Classical Quarterly **41** (ii) 365–388 (1991) *Printed in Great Britain*

PERSUASION, COMPULSION AND FREEDOM IN PLATO'S *LAWS*

I. INTRODUCTION

One of the distinctions that Plato in the *Laws* stresses most heavily in his discussion of the proper relation between the individual citizen and the laws of the city is that between persuasion and compulsion.[1] Law, Plato believes, should try to persuade rather than compel the citizens. Near the end of the fourth book of the *Laws*, the Athenian Stranger, Plato's spokesman in this dialogue, asks whether the lawgiver for their new city of Magnesia should in making laws 'explain straightaway what must and must not be done, add the threat of a penalty, and turn to another law, without adding a single bit of encouragement or persuasion [παραμυθίας δὲ καὶ πειθοῦς ... ἓν] to his legislative edicts' (*Laws* 720a1–2).[2] A few lines later, the Athenian Stranger himself condemns such a procedure as 'the worse and more savage alternative' (τὸ χεῖρον τοῖν δυοῖν καὶ ἀγριώτερον 720e4). The better method is for the laws themselves to try to persuade (πείθειν) the citizens to act in the manner that they prescribe. And as a means of doing this, Plato proposes attaching preludes (προοίμια) to particular laws and to the legal code as a whole: such preludes will supplement the sanctions attached to the laws and will aim at persuading the citizens to act in the way that the laws direct for reasons other than fear of the penalties attached to the law.[3] Such a practice, Plato believes, is an innovation: it is something that no lawgiver has ever thought of doing before (722b–e). And we have no reason to think that Plato is here excluding his earlier self, e.g. the Plato of the *Republic* and the *Politicus*, from this criticism.[4]

But to understand the significance of Plato's innovation in the *Laws*, we must answer the following two questions. First, when Plato claims that laws ought to persuade rather than compel[5] the citizens, what does he mean by 'persuasion'? In particular, does he have rational persuasion in mind: does he mean that the citizens should be persuaded by appeal to rational considerations, that is, brought to recognize and accept good reasons for the beliefs they are to adopt and the course of

[1] The nature and proper use of persuasion interested Plato throughout his career and we find relevant material in, e.g., the *Gorgias*, the *Phaedrus*, the *Philebus*, and the *Republic*. Here, however, I cannot undertake the large project of charting this development, but shall confine my attention mostly to the *Laws* and make only occasional reference to other dialogues.

[2] Hereafter, Stephanus page numbers occurring without a title refer to the text of the *Laws*. I have used the Greek text of É. des Places and A. Diès, *Platon, Oeuvres Complètes* xi–xii (Paris, 1951–6) and have quoted, with modifications, the translation of T. Pangle, *The Laws of Plato* (New York, 1980).

[3] Plato repeatedly contrasts the reasons offered in the preludes for doing what the law requires with the fear of sanctions, e.g. 721e, 722e–723a and 853b–d. For the idea that the lawgiver tries to show that the behaviour required by the law is in the best interests of the citizens, see 858d, 891a, 905c and section III.

[4] As we shall see in more detail below, Plato's practice of persuasion in the *Laws* involves several important differences from the ethical and political philosophy of the *Republic*. My main concern here is to explicate the *Laws*' position, but I shall note from time to time especially significant differences from the *Republic*.

[5] In the relevant passages, Plato contrasts πείθειν with: 'threatening a penalty' (ἐπαπειλήσας τὴν ζημίαν 719e9, cf. ἀπειλεῖν σκληρῶς 885d1 and ἀπειλεῖν 890b5), 'force' (βίᾳ 722b6) and 'a tyrannical command' (τυραννικὸν ἐπίταγμα 722e7–8).

action they are to follow? Or does Plato's concept of persuasion here include the use of non-rational means? Does Plato intend that the laws persuade the citizens by appealing to their emotions or by inculcating false but useful beliefs? A second, although related, question is why does Plato attach such importance to persuading the citizens? Is persuasion valuable simply because it tends to increase the rate of compliance with the laws while reducing the costs of enforcement, or is there some further reason why it is good for the laws to persuade the citizens?

In the rest of this article, I shall argue that Plato is advocating that the laws engage in rational persuasion and that Plato's position on the goodness of persuasion as opposed to compulsion is based on his view about what sort of treatment is owed to or befits a free human being. I shall begin by considering in section II what sort of persuasion Plato has in mind and then turn in section III to the question of why Plato advocates the use of persuasion in law.

II. WHAT DOES PLATO MEAN BY 'PERSUASION'?

2.1 *Overview*

I begin this section by noting the wide range of meaning of the words πείθειν and ἡ πειθώ which are usually translated as 'to persuade' and 'persuasion'. I next survey the views of several recent scholars on the nature of the persuasion that Plato advocates in the *Laws*. Finally, I present the textual evidence from the *Laws* and argue that it shows that when Plato claims that the laws should persuade the citizens, what he has in mind is some form of rational persuasion.

2.2 *The linguistic evidence*

The two relevant words to consider are the verb πείθειν and the noun, ἡ πειθώ. We may begin with the Liddell, Scott and Jones entry under πείθειν. For the active form, it reads 'prevail upon, persuade, usually by fair means'. In this sense, persuasion is opposed to deception (ἐν δόλῳ), force (βίᾳ) or compulsion (ἀναγκάζειν).[6] The same verb, however, has a 'bad sense' and can be used in contexts where LSJ's suggested translation is 'talk over, deceive'.[7] Also, note that one can be said to 'persuade' someone by means of gifts or entreaty.[8] A fuller account is provided by R. G. Buxton in his recent study:

> Of the word group πείθω/πείθομαι/πειθώ, the verbal forms are much commoner than the nominal form, and of the verbal forms, the middle is commoner than the active.... The middle πείθομαι can usually be translated by... 'obey', 'trust' or 'believe'. All three have in common

[6] βίᾳ: *Tragica Adespota* 402 and Xen. *An.* 5.5.11. βιάζεσθαι: Xen. *Cyr.* 6.1.34. ἀναγκάζειν: Plato, *Hipparch.* 232b. ἐν δόλῳ: Soph. *Phil.* 102, cf. 612 where πείθειν is spelled out as πείθειν λόγῳ. Although persuasion is usually contrasted with force or compulsion, there are instances in which force is described as a kind of persuasion or persuasion as a kind of force, e.g. Aesch. *Ag.* 385; Dio Cass. 62.16 and Plato, *Soph.* 265d7–8. Notoriously, Gorgias puts the decrees of Necessity, seizure by force and persuasion all on a par in his *Helen* (6–8). Finally, note Pindar's reference at *Pyth.* 4.219 to the μάστιξ Πειθοῦς. There is, however, something of a deliberate paradox in these usages and as R. Buxton, *Persuasion in Greek Tragedy* (Cambridge, 1982), p. 40, aptly observes, they provide 'the satisfying *frisson* of oxymoron'. For an interesting discussion of the relations between πειθώ and βία in Greek literature generally, see Buxton.

[7] E.g. Hom. *Il.* 1.132, *Od.* 2.106 and 14.123: in all of these, persuasion involves deception. Cf. Aesch. *Cho.* 726 where the goddess Persuasion is described as δολία Πειθώ. Cf. *Laws* 863b8–9 and E. England, *The Laws of Plato* (Manchester, 1921), *ad loc.*

[8] E.g. Hdt. 8.134; Hom. *Il.* 24.219, *Od.* 14.363; Lys. 21.10; Pind. *Ol.* 2.80 and *Laws* 909b3–5. The phrase δῶρα θεοὺς πείθει (e.g. Hes. *Frag.* 361 Merkelbach–West) was proverbial and is disapprovingly referred to by Plato at *Laws* 906e6 and *Rep.* 390e2–3.

the notion of acquiescence in the will or opinions of another ... the active πείθω ... can perhaps best be understood as a factitive, meaning 'get (someone) to acquiesce in (some belief or action)', or, more explicitly, 'get one's way over someone in such a way that they [*sic*] πείθεσθαι'. A good instance of the relevance of the idea of 'getting to acquiesce' is the end of the *Oresteia* where ... Athene's winning-over of the Furies is openly described as a triumph of πειθώ. But what she does goes beyond what we would call 'persuading': she uses a veiled threat, promises, argument, and so forth.[9] ... there is no necessary connection between πειθώ and language ... it may function by other means than persuasive words – by bribery, for instance, (Hdt. 9.33: μισθῷ ... πείσαντες) ... Sometimes, too, πειθώ worked through the nudge, the wink and the breath of perfume ... Lovers 'prevailed upon' each other; and when they did so, πειθώ was at work.[10]

This survey makes it clear that we cannot infer from the fact that Plato uses πείθειν or πειθώ that he has rational persuasion in mind: to see what he does intend we shall have to see how he actually characterizes the persuasion the laws should engage in. I shall shortly turn to the evidence of the *Laws*, but before doing so let us consider the views of some recent commentators.

2.3 *The commentators*

The three commentators to discuss Plato's advocacy of the use of persuasion in the *Laws* in the greatest detail are Glenn Morrow, Karl Popper, and R. F. Stalley. In *The Open Society and its Enemies*, Popper rightly notes that πειθώ 'can mean (a) "persuasion by fair means" and (b) "talking over by foul means" i.e. "make-believe"'.[11] Popper goes on to claim that what Plato refers to as 'persuasion' is usually the latter.[12] (Indeed, Popper, as far as I can see, mentions no case in which Plato advocates persuasion by 'fair means'.) And although Popper's prize example is the 'noble lie' of the *Republic*, he thinks that the *Laws* shares this conception of persuasion.

As we shall see in greater detail below, Plato in the *Laws* introduces his claim that laws should try to persuade the citizens by means of an analogy with two different kinds of doctors (719e ff.). The one kind of doctor is usually a slave who treats his fellow slaves. He spends little time with his patients and merely orders them about 'stubbornly, like a tyrant' (καθάπερ τύραννος αὐθαδῶς 720c6–7). The other sort of doctor, the 'free doctor', is himself a free man and treats free men. He spends time with his patients, learns about their physical condition and the nature of their disease, then tries to teach (διδάσκει 720d6) them and prescribes a course of treatment only

[9] Buxton goes a little too far here: convincing someone by means of an argument is for us a paradigm case of 'persuading' someone.

[10] Buxton, op. cit. (n. 6), pp. 48–51. Cf. P. Chantraine, *Dictionnaire Étymologique de la Langue Grecque* (Paris, 1974), p. 868, who claims that the sense of πείθειν is: '"*persuader*" *de toutes les façons, par le raisonnement, les prières, la force, l'argent*'. For the noun, πειθώ, LSJ[9] lists the following meanings: (1) Persuasion as a goddess (note that the goddess Persuasion is contrasted with the goddess Ἀναγκαίη at Hdt. 8.111 and with the goddess Βία at Plut. *Them.* 21), (2) as appellative: persuasiveness, (3) persuasion in the mind, (4) means of persuasion, and (5) obedience. Buxton, op. cit. (n. 6), p. 49, is also helpful here: 'πειθώ is a member of the class of Greek nouns which end in -ώ, which were ... in a high proportion of cases originally proper names designating a quality thought to be typical of the character concerned ... Πειθώ is the name given to she who πείθει. Later ... the form in -ώ is extended to appellatives as well as proper names ... For, although early on [πειθώ] was – it seems – exclusively a proper noun, it later became applied not only to the divinity believed to embody a given quality of behaviour but also to that behaviour itself.'

