contrary to these, on the grounds that it is better, do, don't they, the same thing, so far as they can, as that true expert?

Y.S.: Absolutely.

V.: *Well then, if they were to do such a thing without having expert knowledge, they would be undertaking to imitate what is true, but would imitate it altogether badly;* but if they did it on the basis of expertise, this is no imitation but that very thing that is most truly what it sets out to be?

Y.S.: I agree completely - I think.

V.: But it is established as agreed between us – we agreed it before, at any rate – that no large collection of people is capable of acquiring any kind of expertise whatever.

Y.S.: Yes, it remains agreed.

V.: Then if some kind of kingly expertise exists, the collection of people consisting of the rich, and all the people together, could never acquire the expert knowledge of statesmanship.

Y.S.: How could they?

V.: *The requirement, then, as it seems, for all constitutions of this sort, if they are going to imitate well that true constitution of one man ruling with expertise, so far as they can, is that they must never – given that they have their laws – do anything contrary to what is written and ancestral customs*

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