[11] K. Popper, *The Open Society and its Enemies* [6] (Princeton, 1971), i.271 n. 10.

[12] Ibid.

after persuading the patient. I shall return to this passage below, but for now let us consider Popper's evaluation of it.

> In his old age, Plato mentions medicine, in spite of his increased hatred of individualism, in a more personal vein. He complains of the doctor who treats even free citizens as if they were slaves ... and he pleads for more gentleness and patience in medical treatment, at least for those who are not slaves ... It is interesting to note that the passage serves to introduce the idea that the statesman should use *persuasion*, taken together with force (722b); and since by 'persuasion' of the masses, Plato means largely lying propaganda ... it turns out that Plato's thought in our passage from the *Laws*, in spite of this novel gentleness, is still pervaded by the old associations – the doctor–politician administering lies. Later on (*Laws* 857c–d), Plato complains about an opposite type of doctor: one who talks too much philosophy to his patient, instead of concentrating on the cure. It seems likely enough that Plato reports here some of his experiences when he fell ill writing the *Laws*.[13]

We should briefly note one important mistake that Popper makes. The complaint at 857c–d about the doctor who 'talks too much philosophy' to his patient is not *Plato*'s complaint: as we shall see, it is the complaint of the slave doctor and is clearly rejected by Plato. Below, I shall argue against Popper that a careful examination of the relevant passages in the *Laws* shows that the persuasion of the free doctor and the sort of persuasion that Plato requires the laws to use do not involve the use of lies.

A slightly more moderate view of the nature of the persuasion that Plato advocates is found in Morrow and Stalley. In defending Plato from Popper's charges, Morrow comments:

> The tragedy of Plato, we can see, is not the conflict between noble words and ignoble and treacherous intentions. It is the conflict between his desire for the moral health of his fellowmen and the love of reason, critical reason, in human affairs. Plato never renounced either of these objects of his devotion; but they are not easy to reconcile, and the form of the synthesis he gives them in his later days really means the victory of morality and the suppression of reason.[14]

As Morrow goes on to explain, what he means is that Plato in the *Laws* uses persuasion to inculcate true beliefs, but inculcates these beliefs by appealing to the citizens' emotions rather than their reason.[15]

This also seems to be Stalley's view of the *Laws*:

> In the *Gorgias* (454b–455d) [Plato] distinguishes the kind of persuasion effected by rhetoric, which results merely in belief, from the kind which produces genuine knowledge. One would like to think that the preambles to the laws exercise persuasion of the latter kind, ... but this is

[13] Popper, op. cit. (n. 11), i.139 and 270 n. 5. In discussing the same passage from the *Laws*, L. Versenyi, 'The Cretan Plato', *RMeta* 15 (1961), 67–80, pp. 69–70, comments: 'Unfortunately, even though this sounds as if for the first time enlightenment and rational instruction reared their heads in Plato's city, the impression is deceptive. The preambles simply add persuasive prescription to despotic prescription (722e), compulsion tempered with persuasion to untempered force (722c), and not rational instruction to the force of either mere persuasion or brute violence. Plato's comparison of the doctors' method with those of the legislators is apt. In answer to the children's begging to be treated gently (720a), the kindly doctor sweetens the pill, and talks with his adult patients until he gains their willing consent and continued docility by means of persuasion (720d). Likewise the legislator aims to ensure the quiet, well-disposed – and since well-disposed, docile – acceptance of his laws (723a); and this is what the preambles aim at. In view of this aim is hardly surprising that they consist almost entirely of non-rational persuasive material rather than reasoning'. Versenyi does not make it clear whether he thinks, as Popper does, that this sort of sugar-coating involves extensive use of lies, but he is firm in the claim that such persuasion 'boils down to nothing but simple habituation, indoctrination, and non-rational persuasion of the citizens' (p. 68). With regard to Versenyi's comment concerning 'docility', cf. n. 23.

[14] G. Morrow, 'Plato's Conception of Persuasion', *PhR* 62 (1953), 234–50, p. 244.

[15] E.g. Morrow, op. cit. (n. 14), p. 243, laments the alleged fact that Plato's methods 'involve so much attention to the sentiments and make so little use of rational proofs'.

clearly not the case; they are exhortations rather than arguments... and it is their literary qualities in which the Athenian Stranger feels so proud.... The preambles mostly have the character of rather conventional sermons.[16]

Morrow's and Stalley's views, however, capture only a small part of the truth. Plato in the *Laws* (as well as the *Republic*) certainly does emphasize the importance of developing the right habits and fostering the right emotions in the citizens, especially when they are young. Nevertheless, as we shall see, when Plato in the *Laws* insists that the laws try to persuade the citizens what he has in mind is rational persuasion: the citizens are to be given good epistemic reasons for the true beliefs that they are to adopt and for the course of action they are to follow. I now turn to the textual evidence for my view.

2.4 *The evidence of the* Laws

Given the results of our linguistic survey, it is not surprising to find that in the *Laws* Plato uses πειθώ and πείθειν to denote both rational and non-rational means of persuasion.[17] But my concern here is not to elucidate the entire range of Plato's concept of persuasion, but to determine what he means in those cases when he claims that the laws should try to persuade the citizens. Since no writer on the *Laws* can presume a familiarity with its text on the part of his readers, I shall begin by quoting rather extensively from the three most relevant passages. Such a procedure, although inelegant, is also necessary because we need to see the context of Plato's claims in order to understand them fully.

Passage A: Book 4, 719e–723c

Is the one who is going to have charge of our laws just going to explain straightaway what must and must not be done, add the threat of a penalty, and turn to another law, without adding a single encouragement or bit of persuasion to his legislative edicts? There is one sort of doctor who used to proceed in this way, and another sort who used to proceed in another way each time he took care of us. Let us recollect each of these different methods, so that we may beseech the lawgiver the same way that children beseech a doctor,[18] asking him to care for them in the most gentle way [τὸν πραότατον... τρόπον]. (719e7–720a6)

[16] R. Stalley, *An Introduction to Plato's Laws* (Indianapolis, 1983), p. 43. The remark that 'it is their literary qualities in which the Athenian Stranger feels so proud' is mistaken in two respects. First, at 811c–e – the passage to which Stalley refers – the Athenian Stranger is discussing 'the speeches we have been going through from dawn until the present' (811c6–8), i.e. all of the first six and a half books of the *Laws* and not merely the sample preludes just offered. It is simply not plausible to think that the only quality of the entire first half of the *Laws* of which Plato is proud is its 'literary quality'. Second, the passage at 811c–e itself has no mention of 'literary qualities'. It comes during the discussion of whether the young should learn poetry. The Athenian Stranger here complains that the poets 'have said many things in a noble fashion, but also many things in the opposite fashion' (811b2–3). This is Plato's old complaint that the ethical views expressed in poetry are frequently false and unedifying. The Athenian Stranger goes on to contrast this with his own speeches in the *Laws*: 'compared to most of the speeches that I have learned or heard, in poems, or poured out in prose, these seem to me to be both the most well-measured and especially fitting [μετριώτατοι... καὶ προσήκοντες] for the young to hear' (811d2–5). Such speeches are 'fitting for the young' not because of their elegant prose – not even Plato could think that the text of the *Laws* possessed, as a whole, many stylistic charms – but because they lead the young to virtue and thus to happiness.

[17] For instances of non-rational πειθώ see, e.g., 798e7 and 933a2–3.

[18] The reference to children is clearly playful and they do not recur in the rest of Passage A or in Passages B and C. Cf. n. 13.

Plato goes on to elaborate the comparison between lawgivers and doctors.

We assert that there are certain persons who are doctors; and then, that there are in addition doctors' servants, whom we also call 'doctors'... Whether they are free men or slaves, they acquire the art by following their masters' command, by observing, and by experience, but not by following nature, as the free doctors do,[19] who have themselves learned in this way and who teach their disciples in this way. (720a6–b5)

These two kinds of doctors also differ in the clientele they treat and the manner of their treatment.

Sick people in the cities, slaves and free, are treated differently. The slaves are for the most part treated by slaves, who either go on rounds or remain at the dispensaries. None of these doctors gives or receives any account [οὔτε τινὰ λόγον... δίδωσιν οὐδ' ἀποδέχεται] of each malady afflicting each domestic slave. Instead, he gives him orders on the basis of the opinions he has derived from experience. Claiming to know with precision, he gives his commands stubbornly, just like a tyrant and hurries off to some other sick domestic slave.... The free doctor mostly cares for and examines the maladies of free men. He investigates these from their beginning and according to nature, communing with the patient himself and his friends, and he both learns something himself from the invalids and, as much as he can, teaches [διδάσκει] the one who is sick.[20] He does not give orders until he has in some way persuaded; when he has on each occasion made the sick person gentle [ἡμερούμενον] by means of persuasion, he attempts to lead him back to health. (720b8–e2)

As we have seen, Plato condemns the method of the slave doctor as 'the worse and more savage of the two' and complains that no lawgiver has yet realized that both methods should be used. Plato proposes making use of persuasion by attaching προοίμια to the laws and distinguishes two kinds of προοίμια.[21] First, he claims here that the preceding books of the *Laws* constitute a general προοίμιον to the legal code of Magnesia and he later requires that the entire *Laws* be used as a school text.[22] As I shall argue below, this in itself should allay our concerns about the sort of persuasion that Plato intends the laws to engage in: the citizens are to receive not merely edifying myths, but also the philosophical accounts presented in the *Laws* itself. Second, important individual laws will receive their own preludes: in addition to the body of the law which specifies the offence and the attendant penalties, the citizen will receive an account of why he should act as the law prescribes.

What was called a tyrannical command, and likened to the image of the commands of the doctors we said were unfree, seemed to be unmixed [ἄκρατος] law; what was spoken of before this... really did seem to be persuasion, but seemed to have the power that a prelude has in speeches... this whole speech, which the speaker gives in order to persuade, is delivered with just this end in view: so that he who receives the law uttered by the legislator might receive the

[19] Cf. 857c6–d4 which is quoted in Passage B below. We should not read too much metaphysical import into this distinction: there is no reason to take Plato to be suggesting that the free doctor has some source of knowledge that is completely independent of experience. As England, op. cit. (n. 7), *ad loc.*, rightly notes, here 'the course of *learning* and *teaching* systematically (κατὰ φύσιν) [cf. 720e11–721a1 where the good legislator is described as proceeding κατὰ φύσιν] in medical schools is opposed to the random picking up by their slave assistants of bits of doctors' skill'. What is important is that the free doctor really does possess knowledge and can thus pass on a reasoned account to the patient. This contrast between ἐμπειρία and the true medical art is reminiscent of *Gorg.* 463b and 465a; also cf. *Laws* 938a and *Phil.* 55e–56b. On the need for theory in medicine, see Hippocrates, *De Vet. Med.* 20.

[20] Cf. G. E. R. Lloyd, *Hippocratic Writings* (Harmondsworth, 1983), p. 17. Plato, for his own part, would endorse such differences in the treatment of free men and slaves: what a slave deserves, Plato thinks, is a command and not an exhortation (777e–778a). But cf. *Epist. VII* 331b6–7.

[21] See 722d–e and 723c–d for Plato's comparison of these προοίμια to the προοίμια attached to songs. Plato there puns on νόμος as 'law' and as 'song'.

[22] 811c–812a. Indeed, the entire education of the citizens constitutes a kind of persuasion.

command – that is, the law – in a frame of mind more favourably disposed and therefore more apt to learn something[23] [ἵνα γὰρ εὐμενῶς, καὶ διὰ τὴν εὐμένειαν εὐμαθέστερον, τὴν ἐπίταξιν ... δέξηται].[24] (722e7–723a6)

Passage B: Book 9, 857c2–e5

Athenian Stranger: What pertains to the laying down of laws has never been worked out correctly in any way ... What do we mean by this? We did not make a bad image, when we compared all those living under legislation that now exists to slaves being doctored by slaves. For one must understand this well: if one of those doctors who practises medicine on the basis of experience without the aid of theory[25] [ἄνευ λόγου] should ever encounter a free doctor carrying on a dialogue [διαλεγόμενον] with a free man who was sick – using arguments that come close to philosophizing [τοῦ φιλοσοφεῖν ἐγγὺς χρώμενον μὲν τοῖς λόγοις], grasping the disease from its source, and going back up to the whole nature of bodies – he would swiftly burst out laughing and would say nothing other than what is always said about such things by most of the so-called doctors. For he would declare, 'Idiot! You are not doctoring the sick man, you are practically educating [σχεδὸν παιδεύεις] him, as if what he needed were to become a doctor, rather than healthy!'[26]

Kleinias: Would he not be speaking correctly when he said such things?

Ath. Str.: Maybe – if at any rate, he went on to reflect that this man who goes through the laws in the way we are doing now, is educating [παιδεύει] the citizens, but not legislating.

Passage C: Book 10, 885c–890d

The third series of passages comes from Book 10 where the Athenian Stranger imagines a confrontation between the interlocutors in the *Laws* and a young atheist. The young atheist begins by demanding

just as you demanded in regard to the laws, that before you direct harsh threats at us, you try to persuade and teach us [διδάσκειν] that there are gods, adducing adequate evidence [τεκμήρια λέγοντες ἱκανά] ... From lawgivers who are claiming to be not savage but gentle [μὴ ἀγρίων

[23] Given the contemporary pejorative connotation of 'docile', it would be a mistake to translate εὐμαθέστερον as 'more docile'. As an inspection of the references in L. Brandwood, *A Word Index to Plato* (Leeds, 1976) shows, εὐμαθής in Plato never merely means 'tractable' or 'manageable'. It always means 'good at learning' or 'quick at learning' (cf. the Platonic *Defs.* 413d8: εὐμάθεια εὐφυΐα ψυχῆς πρὸς τάχος μαθήσεως) and is a trait that Plato thinks is especially distinctive of philosophers (e.g. *Rep.* 486c and *Epist. VII* 340d4). The same is true of the two cognate forms (εὐμάθεια and εὐμαθία) found in Plato.

[24] The present passage (719e–723a) contrasts sharply with parts of the *Politicus*. Consider, for example, the following passage in which Plato takes as a target 'the many's' view that 'if anyone has anything better than the old law to offer, he must first persuade the state, and then he may make his laws, but not otherwise' (*Pol.* 296a7–9). Plato tries to undermine this claim by appealing to an analogy between the lawgiver and a doctor: 'Suppose a doctor who has a correct grasp of his art [ἔχων δὲ ὀρθῶς τὴν τέχνην] does not persuade, but compels [μὴ πείθων ... ἀναγκάζῃ] his patient – whether it is a child, a man, or a woman – to do what is better, although it is contrary to the written rules. What name shall we give to this use of force? Shall we not call it anything rather than "an unscientific [παρὰ τὴν τέχνην] and harmful [νοσώδες] error"? And a person who was so forced would correctly say anything except that he had been treated harmfully and unscientifically' (*Pol.* 296b5–c2; cf. 293a6–c3 and 296d6–297b3). I cannot here provide a full interpretation of the *Politicus* and it is true that Plato in the *Laws* still thinks that treating a person in a way that he does not want to be treated can be justifiable if doing so really is in his best interests. Nevertheless in the *Politicus* passages there is no suggestion that the status of the patient is relevant to his treatment and no hint of the desirability of persuasion. Cf. *Pol.* 304c10–d2 which insofar as it recommends any kind of persuasion at all, recommends persuading most people simply through 'edifying stories, but not through teaching' (διὰ μυθολογίας ἀλλὰ μὴ διὰ διδαχῆς).

[25] I.e. one of the slave doctors. Note, *contra* Popper, that Plato clearly rejects the slave doctor's point of view.

[26] It is worth emphasizing that the analogy here suggests that at least many citizens will come close to possessing the sort of knowledge possessed by the scientific lawgiver.

ἀλλὰ ἡμέρων],[27] we demand that persuasion be used on us first. And perhaps we would be persuaded by you, even if you did not speak more eloquently about the existence of the gods than others, as long as you spoke better as regards the truth. (885c8–e5)

The Athenian Stranger accepts the challenge and in the rest of Book 10 proceeds to give several elaborate and philosophically sophisticated arguments for the fundamental theses of Magnesia's theology. A few other passages from the rest of the book are also relevant.

(i) As he begins his argument, the Athenian Stranger comments that the young atheists hold their view

without a single adequate argument [οὐδὲ ἐξ ἑνὸς ἱκανοῦ λόγου] – as anyone having even a small amount of intelligence would admit. How could someone use gentle arguments [πρᾳέσι λόγοις ... νουθετῶν] to admonish,[28] and at the same time to teach [διδάσκειν],[29] these people about the gods, and first that they exist? Yet it must be dared. For it should not be the case that both of us are maddened at the same time – some of us by gluttony for pleasure, and others by spirited anger at such men. Let some such preliminary speech as the following proceed, without spiritedness, for those who are corrupted in their thinking [τὴν διάνοιαν διεφθαρμένοις], and let us speak gently [πρᾴως], quenching our spirited anger. (887e8–888a7)[30]

(ii) The Athenian Stranger proceeds to urge the young atheist to consider what he is about to say carefully and to investigate it well:

If you should be persuaded by me, you will wait until you have a doctrine about these matters that has become as clear as it can be, and meanwhile you will investigate whether things are thus or are otherwise, and will inquire from others, and especially the lawgiver. (888c7–d2)[31]

[27] Note that ἥμερος applies here to lawgivers, not the citizens and is connected with a willingness to engage in rational argument. This gives us additional reason to reject Versenyi's interpretation. Cf. 731b–d.

[28] We may be concerned that Plato uses νουθετεῖν here, since in the *Sophist*, Plato characterizes νουθετητική as 'the venerable method of our fathers ... of sometimes showing anger at their [sons'] errors and sometimes more softly exhorting them' (*Soph.* 229e4–230a3). There Plato distinguishes νουθετητική from the preferred process of elenchus which starts from the assumption that all wrongdoing is involuntary (ἀκούσιον *Soph.* 230a6) and tries to remove the wrongdoer's false belief and conceit of wisdom by showing him that his opinions are self-contradictory (*Soph.* 230b ff.). The interpretation of the *Sophist* passage is controversial, but if the lawgiver of the *Laws* is engaged in the practice condemned in the *Sophist*, it might seem to undermine the claim that he is engaged in rational persuasion. But Plato's terminology varies so greatly from dialogue to dialogue that we cannot attribute much significance to the recurrence of νουθετεῖν: (a) νουθετεῖν is paired with teaching at *Rep.* 399b5 and is recommended for those whose wrongdoing is involuntary (οὐχ ἑκὼν ἐξαμαρτάνειν) at *Gorg.* 488a2–b1, (b) in the *Laws*, Plato insists on the claim that all wrongdoing is involuntary (731c–d, 860d) while still recommending νουθετητική as a way of correcting wrongdoers (*Laws* 908d7–909a5), and (c) the process recommended for the young atheist in the *Laws* is in fact the same as the one preferred in the *Sophist*: giving him an argument and showing him that his beliefs are self-contradictory.

[29] Plato states the following terms to the young atheist 'either to teach [διδάσκειν] us that we are not speaking correctly ... or, if he is not able to speak better than us, to be persuaded by us and live believing in the gods' (899c6–d1). Cf. 891c–d and 905c7–d1 where Plato claims that what the disbeliever needs is an 'argument' and appeals to his intelligence: 'if you should still be in need of some argument [λόγου τινὸς], hearken to us as we speak ... if you have any intelligence at all [εἰ νοῦν καὶ ὁπωσοῦν ἔχεις]'. A few lines later, Plato pronounces himself satisfied with the arguments given: 'That there are gods and that they exercise supervision over human beings, I would say has been demonstrated by us in no mean fashion' (905d1–3, cf. 899d1–2).

[30] On the question of whether the desire for pleasure is the ultimate cause of the young atheists' disbelief, cf. n. 48.

[31] Given Magnesia's censorship policies, we might think Plato's emphasis on inquiry is disingenuous. I discuss this point below.

(iii) Once again, Plato emphasizes the need for the lawgiver to persuade in all facets of his legislation and for the citizen to do more than blindly accept the theological and ethical beliefs recommended by the laws:

> *Ath. Str.*: Is the lawgiver merely to stand up in the city and threaten all the people, that if they do not affirm that the gods exist and do not think and believe that they are such as the law affirms – and about what is noble and what is just and all the greatest matters, the same speech, and about whatever tends to virtue and wickedness, that it is necessary to act in these respects while thinking in the way the lawgiver has instructed in writing – is he to say that whoever does not show himself obedient to the laws must in one case die, and in another case be punished with blows and prison, and in another case with dishonours, or in other cases, with poverty and exile? Is he to present no persuasion for human beings, mixed in with his speeches as he gives them laws, so as to make them as gentle as he can [εἰς δύναμιν ἡμεροῦν]?
>
> *Kl.*: Not at all, stranger! If there happens to be even some small bit of persuasion as regards such matters, the lawgiver of even slight merit should in no way grow faint... (890b5–d3)

We now have before us the primary texts relevant to Plato's claim that law should try to persuade the citizens.[32] What can we infer about the kind of persuasion that Plato advocates? The main features of his position are quite clear.

(a) What the person who is to be persuaded is asking for is to be 'taught', that is, to be given a good argument for adopting the course of action or set of beliefs required by the laws (e.g. 885d2–3). The laws are requested to show that the beliefs they recommend are true (e.g. 885e) and that the course of action they prescribe really is in the interest of the citizen.

(b) What the laws and preludes actually do is characterized as 'teaching', that is, giving an argument to the citizens and bringing it about that they 'learn' (e.g. 718c8–d7, 720d3–6, 723a4–5, 857d–e and 888a2).

(c) Plato never suggests that the laws should offer bad but plausible arguments to the citizens. Although we cannot expect the preludes to offer full-scale philosophical arguments for all of their conclusions, Plato clearly requires them to offer good reasons and recommends that they use arguments that 'come close to philosophizing'.[33]

In a moment I shall turn to some objections that might be raised to these conclusions. But before doing so, let me emphasize that the evidence we have seen refutes the claims of our commentators concerning the nature of the persuasion that Plato advocates. *Contra* Popper (and perhaps Versenyi) we have seen no evidence that Plato is employing 'lying propaganda' and (a)–(c) above are decisive evidence against this supposition. *Contra* Morrow and Stalley, (a)–(c) also show that what Plato is advocating is the use of rational persuasion, i.e. providing the citizens with good arguments for true beliefs, not merely emotionally effective rhetoric.[34]

Let me now turn to possible objections to claims (a)–(c).

(1) The first concern is one raised by Morrow and is based on linguistic considerations. Morrow notes that in the *Laws* Plato uses the word 'incantation' or 'enchantment' (ἐπῳδή) and its cognates in describing the citizens' education. Morrow finds this troubling because 'ἐπῳδαί' are most commonly connected,

[32] Strictly speaking, it is the preludes and not the laws which do the persuading (e.g. 722e7–723b2), but it is convenient to speak of the laws as persuading.

[33] 857d2. Cf. 720c3–5 where one of the complaints made against the slave doctor is that he fails to give an account (λόγον διδόναι) of the disease to his patient.

[34] Plato here is not greatly worried about whether such rational persuasion can engender a false belief. He is confident that the beliefs the laws recommend are true (e.g. 662b) and that the arguments he provides for them are satisfactory (e.g. 905d) although, as is the case throughout all the dialogues, he is willing to admit the possibility of mistake (e.g. 663d).

elsewhere in Plato and in Greek writers generally, with magic or sorcery'.[35] Morrow's worry is that this suggests that the process of persuasion that Plato advocates is primarily non-rational, i.e., it aims at forming and changing the citizens' beliefs by appealing to their emotions rather than their reason. Now although Morrow's point is worth noting, it must not be over-emphasized. First, Plato's use of language is often somewhat playful and the magical, non-rational connotations of ἐπῳδή need not always be seriously intended.[36] Second, although ἐπῳδή and its cognates occur fairly frequently in the *Laws*, they are, with only one exception, entirely absent from the passages in which Plato discusses the kind of persuasion that the laws are to engage in. Most of the other references are in passages concerning the education of children: the songs they are to learn are often described as ἐπῳδαί.[37] This, however, does not show that Plato thought of the laws' persuasion of *adults* as a kind of enchantment and thus does not undermine their claim to be instances of rational persuasion.[38] The sole use of ἐπῳδή in connection with the laws' persuasion comes at the end of Plato's argument for the claim that the gods exercise supervision over human affairs:

Athenian Stranger: I think that we have carried on a very well-measured dialogue with the one who is fond of accusing the gods of neglect.

Kleinias: Yes.

Ath. Str.: And it was done by forcing him,[39] through arguments [τοῖς λόγοις], to agree that he was not speaking correctly; but it seems to me that there are still needed, in addition, some mythic incantations [ἐπῳδῶν ... μῦθων ἔτι τινῶν].

Kl.: Which, my good man? (*Laws* 903a7–b3)

The Athenian Stranger responds 'Let us persuade the young man, through arguments [τοῖς λόγοις]' and proceeds to give another argument for the same conclusion at the end of which he comments 'That there are gods and that they exercise supervision over human beings, I would say has been demonstrated by us in no mean fashion [ἔγωγε οὐ παντάπασιν φαύλως ἂν φαίην ἡμῖν ἀποδεδεῖχθαι]' (*Laws* 905d1–3).

Note, first, that the 'mythic incantations' are distinguished from argument and the atheist is to receive *both*. But also note that the 'mythic incantation' that Plato gives is, in fact, an argument: it is an appeal to the atheist to change his mind on the basis of rational considerations. Thus our examination of Plato's actual use of ἐπῳδή and its cognates gives us no reason to change our view about the nature of the laws' persuasion.

Finally, we must recognize that the same speech or account can have more than one effect on its reader or hearer: it can serve both as a rational argument and also appeal to the emotions. (Although it is difficult to distinguish precisely between 'an appeal to reason' and 'an appeal to emotion', all I need for my present purposes is the rough

[35] Morrow, op. cit. (n. 14), 238ff. ἐπῳδή literally means 'song to or over' and thus comes to mean spell, incantation, enchantment or charm. Cf. LSJ[9] s.v. ἐπῳδή.

[36] E.g. in the *Theaetetus*, Socrates, after giving an extremely sophisticated statement of Protagoras' 'secret doctrine' about perception and change in the sensible world, describes what he is doing as 'uttering incantations (ἐπᾴδω)' (*Tht.* 157c7–d2, cf. 149d1). For other playful uses of ἐπῳδή and its cognates, see *Charm.* 155e–158b, 175e–176b; *Phdo.* 77e8 and *Rep.* 608a4. For a similar playfulness in the *Laws*, see 900b5. Also, cf. E. Belfiore, '*Elenchus*, *Epode*, and Magic: Socrates as Silenus', *Phoenix* 34 (1980), 128–37 and J. de Romilly, *Magic and Rhetoric in Ancient Greece* (Cambridge, Mass., 1975), chapter 2.

[37] Songs for children: 659e1, 664b4, 671a1 and 812c6. Plato also occasionally applies the term to songs for adults: 665c4, 666c6 and perhaps 944b3. Also cf. 773d6.

[38] Nor does it show that Plato thought that all of the citizens' education was a kind of enchantment. We might, however, worry whether children so educated would later be capable of rational reflection and I shall take up this point below.

[39] βιάζεσθαι ... αὐτόν 903a10. The use of βιάζεσθαι also gives a somewhat playful tone to the passage.

common sense distinction between trying to convince a person that a belief is true by appealing to good evidence and trying to bring it about that his desires and emotions cause him to hold the belief independent of considerations of the truth. On this criterion, the preludes do make appeals to reason.) We can admit that Plato's preludes are designed to have an emotional effect on their audience without undermining the claim that they also serve as instances of rational persuasion.[40] And given the frequency of Plato's appeals in Passages A–C to 'teaching', 'learning' and 'argument', it is reasonable to conclude that for him the most important feature of the law's persuasion is its appeal to rational argumentation. This also fits in with the distinction repeatedly emphasized in Passages A–C between free persons and slaves and the kinds of treatment appropriate to each. What a free man deserves is not to be bewitched, but rather to be given a rational explanation.[41]

Let me now raise one further specific worry about Plato's account of persuasion in Passages A–C. In these passages, Plato repeatedly claims that such persuasion aims at producing a particular emotional change in the citizens, i.e. it aims at making them 'gentle' (ἥμερος).[42] Also note the following passage in which the Athenian Stranger has just finished a proto-prelude, an imaginary address to the colonists of Magnesia upon their arrival:

> I would wish that the people be as persuadable as possible [εὐπειθεστάτους] with regard to virtue; and it is clear that the lawgiver will strive to achieve this, in every facet of his legislation.... Now it seems to me that the things just said, if they took hold of a soul that was not entirely savage [μὴ παντάπασιν ὠμῆς ψυχῆς], would contribute something to making the hearer listen in a gentler [ἡμερώτερόν] and better disposed [εὐμενέστερον] mood to advice. So even if these words have no great effect, but only a small one, still, insofar as they make the one who listens to what was said better disposed and a better learner [εὐμαθέστερον], that is in every way desirable. (718c8–d7)

Now this emphasis on making the citizens gentle or well-disposed might suggest a worry similar to Versenyi's:[43] does the laws' persuasion aim merely at making the citizens docile and agreeable? By the claim that the laws should make the citizens gentle, does Plato mean that they should lull the citizens' rational faculties to sleep?

If we look at the passages carefully, we can see that something more subtle is going on. In the passages just noted, Plato draws a connection between making the citizens gentle and making them better learners (e.g. 718c8–d7, 722e7–723a7 and 887e7–888a7). Plato's idea seems to be this: at least some of the citizens are likely to have emotions and desires which render them closed to rational persuasion. This might occur in more than one way. First, their emotions and desires might be such that although they could be rationally persuaded to accept the true belief that the course of action recommended by the laws is best for them, they will akratically fail to act in accordance with their own rationally arrived at judgment of what is, all things considered, best. Second, their emotions and desires might corrupt their process of reasoning itself: their emotions and desires might so deform their reasoning capacities that they are unable even to arrive at a rational judgment.[44] In each case, the citizens' emotions and desires must be changed before they will be capable of forming a

[40] The preludes often, for instance, appeal to citizens' sense of shame. Also see n. 61.

[41] Cf. 966b1–3.

[42] E.g. 720d–e in Passage A and 890b5–d5 in Passage C. Also in Passage A, cf. 723a4–7 with 718c8–d7 quoted in the text and in Passage C, note 885c8–e5 and 887e7–888a7.

[43] Cf. nn. 23 and 27.

[44] For the idea that pleasure and the desire for pleasure can destroy or obscure an agent's judgment of what is best all things considered, see 649d. For the different idea that pleasure can cause a change in, and not just a destruction of, the agent's judgment, see 863b6–9.

rational judgment and acting on it. Making the citizens 'gentle' is bringing it about that they are in the proper condition with regard to their emotions and desires so that they can learn and act on what they have learned.[45]

There is good reason for us to feel leery of such a procedure. Although it is obviously true that certain emotions and desires (e.g. anger and fear) usually are inimical to rational decision-making and action, a procedure such as the one that Plato envisages is open to manipulation and, in any case, we might disagree with Plato about what desires and emotions a rational agent must avoid. Nevertheless, we have no reason for thinking that Plato in the *Laws* is proposing this in bad faith and even if we disagree with him about what desires and emotions are to be avoided, all this shows is that we disagree with Plato over the best way to foster rational reflection and action, not that we disagree over their value.[46]

To see an example of how Plato's idea might work, consider the imaginary conversation in Book 10 with a young atheist:

> *Ath. Str.*: You do not know what is responsible for our difference with them [the young atheists], but believe that it is only because of weakness [ἀκρατείᾳ] in the face of pleasures and desires that their souls are urged on to an impious life.
>
> *Kl.*: But what in addition to this would be responsible?
>
> ...
>
> *Ath. Str.*: A certain very harsh ignorance [ἀμαθία], that seems to be the greatest wisdom [φρόνησις]. (886a8–b8)

Plato thus appears to be suggesting that there are at least two kinds of atheists: those whose desires, especially their desires for pleasure, are too strong and those who are suffering from 'very harsh ignorance'. But later on in this passage, Plato returns to characterizing the young atheist as one 'maddened' (μανῆναι 888a3) by 'gluttony for pleasure'. We can see that this is not merely a slip or a careless generalization by considering what the young atheist's 'harsh ignorance' is. This ignorance involves the belief that both the gods and justice itself exist merely by convention (νόμοις) or human contrivance (τέχνῃ), and not by nature (φύσει) (889e3–890a2).[47] Plato goes on to explain why the young might find such a doctrine especially attractive:

> These things are put forward by men considered wise by young people, prose writers and poets, who explain that what is most just is whatever one can win by force. This is the source of the impieties the young contract, to the effect that the gods are not such as the law commands they must be conceived; by means of these things civil strife is instigated, by those who draw people toward that way of life that [they think] is correct by nature – which is, in truth, to live dominating and mastering the rest and not to be a slave to others according to convention. (890a2–9)

We can now see a connection between this doctrine and the desires of the young atheist: this doctrine sanctions the young atheist's strong desire for pleasure. Given Plato's emphasis of the fact that the young atheist has no good reason for his view (e.g. 887e7–888a2), it is reasonable to think that it is his desire for pleasure that helps

[45] Plato often suggests a connection between 'gentleness' and the ability to learn and teach. For ἥμερος and ἡμεροῦν, see, e.g., *Rep.* 410c–e, 554d2, 571c4, 589d2, 591b3; *Soph.* 230b9, 246c9 and *Laws* 718c8–d7, 765e–766a and, especially, 935a5. For ἠρέμα, see, e.g., *Phdo.* 83a3 and *Rep.* 476e1, 494d4 and 533d2. For πρᾷος and πραότης, see, e.g., *Meno* 75d4; *Rep.* 376c1; *Tim.* 18a6; *Laws* 731b–d, 634c8 and perhaps 645a6. But also cf. *Tht.* 144a–b, although the speaker here is Theodorus and he may not represent Plato's view.

[46] It might be argued that our differences over how best to foster rational reflection and action show that we have different conceptions of rationality. I cannot try to resolve this issue here, but it should be stressed that both we and Plato would agree on the essential point that rational persuasion involves providing good epistemic reasons for adopting a belief.

[47] This doctrine in one form or another was an old target for Plato. E.g. both Callicles in the *Gorgias* and Thrasymachus in the *Republic* hold variants of this view.

to cause the atheist to hold his belief.[48] 'Persuading' him will thus involve bringing about certain changes in his emotions and desires (and in their strength): in this case, presumably, the lawgiver will have to rid him of his 'gluttony for pleasure'.[49] Once rid of his gluttony, the atheist will be capable of rationally reaching a true judgment and acting on it.

(2) A second sort of objection concerns the social and legal conditions which provide the setting for rational persuasion. As we have noted, the system of education that Plato outlines in the *Laws* involves the intensive training of the citizens' emotions and desires before they reach an age at which they can conduct rational inquiry. And even for adults, the range of inquiry is severely restricted: music and literature are strictly censored, basic theological beliefs are made officially enforceable, travel and contact with foreigners is quite limited and there is pervasive, officially encouraged, social pressure on individuals to act in prescribed ways in almost all aspects of their lives, even those that are the most personal.[50] We might well think that under such conditions, rational inquiry is, for the most part, rendered impossible: a significant degree of freedom of expression and inquiry is necessary for rational investigation and persuasion and this is precisely what Plato's city fails to provide. But even if such a criticism is true, all it could show is that Plato is wrong about what is necessary for rational inquiry: it does not show that he did not value rational inquiry or that he did not try to foster it among his citizens. And, on Plato's behalf, we can note the following three points.

(a) The citizens of Magnesia will be exposed to some diversity of opinion: the *Laws* itself will be used as a school text and in the *Laws* Plato often discusses opinions and arguments that he rejects. (A good example of this is found in Book 10 where the Athenian Stranger expounds and defends Magnesia's official theology by means of an imaginary conversation with an atheist.) One might think that this is a fairly weak form of diversity of opinion, but there is a further important point. By using the *Laws* as a school text, Plato ensures that the citizens will receive a public statement of how their freedom of inquiry has been limited and of the reasons for this limitation: in fact, the entire basic social structure and the justification of these institutions – including the institution of censorship – will be given a frank public account.[51] Thus

[48] Although Plato thought that this was the most common explanation of young atheists' beliefs, he did not think that we could explain the atheism of all atheists by reference to their desire for pleasure, e.g. a person with a 'naturally just disposition' can still suffer the misfortune of believing that there are no gods (908b4ff., cf. 899dff.). More generally, Plato in the *Laws* recognizes three causes of wrongdoing (ἁμάρτημα, 863aff.): pleasure and the desire for pleasure, spirited anger and ignorance. Pleasure and spiritedness can cause wrongdoing both by leading the agent to act akratically and by affecting his judgment of what is best.

[49] Cf. 887a3–8.

[50] E.g. women magistrates are to enter the homes of young married couples and 'by admonition and threats stop them from doing anything wrong or foolish' (784c2–4)! More generally, the lawgiver is to give advice about 'the many little things that occur in private and in the home' (788a5–6) and public pressure, by means of praise and blame, is to be brought on the citizens to follow these guidelines.

[51] E.g. in the *Republic*: (a) the 'noble lie' is intended to create false beliefs among the citizens about the basis and workings of their society (*Rep.* 414b–415d), (b) a great deal of lying and deception will be involved in carrying out various social policies and especially the city's eugenic policy (*Rep.* 389b–c and 459cff.), and (c) there is no attempt to provide to those outside of the guardian class a rational understanding of the rules governing their behaviour and surprisingly little effort to provide such an understanding to the non-philosophic auxiliaries. There simply is nothing in the *Republic* to correspond to the *Laws*' requirements that (i) the laws or lawgiver provide a rational justification of the laws to those to whom the laws apply, and (ii) the citizens be aware of the fundamental principles that determine the structure of their legal and social

the basic political principles of the *Laws*, in sharp contrast to those of the *Republic*, will be known to all the citizens and will be given a public justification. Indeed, the political principles of the *Laws*, unlike those of the *Republic*, will pass rather strict twentieth-century constraints on the openness of moral principles, including John Rawls' 'publicity condition'.[52]

(b) What is to be censored or excluded from Magnesia is false opinion, doctrine or literature, especially those presentations of false beliefs which are likely to appeal strongly to the emotions and desires of the citizens and are likely to undermine their capacities for rational reflection and action. By excluding them, Plato thinks that he is increasing the likelihood that the citizens will come to hold true beliefs and will be capable of engaging in and abiding by rational reflection. Now one might think, as for example Mill did, that exposure to false opinion can be of help in the process of rational inquiry. But then, once again, one's disagreement with Plato is over how to further rational inquiry: it is not a disagreement about the value of rational inquiry.

(c) All that I have claimed so far is that Plato believed it was a good thing that citizens be rationally persuaded to do what the laws require and to accept the values enunciated by Magnesia's political system: I have not claimed that this was the only aim of the laws or that it outweighs all other aims. In the *Laws*, Plato holds that the ultimate end of all laws and social institutions is the production of the greatest possible happiness (εὐδαιμονία) for the citizens and shortly I shall turn to the question of how rational persuasion is related to this end.[53] But we can now see that even if Plato in some cases limits the use of rational persuasion, this does not mean that he attaches no value to it, rather all that it shows is that in some instances the good of rational persuasion may be outweighed by other goods. Whether Plato does think that such conflicts occur is a question I take up in section III.

(3) Finally, even if we accept the claim that Plato attaches importance to the rational persuasion of the citizens, we might be sceptical about what can be achieved by the sort of persuasion he envisages in the preludes. Can such limited argument really produce knowledge in the citizens and, if it fails to produce knowledge, what value could it have? Both of these are difficult questions and the *Laws* provides no clear and explicit answers to them, but let us start with the problem of whether the sort of rational persuasion Plato envisages can produce knowledge.[54] To begin, we must remember that the preludes are not the only form of education that the citizens receive: in addition to other fairly sophisticated topics – including the study of

system and the reasons for these principles. Cf. C. Reeve, *Philosopher–Kings* (Princeton, 1988), pp. 208–13.

[52] Rawls' 'publicity condition' requires that citizens know about basic political principles all that they would know if the acceptance of these principles were the result of an agreement. See J. Rawls, *A Theory of Justice* (Cambridge, Mass., 1971), p. 133 and the index entry. Plato's justification for publicity differs, however, from Rawls'. For Rawls, the publicity condition is one of the 'formal constraints on the concept of right' (pp. 130–6). For Plato, publicity is justified because it produces the greatest possible happiness for the citizens.

[53] I defend the attribution of this justificatory principle to Plato in more detail in a work in progress on the *Laws*. Relevant passages in the *Laws* include: 631b, 715b, 718b, 743c, 806c, 863e–864a and 903c. Although 'happiness' is now the standard translation of εὐδαιμονία it may have misleading hedonistic connotations. For Plato, εὐδαιμονία is a complex good which has virtue as a necessary component (cf. n. 57). Although pleasure, along with other goods such as knowledge, is a component of happiness, pleasure is not the only or the most important component. On the question of translation, see R. Kraut, 'Two Conceptions of Happiness', *PhR* 88 (1979), 167–97 and G. Vlastos, 'Happiness and Virtue in Socrates' Moral Theory', *Topoi* 4 (1985), 3–22, pp. 3–4.

[54] On the question of whether Plato would immediately rule out the idea that persuasion could produce knowledge, see Appendix.

astronomy and incommensurable numbers (817e–820d) – the citizens will study the text of the *Laws*. Further, as we have already seen, Plato's language in Passages A–C, with its emphasis on teaching and learning, certainly suggests that he thinks that this sort of persuasion could produce knowledge. Indeed, 857d–e, quoted above in Passage B, strongly implies that the account given to a patient by a free doctor is almost sufficient to give the patient the sort of medical knowledge a doctor has. If this is right, then it seems reasonable to think that the accounts given by the laws, supplemented by the regular education and the study of the *Laws*, would be sufficient to give the citizens at least some ethical knowledge.

Nevertheless, we cannot be fully confident that such a regimen could produce at least some ethical knowledge without showing that the cognitive state it produces could satisfy the general criteria that Plato has for knowledge. Unfortunately, we cannot do this since it is simply not clear what criteria Plato has for knowledge at this point in his career.[55] If we believe that his epistemology and ontology have changed since the middle period dialogues, we might think that the standards for knowledge are no longer so hard to satisfy. But before we could determine whether the education in the *Laws* could satisfy them, we would need a clear statement of what these new standards are and we do not get this in the late dialogues. Even if we accept, for instance, the idea that Plato held in some form the final suggestion made in the *Theaetetus* that knowledge is true belief accompanied by an appropriate account, we would still need much more information than we have about what sort of account is needed for various kinds of knowledge.[56] (Note that the free doctor is to give an account to his patient: 720c3–5.) E.g. what sort of account would be needed to know that the most virtuous life is the most pleasant life and what sort of account of virtue and pleasure would one have to possess in order to have knowledge of such a statement? Without a more complete account of Plato's late period epistemology, an account which may be unattainable, we cannot definitely determine whether the persuasion in the *Laws* could produce ethical knowledge.

Our second question is whether rational persuasion would be of benefit even if it failed to produce knowledge. The basic idea behind this worry is the following. Given Plato's emphasis on learning and teaching, one might suppose that the main aim of the preludes is to provide the citizens with ethical knowledge. Such an assumption, one might argue, is supported by the fact that it allows us to offer a good explanation of the benefit of rational persuasion: such persuasion tends to produce ethical knowledge, such knowledge is necessary for virtue and being virtuous is both always of benefit to the agent and a necessary condition of anything else at all being good for the agent.[57] Thus if rational persuasion fails to produce ethical knowledge, it will fail

[55] For two recent discussions, see M. Burnyeat, *The Theaetetus of Plato* (Indianapolis, 1990), and the radical and, I think, implausible account of J. Moline, *Plato's Theory of Understanding* (Madison, 1981).

[56] In the context of the *Laws*, we might wonder whether the studies recommended for the Nocturnal Council are necessary for ethical knowledge. In the brief and obscure passage that discusses the Nocturnal Council (960bff.), Plato stresses the importance of knowing how virtue, beauty and the good are each both 'many and one'. Although the interpretation of this passage is difficult, all that Plato claims, I think, is that this knowledge is necessary for being a good ruler. He does not claim that such knowledge is a necessary precondition for the possession of all other ethical knowledge or that such knowledge is necessary for virtue. Cf. G. Morrow, 'The Nocturnal Council in Plato's *Laws*', *AGP* 42 (1960), 229–46 and Morrow, *Plato's Cretan City* (Princeton, 1960).

[57] In the *Laws*, Plato holds that virtue is always unconditionally good for its possessor (that is, roughly, that virtue is good for its possessor regardless of what other things he has or lacks). Although Plato recognizes goods other than virtue, he claims that the possession of virtue is at

to produce any benefit for the citizens.[58] In section III, I shall discuss in more detail the question of why rational persuasion is good for the citizens, but for now let me consider one aspect of this issue.

The essential point to keep in mind here is that Plato clearly does believe that it is to the benefit of the citizen to be rationally persuaded. First, consider how the idea of rational persuasion was introduced: Plato presented it as the analogue in the case of a city and its citizens to the sort of treatment that is given by a free doctor to a free man. This analogy in itself is sufficient to show that Plato thought that rational persuasion was beneficial to the citizens: the distinction between a free man and a slave carried enormous emotional weight and Plato is relying on an automatic response in his audience that it is in the interest of the citizen to receive the sort of treatment that befits a free man. Second, remember the general principle noted above which claims that the ultimate end of every law and social institution is the production of the greatest possible happiness for the citizens. Rational persuasion, like every other social policy, will have to be justified in terms of this principle. Since Plato so strongly recommends that the laws engage in rational persuasion, we should infer that he believes that it in some way contributes to the happiness of the citizens. Now this still leaves us with the task of explaining precisely how rational persuasion benefits the citizens and, in particular, of determining whether this explanation requires the claim that rational persuasion produces knowledge in the citizens. I shall turn to this task in the final section. All that I wish to emphasize here is that we already have sufficient evidence for the claim *that* Plato believed that rational persuasion was of benefit to the citizens. Even if we were to conclude that Plato believed that such persuasion could not produce knowledge, this conclusion would not undermine the claim that rational persuasion is of benefit; rather, we would simply be left with the job of explaining how the benefit is brought about without producing knowledge.[59]

least a necessary condition of other goods, such as health and wealth, being good for their possessor (631b–d). On the question of whether knowledge is necessary for virtue, see n. 59.

[58] Formally, the possibility is still left open that although rational persuasion fails to produce knowledge, it will be of benefit to an agent who already possesses knowledge and already is virtuous. I consider this possibility in section III below.

[59] In the *Republic*, knowledge is required for the possession of any virtue (*Rep.* 441d–443e), although there Plato also appears to distinguish a lower grade of virtue (πολιτικὴ ἀρετή) that requires only true belief (*Rep.* 430a–c). In contrast, I do not think that Plato in the *Laws* makes the possession of knowledge a necessary condition for the possession of each and every virtue or that he distinguishes a 'philosophic' sort of virtue which requires knowledge and is had only by an elite from a 'political' or 'ordinary' sort of virtue which does not require knowledge and is the best that a non-philosopher could aspire to. In the *Laws*, Plato is willing to accept not only knowledge but also some form of true opinion as a 'leader' of the virtues (e.g. 688b, 689a–e, 770c–d and 864a–b) and he freely attributes unqualified virtue to those who lack philosophic knowledge (e.g. 641b–c, 770c–771a, 807c–e, 822e–823a and 853b–c). *Laws* 710a5–8 which refers to 'popular virtue' (δημώδης ἀρετή) is often cited to show that Plato still accepts the *Republic*'s distinction between real or philosophic virtue and some inferior sort of virtue which is what most citizens possess. But δημώδης ἀρετή at 710a is characterized by Plato as that found in beasts and children: it is a self-restraint with regard to pleasures that might not be directed to the right ends and is directed, at best, by only the crudest forms of true belief. Plato in the *Laws* never claims that ordinary citizens have only δημώδης ἀρετή and he expects that their virtue will be directed to the right ends and that they will have some sort of rational justification for their beliefs. Further, δημώδης ἀρετή is contrasted by Plato himself (689a–e) with having one's moderation directed by the proper sort of true belief, not with a sort of virtue that requires knowledge. Although I cannot offer here a full defence of my claim that knowledge is not required for virtue in the *Laws*, my arguments above do not require its acceptance. Even if one thinks that most of Magnesia's citizens could only have 'ordinary virtue', the *Laws* breaks sharply with the *Republic* by attempting to ensure that all citizens have rational justification for their ethical beliefs.

Let me close this section by noting one larger task that I must leave to one side. I have, so far, examined Plato's programmatic remarks about the sort of persuasion law is supposed to engage in. A further step, which I cannot take here, would be to examine all the preludes that Plato actually provides.[60] Do they live up to the standards that his programme calls for or do they simply fall back on non-rational techniques of persuasion? Although I cannot make a full survey here, let me note some of what a more comprehensive examination would reveal.

(a) The argumentation in the preludes is often somewhat simplified: important terms are sometimes not clearly defined and possible objections are not fully considered. On the other hand, we do find some very sophisticated arguments in the preludes: for example, the long and complicated arguments in Book 10 for Plato's basic theological principles are part of the prelude to the law on impiety.

(b) There is frequent use of techniques that are designed to influence emotions and desires by means other than arguments, e.g. Plato often employs elevated language and a stately prose style in the preludes.[61]

(c) There are occasional troubling instances of Plato appealing to religious beliefs or myths that he himself is unlikely to have taken seriously.[62] As I have already argued, some use of non-rational techniques can be justified as a necessary part of making the citizens capable of engaging in and abiding by rational reflection. And even if we think that Plato occasionally oversteps these bounds, this does not show that his real intention is different from his announced intention: he may simply have failed to carry it out fully.[63] Nevertheless, it must also be emphasized that in the vast majority of cases, we shall find that the beliefs the preludes advocate are ones which Plato believed to be true and that they are supported by reasons that Plato himself would accept.

III. WHY PERSUADE?

I have argued so far that in the *Laws* Plato is advocating that laws and other social institutions engage in the rational persuasion of the citizens. In this final section, I turn to the question of justification: why is it, in Plato's view, a good thing that laws and other social institutions engage in such persuasion? I have already claimed that Plato's fundamental principle for the justification of all laws and social institutions holds that their ultimate end is bringing about the greatest possible happiness for the citizens. Rational persuasion, like every other social policy, is justified by showing how it furthers this ultimate end. Thus the question we need to answer is: how does rational persuasion contribute to the happiness of the citizens?

[60] Since, as we have seen, the preludes are not the only source of rational persuasion, a comprehensive study would also have to examine the entire education of the citizens. And since their education includes reading of the *Laws* itself, such a study would also have to evaluate the satisfactoriness of all the arguments presented in the *Laws*.

[61] See, especially, the general prelude to the legal code at 726a–734e. Cf. M. Silverthorne, 'Laws, Preambles and the Legislator in Plato', *The Humanities Association Review* 26 (1975), 10–20, pp. 16–18. Also see H. Thesleff, 'Studies in the Styles of Plato', *Acta Philosophica Fennica* 20 (1967), 1–192. Thesleff distinguishes ten different styles in Plato (pp. 63–80), including the 'rhetorical' style which he finds (p. 153) often displayed in the preludes: e.g. 715e–718a, 726a–734e, 823d–824a, 854b–c and 899d–900b.

[62] E.g. Plato includes in the preludes to the laws concerning murder a doctrine (870d–e, 872e–873a) which he attributes to 'those involved in the mystery rites' (870d5–7) and the 'ancient priests' (872e1–2) to the effect that a murderer will suffer in a future life exactly the same sort of crime that he has committed (a parricide will murdered by his sons and so on). Also see 854b–c, 873e–874a and 913c1–3.

[63] For the possibility that the good of rational persuasion is, in some cases, outweighed by other goods, see section III.

We may begin by noting two possible limitations on the extent to which rational persuasion should be employed.

(1) Law still has a penalty or sanction attached to it and Plato is willing to use force and the threat of force on those who are not rationally persuaded to obey.[64]

(2) In certain circumstances, Plato thinks that lying to the citizen body would be permissible, although he also emphasizes that these circumstances are not actual.

Let us briefly consider (2) a little further. In the relevant passage (663d–664a), Plato is discussing the claim that the just life is always more pleasant than the unjust life. Although Plato is convinced of this claim and presents an argument for it, he also says that if it were not true the lawgiver should lie to the citizens and tell them it is true.[65] This deception is justified by an appeal to the fundamental justificatory principle noted above: lying would, in this case, bring about the 'greatest good for the city' (664a3), i.e. it would bring about the greatest happiness for the citizens. Now if we try to work out an explanation of how lying to the citizens actually benefits them, we find that it is surprisingly difficult to justify such general deception within Plato's ethical theory.[66] But even if we could resolve this problem, the important point is that Plato denies that he is practising such deception in the preludes or the rest of the *Laws*.

What (1) and (2) show is that Plato thinks that there will be occasions on which some of the citizens will not be open to rational persuasion and that in these circumstances the use of force or other non-rational means is acceptable, and that Plato also thinks that there might be certain circumstances in which it would be permissible to deceive all of the citizens. But it is equally important to note that Plato does not suggest that there are circumstances in which although it is possible to persuade people rationally of *p*, it is better all things considered (because of other goods foregone as the cost of rational persuasion), to bring it about by non-rational means that people believe *p*. This at least suggests that rational persuasion constitutes or contributes to some fundamental aspect of the citizens' good.[67]

We may now turn to the question of why Plato thinks that rational persuasion would make the citizens happier. There are several possible explanations.

(1) If the citizens are persuaded to obey the law for reasons other than the fear of sanctions, there will be, *ceteris paribus*, a higher rate of obedience since citizens will tend to act in accordance with the law even when they believe that they could disobey and escape the sanctions.

(2) For similar reasons, the costs of enforcement will be lower.

(3) If the citizens are persuaded that it is in their own interest to obey the laws, they will lack the sort of resentment they might have if they obeyed only out of fear of sanctions.

[64] Plato thinks (853b4–854a3) that few of Magnesia's citizens will need the threat of a penalty and even that attaching penalties to laws is 'in a certain way shameful'. For an interesting example of such limitations on rational persuasion and of how the legal code is to take them into account, see 933a–e.

[65] 662b, 663d6–e2 and 664b–c.

[66] Roughly put, the problem is that the above justification assumes that it is possible to lead a just life even though one is deceived about what the just life is like and what one's reasons are for choosing it and this assumption seems to be inconsistent with Plato's claim in the *Laws* and elsewhere that virtue requires at least true belief (cf. n. 59). Although this line of argument could be more fully elaborated, it is sufficient to show that Plato will face grave difficulties in justifying general deception of the citizens on ethical questions.

[67] It does not entail it since it is possible that rational persuasion just happens to coincide with other goods that are truly fundamental, but we have no good reason for supposing that Plato believes that there is such a coincidence.

(4) If citizens believe that their fellow citizens are also convinced that they should obey the laws, there will be less fear and distrust among the citizens.

Intuitively, it seems reasonable to think that these factors would tend to increase the happiness of the citizens, but I shall not try to demonstrate this in detail since these points are not of primary interest. Plato does not mention these considerations in Passages A–C (although there seems to be no reason why he could not accept them). And one reason why Plato might not mention them is that it seems that none of these benefits requires that the citizens be rationally persuaded: there is no apparent reason why the same benefits could not be secured by a successful programme of non-rational persuasion. Perhaps such a reason could be found, but Plato shows no interest in this line of argument.

Although Plato in Passages A–C does not explicitly address the question of why rational persuasion would make the citizens happier, we can make a better start at answering this question by considering the features of rational persuasion that Plato emphasizes. Plato introduces his discussion of the laws' persuasion in the following way:

> I would wish that the people be as persuadable as possible [εὐπειθεστάτους] with regard to virtue; and it is clear that the lawgiver will strive to achieve this, in every facet of his legislation. ... Now it seems to me that the things just said,[68] if they took hold of a soul that was not entirely savage [μὴ παντάπασιν ὠμῆς ψυχῆς], would contribute something to making the hearer listen in a gentler [ἡμερώτερόν] and better disposed [εὐμενέστερον] mood to advice. So even if these words have no great effect, but only a small one, still, insofar as they make the one who listens to what was said better disposed and a better learner [εὐμαθέστερον], that is in every way desirable. For there is no great plenty or abundance of persons who are eager to become as good as possible as quickly as possible. (718c8–e1)[69]

What Plato stresses is the link between the laws' rational persuasion and the citizens becoming virtuous: what the citizens are being rationally persuaded to do is to become virtuous. We must thus try to spell out what this intimate connection between being rationally persuaded and becoming virtuous is.

Now as we have just noted, what the laws' rational persuasion aims at is making the citizens virtuous and this requires more than merely getting them to act in accordance with the law. (The fear of sanctions, after all, might suffice to get the citizens to act in accordance with the law.) A partial characterization of what else rational persuasion aims at is that it aims at inculcating true ethical beliefs and the proper desires and emotions in the citizens, e.g. it aims at making the citizens come to believe that virtue is unconditionally good for them and making them desire to be virtuous.[70] And having the right beliefs and the right desires is, in Plato's view, part of what it is to be virtuous.[71] But this is only a partial characterization of the laws' persuasion since it is possible to inculcate true beliefs and proper desires by irrational means and, as we have seen, what Plato emphasizes as the crucial feature of the sort of persuasion that the laws provide is that it is rational persuasion: it gives citizens a rational justification for their beliefs and actions. (See again, for example, Passage

[68] A reference to the proto-prelude at 715e7–718a6.

[69] Cf. 858d–859a (the lawgiver is supposed to teach the citizens what is noble, good and just and what relation these things have to happiness) and 907c–d. The laws may also recommend other goods to the citizens, but it is their recommendation of virtue that Plato thinks is the most significant aspect of their persuasion.

[70] Cf. n. 57. See, e.g., the general preface to the legal code at 726a–734e. Again, remember that all the *Laws*, including its advocacy of the claims that (a) virtue is unconditionally good for its possessor and is both necessary and sufficient for happiness (e.g. 660e–661e and 874d), and (b) virtue is a necessary precondition of the goodness of any other good, will be studied by the citizens.

[71] See, e.g., 689a5–e2.

Ciii (890b5–c8), where Plato sharply contrasts rational persuasion not merely with getting the citizen to act in accordance with the law, but also with getting the citizen to act in accordance with the law 'while thinking in the way that the lawgiver has instructed' when this is accomplished without rational persuasion.) Once such a rational grasp of basic ethical principles is gained, the free person will be able to see for himself how he is to decide and to act and will be able to regulate his behaviour accordingly; he will not have to be simply dependent on the commands of others or on the written instructions of the laws.[72]

We can now explain the distinctive benefits of rational persuasion in becoming virtuous: rational persuasion helps to make the citizens virtuous because having a rational justification for one's true ethical beliefs is necessary for virtue.[73] Although Plato does not explicitly say this in Passages A–C, we have good reason to attribute the claim to him:

(1) Plato in the *Republic* held a very strong form of the view that rational justification is necessary for virtue: there he held that knowledge is necessary for virtue.[74] It would be surprising to find Plato radically switching to the opposite extreme of holding that no sort of rational justification is necessary for virtue and other passages from the *Laws* suggest that although Plato here abandons the claim that knowledge is necessary for virtue, he still holds that some sort of true belief is necessary for virtue.[75]

(2) Passages A–C themselves point strongly to this conclusion. The aim of the laws' persuasion is to make the citizens virtuous and what Plato emphasizes as the essential feature of the laws' persuasion is that it provides citizens with rational justification. If rational justification were not necessary for virtue, we could not explain why Plato emphasizes what he does and why he requires the sort of persuasion that he insists upon.[76]

Does this explanation of the benefit of rational persuasion require the assumption that Plato rejects the claim that knowledge is necessary for virtue? It does not, although there are several cases to examine. First, if rational persuasion can produce knowledge, the above account of the benefit of rational persuasion applies straightforwardly: rational persuasion is of benefit because it helps to produce knowledge and thus virtue. Things become more difficult, however, if rational persuasion cannot produce knowledge. Here we must consider two cases. First, suppose that a person has been rationally persuaded, but lacks knowledge. If knowledge is necessary for virtue, the person lacks virtue. Further, since Plato believes (a) that virtue is necessary for happiness, and (b) that unless the agent is virtuous no other good will benefit him, it follows that the rationally persuaded agent who lacks knowledge will not be happy and will not be benefited by any other good that he possesses. Thus there seems to be no way left of explaining how rational persuasion could benefit such an agent.[77]

[72] In the *Republic* (e.g. 590a–591a), Plato is far more sceptical about the ability of non-philosophers to attain such insight and thus to regulate their own lives. Also, cf. n. 86.

[73] It is not sufficient, since for at least some virtues, e.g. moderation, one will also need suitably trained emotions. And Plato may even come close to holding that a unvirtuous person is worse off if he has some grounds for his unvirtuous beliefs (863c–d). I shall leave aside here the question of whether Plato would ultimately be willing to say that the unvirtuous person could have rational grounds for his beliefs. [74] Cf. n. 59. [75] Ibid.

[76] Plato's emphasis – e.g. in Passage B – on the servile and degraded status of those who lack rational justification also strongly implies that it is necessary for virtue.

[77] There are two other options here that can be ruled out. First, one might suggest that being rationally persuaded is good for the agent whether or not he possesses any other good and, in

Consider now an agent who possesses knowledge and has been rationally persuaded. This case is harder to evaluate since it is not clear what relation there is between the agent's possession of knowledge and his having been rationally persuaded. On our present hypothesis, of course, being rationally persuaded is not sufficient to produce knowledge, but this still leaves open the possibility that it is a necessary condition of having knowledge or in some other way contributes to having knowledge. In this case, we could explain the value of being rationally persuaded in terms of its contribution to the agent's knowledge. But if rational persuasion only rarely brings it about that the agent possesses knowledge, we shall not be able to explain why rational persuasion is of general benefit. If, on the other hand, being rationally persuaded does not contribute to the agent's knowledge, there seems to be no plausible explanation of how rational persuasion could be good for an agent who already possesses knowledge. In sum, once we accept the idea that rational persuasion is of general benefit to the citizens, it is difficult to accept the claim that knowledge is necessary for virtue unless we also accept the claim that rational persuasion produces or helps to produce knowledge.

Let me close by noting two more general points. The first concerns the scope of the rational persuasion that Plato envisages and the second concerns the relation between rational persuasion and virtue. Drawing together the results of our inquiry, we can see that Plato has designed the political system of Magnesia to inculcate in all of its citizens rationally justified true beliefs on a wide range of basic ethical and political concerns.

(1) The citizens receive what Plato thinks is a true and reasoned account of what is good for human beings. The preludes advocate that the citizens adopt a certain way of evaluating their actions, choices and lives: they provide an account of what goods are to be pursued, why they are to be pursued, and the relations among these goods. What is especially important here is that the account they provide is one that Plato himself accepts: the preludes do not offer an account of how people are to choose and reason that Plato himself would reject as false or misleading.[78]

(2) The citizens receive an account, in terms of these principles, of the laws which regulate their conduct and of the structure and functioning of Magnesia's system of government, including an account of the laws and other principles which regulate the processes of rational inquiry and education and the practice of rational persuasion.

(3) Such rational understanding is essential to the attainment of virtue by the citizens and when combined with the proper training of desires and emotions is sufficient to make the citizens virtuous. Rational understanding, at least as Plato

particular, whether or not he is virtuous. But Plato's language in Passages A–C is simply not strong enough to warrant this claim and, in any case, it would be inconsistent with Plato's previous insistence that the possession of virtue is at least a necessary condition of other goods being good for the agent (631b–d). Second, we could hold that knowledge is necessary for 'high-grade' virtue, but that an agent lacking knowledge might possess some inferior form of virtue which is of benefit to him. Rational persuasion could be of benefit then because it helps produce this inferior sort of virtue. Such a strategy is unattractive because Plato in the *Laws* never attributes such an inferior sort of virtue to ordinary citizens (cf. n. 59).

[78] Since the citizens will read the *Laws* they will even be aware of the value of certain sorts of advanced learning that Plato requires of the Nocturnal Council. It is an old complaint against utilitarianism that it might require the rulers and the elite of a society to encourage what they know are false ethical beliefs and mistaken forms of ethical reasoning among the rest of the citizens (see, e.g., J. Smart and B. Williams, *Utilitarianism: for and against* (Cambridge, 1982), pp. 138ff.). As we have noted, this would be a justified complaint against the *Republic*, but not the *Laws*.

understands it, is recognized as an essential part of the good human life for all citizens and for this reason is a fundamental goal of the political system.

The second point concerns the justification of Plato's view about the importance of rational understanding. Plato, in the *Laws*, never offers an explanation of why we should think that rational justification is necessary for virtue.[79] The closest that he comes to doing so is the appeal that he makes, when urging that the laws engage in rational persuasion, to the analogy of a free doctor treating free patients.[80] Both what is absent and what is present in this analogy are important. What is absent is any attempt to justify the value of rational understanding by an appeal to the special status of the relevant objects of knowledge or to the special value of the psychic states that individuals are in when they cognize such objects.[81] What is present and important is the appeal that Plato makes to the special status of both the doctor and the patient and the implications that their status has for their relationship.[82] What is special about their status is that both are free men and, as Plato presents the analogy, this fact determines what is appropriate in their relationship. What is appropriate in the case of two free men, even when the first possesses the knowledge of what is good for the second that the second lacks, is that the one try as far as possible to persuade the other rationally: because of the patient's status as a free man, he deserves to be rationally persuaded and he is better off after being rationally persuaded than he would otherwise be.[83] It is because both are free that coercion and other non-rational means may be applied only when rational persuasion is not possible.[84]

[79] Nor does he ever provide a clear justification for the *Republic*'s claim that knowledge is necessary for virtue. Cf. T. Irwin, *Plato's Moral Theory* (Oxford, 1979), pp. 283–5.

[80] R. Buxton, op. cit. (n. 6), notes a wide 'range of polarities which may be seen as homologous with *πειθώ/βία*' including civilized/uncivilized, inside *πόλις*/outside *πόλις*, mankind/animals and Greeks/barbarians (p. 62), but, surprisingly, does not mention free/slave (nor is there an entry for slaves in the index). Nevertheless, the idea that free men deserve persuasion and slaves deserve compulsion is found elsewhere in Greek literature and social thought. E.g. in Arrian we find that Alexander the Great when in India tried to persuade two Indian wise men named Dandamis and Calanus to accompany him, but that Dandamis refused. 'So Alexander did not try to force [*βιάσασθαι*] him, since he recognized that the man was free. But a certain Calanus, one of the wise men there, was persuaded [*ἀναπεισθῆναι*]' (Arrian, *Anabasis* 7.2.). In personal communication, Stephen Halliwell has made the interesting suggestion that we may be able to discover some connections between freedom and rational persuasion in the Athenian democratic tradition.

[81] Note the obvious contrast with the transcendental metaphysics and epistemology of the middle period (e.g. *Rep.* 500c–d, 518cff., esp. 532c; *Phdo.* 64a–69e, 78b–84b and *Phdr.* 249c–e. Cf. G. Vlastos, 'A Metaphysical Paradox', in Vlastos, *Platonic Studies* (Princeton, 1981), pp. 43–57). It is quite controversial whether Plato continued to hold the transcendental metaphysics and epistemology of the middle period, or abandoned them by the time of the *Laws*. Although the absence of such an appeal to the special status of the relevant objects of knowledge or to the special value of the psychic states that individuals are in when they cognize such objects does not warrant the conclusion that Plato would reject such an attempt at justification, it seems significant that he does not make such appeals. At the least, the focus of his attention has shifted.

[82] Cf. n. 24.

[83] The doctor–patient analogy breaks down here. The result the law is trying to bring about is that the citizen is virtuous, and rational justification is necessary for virtue; the result the doctor is trying to bring about is health, and it is less plausible to think that the patient must have rationally justified beliefs about his condition and the course of his treatment in order to be healthy. It might help the analogy a bit if we imagine that part of what the patient is taught by the free doctor are methods of preventing future illness, but the slave doctor could also impart at least some of the same information in the form of a command. This breakdown seems to result from Plato's attempt to make a new point by means of an old analogy.

[84] Once again, we might think that this is still much too weak: a respect for the individual's freedom and for his capacities for rational understanding and action requires that, at least over

Plato does not turn the analogy into a fully worked out argument, but what he does do is ground his advocacy of rational persuasion by an appeal to his conception of what a free man deserves and benefits from. Because the citizen is a free person, the state ought to try, as far as possible, to secure his rational agreement to its laws and social practices and to foster his powers of rational understanding. In particular, the state ought to act in this way because a free person is benefited by such exercise of his rational powers and by reaching a rational understanding of the bases of his action: such rational understanding is part of what it is for a free person to be virtuous. And it is his freedom that makes it the case that his virtue depends upon the exercise of his rational capacities. This is, unfortunately, as far as Plato goes: he does not give us a characterization of what a 'free man' is or an explanation of why freedom has this sort of connection to rational understanding and virtue. And even within the *Laws*, this is only one strand of Plato's conception of freedom and a free individual.[85] But it is the first time in Western philosophy that we see an attempt to explicate, at least in part, the freedom of the individual in terms of his or her capacities for rational inquiry and understanding and to foster these capacities and this sort of freedom in all the citizens of a just state.[86]

APPENDIX: PERSUASION AND KNOWLEDGE

I do not think that Plato ever made the general claim that it was impossible for persuasion (*πειθώ*) to produce knowledge (*ἐπιστήμη* or *σοφία*), although my arguments above do not require this assumption.

(1) Even in the *Gorgias*, which in general takes a dim view of persuasion, Plato

a certain range of beliefs and actions, we allow the individual to conduct his rational inquiry in the manner that seems best to him and to act in accordance with the rational judgment he reaches.

[85] And it is not at all clear that Plato has a coherent conception of freedom and a free individual. Just within the *Laws*, Plato has a great variety of things to say about the nature and value of freedom. In addition to the view I have just sketched, Plato thinks that freedom can be had in excess (e.g. 699e) and praises the Athenians of an earlier generation for being slaves (*δοῦλοι*) to the laws and to their rulers (698b6 and 701b5–6). We must also remember that the free/slave distinction was a legal distinction in Magnesia and that one's status determined the sorts of treatment one received. E.g. in many cases, although not all, the legal penalties for slaves are harsher. (For lighter penalties for slaves, see 854d–855a; for harsher penalties, see 867c–868c, 914a–c and note the flippant cruelty of 844e–845a.) But it is important to see that many of these differences – including the facts that slaves' schedules are imposed on them without their having a choice and that they receive little education – are connected with the possibility of rational persuasion and rational planning. Even with regard to penalties, Plato emphasizes the idea that slaves will not respond to an argument (e.g. 853e–854a). For an interesting discussion of the ways in which Athens tried to secure for free men the autonomy of their bodies, see D. Halperin, 'The Democratic Body: Prostitution and Citizenship in Ancient Athens', in Halperin, *One Hundred Years of Homosexuality* (New York, 1990), pp. 15–40.

[86] Although a full analysis of Plato's view of freedom in the *Republic* is far beyond the scope of this paper, Plato there usually construes 'freedom' (*ἐλευθερία* and its cognates) either as merely a legal or political category or in terms of the ability to choose, either rationally or irrationally, among a range of options and to act on that choice. (Cf. G. Vlastos, 'The Theory of Social Justice in the *polis* in Plato's *Republic*', *Mnemosyne* Supplement 50 (1977), 1–40, pp. 26–32, esp. p. 30 n. 103.) Thus Plato typically emphasizes the danger of freedom and stresses the need to limit it (e.g. 562c–563c). In a few scattered passages, we find traces of a more favourable view of freedom, although Plato does not work the idea out (e.g. 405a, 577d and 590c–e, but note 590e3 and 591a2). The connection between freedom and reason goes on to have a long career in the history of ethical and political philosophy. One form of it, for example, plays a central role in Kant's moral philosophy.

holds that teaching is a form of persuasion and that it is possible for persuasion to produce knowledge (*Gorg.* 453d–454e).[87]

(2) In a passage near the end of the *Phaedrus*, Plato contrasts teaching (τὸ διδάξαι) and persuasion (277c5–6), but as we shall see in a moment, it is not clear what significance this contrast has and, in any case, the science of rhetoric outlined there is capable of both. It is interesting that in the *Laws* Plato shows no interest in the 'science of rhetoric' as it is sketched in the *Phaedrus*. The persuasion he envisages in the *Laws* is more or less the same for everyone, i.e. providing good epistemic reasons for the recommended changes in belief.

(3) Two passages which might be thought to show that Plato rejected the possibility of persuasion producing knowledge are *Tim.* 51d3–e6 and *Tht.* 201a4–c7. Plato appears here to contrast teaching which can produce knowledge with persuasion which cannot. But both passages are very brief and in neither is Plato concerned with giving a full account of the nature of persuasion. The most plausible interpretation of them, I think, is to see Plato as contrasting rational argument with a bad kind of persuasion – the appeals to emotion and the poor arguments which Plato thought all too common – without intending to rule out the possibility of 'persuading' someone by teaching him. (In the *Timaeus* passage, Plato's thought is the radical one that we can have knowledge only of Forms. But even this does not rule out the possibility that someone can be taught what, e.g., justice is by being brought to know the Form of Justice and that this process could be described as 'persuasion'.) Plato does not explicitly consider this possibility and we should not assume that he intends to reject it: refusing to allow that teaching can be a kind of persuasion would be the sort of linguistic legislation that Plato generally avoids.[88]

But even if we thought that Plato is concerned in the *Timaeus* and *Theaetetus* to advance a restrictive new definition of persuasion such that it did not include teaching and could not produce knowledge, the important point for us is that, as we have seen, Plato in the *Laws* allows some sorts of persuasion to count as teaching[89] and thus seems to allow that some sorts of persuasion can produce knowledge.[90]

University of Chicago CHRISTOPHER BOBONICH

[87] Cf. J. Murray, 'Plato on Knowledge, Persuasion and the Art of Rhetoric: *Gorgias* 452e–455a', *Ancient Philosophy* 8 (1988), 1–10.

[88] *Pol.* 304c10–d2 recommends persuading most people διὰ μυθολογίας ἀλλὰ μὴ διὰ διδαχῆς, but the passage seems to allow that the latter would count as persuasion. Cf. *Rep.* 399b4–7.

[89] E.g. 720d, 857d–e, 885d–e and 888a.

[90] See M. Burnyeat, 'Socrates and the Jury: Paradoxes in Plato's Distinction between Knowledge and True Belief', *PAS* Supplement 54 (1980), 172–91, especially pp. 179ff., for the provocative assertion that Plato in some cases rejects the claim that: If *x* teaches *y* that *p*, then *x* brings it about that *y* knows that *p*. For an opposed, and more plausible view, cf. J. Barnes, 'Socrates and the Jury: Paradoxes in Plato's Distinction between Knowledge and True Belief', *PAS* Supplement 54 (1980), 193–206. Also cf. F. Lewis, 'Knowledge and the Eyewitness: Plato *Theaetetus* 201a–c', *CJPh* 11 (1981), 185–97. Both Burnyeat (pp. 179 and 190) and Barnes (pp. 196 and 206) cite a number of passages in which Plato appears to accept this claim and all that Burnyeat brings against it is a highly controversial interpretation of the brief passage at *Tht.* 201a4–c7. And even if Burnyeat were right about the *Theaetetus*, this would only show that Plato might describe a certain process as an instance of both persuasion and teaching while denying that it produced knowledge; it would not show that Plato is committed to saying that every sort of teaching which could be truly described as persuasion fails to produce knowledge.

I would like to thank Dan Brudney, Alan Code, Stephen Halliwell, Tony Long, Sam Scheffler and Bernard Williams for their comments on earlier versions of this paper.