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MORAL EDUCATION AND THE SPIRITED PART OF THE SOUL IN PLATO'S *LAWS*

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IN the tripartite psychological theory of Plato's *Republic*, the spirited part of the soul, or the *thumoeides*, is granted a prominent role in moral development: its 'job' in the soul is to support and defend the practical judgements issued by the reasoning part (particularly against the deleterious influence of the appetitive part), and its effective carrying out of that job is identified with the virtue of courage (442 B–C). Early moral education, consequently, is largely concerned with preparing the spirited part of the soul for this role as reason's 'ally'. In Plato's later work the *Laws*, the theory of tripartition is never explicitly advocated: there is no mention of a division of the soul into parts, and hence no discussion of a 'spirited' part of the soul with a positive role to play in moral development. Not only that, but some of the most conspicuous passages about spirited motivation in the text emphasize its *negative* impact on our psychology and behaviour. The spirited emotion of anger, for example, is identified as one of the primary causes of criminal behaviour (863 B). All this has led many commentators to conclude that in the *Laws* Plato rejects the tripartite theory of the soul as we know it from the *Republic* and adopts a new psychological model in its place. Christopher Bobonich, for example, has argued that Plato abandoned the idea of a partitioned soul altogether in the *Laws*, opting instead for a unitary conception of the soul.¹ According to Bobonich, by the time Plato wrote the *Laws*, he had come to believe that *all* human motivations draw on the resources of reasoning, and hence that there can no longer be purely 'non-rational' soul-parts

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¹ C. Bobonich, *Plato's Utopia Recast: His Later Ethics and Politics [Utopia]* (Oxford, 2002), 261 ff.

that act as independent sources of motivation.² Other commentators have argued that Plato shifted towards a *bipartite* division of the soul into a rational and a non-rational part.³ According to a recent version of this line of interpretation defended by Maria Sassi, the main innovation in Plato's moral psychology in the *Laws* is that the intermediate psychological element, the *thumoeides*, is missing.⁴ On her view, Plato no longer endorses the idea of an educable spirited part of the soul that can be utilized for moral development. Spirited motivations are present in the soul, but they no longer play the elevated role that they did in the *Republic*: they are simply so many among our irrational desires and emotions, alongside our appetitive urges.

I will argue, against these developmentalist views, that the tripartite theory of the soul remains intact in the *Laws*, and that although tripartition is not explicitly endorsed, it informs much of the content of the text from beneath the surface. In particular, I will argue that the *thumoeides* continues to act as a distinct psychic source of emotion, desire, and motivation, and that moral education in the *Laws* should be understood as aiming primarily at the spirited part of the soul. In Section 1 I will clear the way for my account by addressing some of the main arguments offered by Bobonich and Sassi. In Sections 2 and 3 I will examine the musical and gymnastic programmes of the *Laws* and will highlight parallels to the accounts of the *thumoeides* and its role in the psychology of moral education that are offered in *Republic* and *Timaeus* (where tripartition is also advocated). Finally, in Sections 4 and 5 I will examine the educational role given to the laws themselves in Magnesia, and will suggest that the education provided through them is largely directed at the spirited part of the soul as well. My conclusion will be that, despite initial appearances, the *thumoeides* continues to play an

² *Utopia*, 261, 331. What makes 'non-rational' desires and emotions non-rational, according to Bobonich, is that, although they all involve applications of reasoning, they involve *partial* or *incomplete* applications of it. Impetuous anger, for example, involves a sensitivity to some, but not all, relevant rational considerations about a perceived injustice (*ibid.* 340–1).

³ See W. W. Fortenbaugh, *Aristotle on Emotion* (London, 1975), 23–5; T. M. Robinson, *Plato's Psychology* (Toronto, 1995), 145; M. M. Sassi, 'The Self, the Soul, and the Individual in the City of the *Laws*' ['Self'], *Oxford Studies in Ancient Philosophy*, 35 (2008), 125–48; D. A. Rees, 'Bipartition of the Soul in the Early Academy', *Journal of Hellenic Studies*, 77 (1957), 112–18; and perhaps A. Laks, 'Legislation and Demiurgy: On the Relationship between Plato's *Republic* and *Laws*', *Classical Antiquity*, 9 (1990), 209–29 at 221.

⁴ 'Self', 133.

important positive role—indeed, an expanded role—in moral development: in the *Laws*, it is no longer simply the ally of reason, but also the ally of law itself.

1. Tripartition in the *Laws*

One of the key passages to which commentators such as Bobonich and Sassi appeal in arguing for Plato's abandonment of tripartition is the image of the puppet that is offered at *Laws* 644 D–645 B.⁵ The passage occurs in the course of the Athenian Visitor's attempt to explain the notion of being 'stronger' or 'weaker' than oneself—a notion that he takes to be central to his discussion of education. We are all like divine puppets, he suggests, pulled in opposite directions by the 'cords' within us: we are pulled towards vice by our 'iron' cords—which are associated with pleasure and pain, feelings of anger (*thumoi*), sexual desires, and other non-rational impulses⁶—and we are pulled towards virtue by the 'golden' cord associated with reasoning and law (644 D–645 A). Many commentators have emphasized the fact that in this passage no qualitative distinction is made among the various types of non-rational impulses.⁷ There are simply iron cords on the one hand and the golden cord on the other, and, as Bobonich puts it, 'Plato makes no room here for sil-

⁵ The issue of whether Plato abandons the theory of tripartition in the *Laws* is highly contentious. Against the developmentalists, L. Brisson, 'Soul and State in Plato's *Laws*' ['Soul'], in R. Barney, T. Brennan, and C. Brittain (eds.), *Plato and the Divided Self* [*Divided*] (Cambridge, 2012), 281–307 (and cf. L. Brisson, 'Ethics and Politics in Plato's *Laws*' ['Ethics'], *Oxford Studies in Ancient Philosophy*, 28 (2005), 93–121 at 95); M. M. Mackenzie, *Plato on Punishment* [*Punishment*] (Berkeley, 1981), 175; and T. J. Saunders, 'The Structure of the Soul and the State in Plato's *Laws*', *Eranos*, 60 (1962), 37–55, argue that tripartition is still present in the *Laws*. C. Kahn, 'From *Republic* to *Laws*' ['*Laws*'], *Oxford Studies in Ancient Philosophy*, 26 (2004), 337–62 at 361–2; and R. Kamtekar, 'Psychology and the Inculcation of Virtue in Plato's *Laws*' ['Psychology'], in C. Bobonich (ed.), *Plato's Laws: A Critical Guide* [*Guide*] (Cambridge, 2010), 127–48 at 141–2, argue, somewhat more neutrally, that tripartition is compatible with the puppet passage and the moral psychology of the *Laws*, even if it is not explicitly advocated in the text.

⁶ Or at least (so as not to beg the question against Bobonich), impulses that were attributed to non-rational parts of the soul in earlier dialogues.

⁷ D. Frede, 'Puppets on Strings: Moral Psychology in *Laws* Books 1 and 2', in Bobonich (ed.), *Guide*, 108–26 at 118, for example, remarks: 'There is no functional distinction between the two unreasoning strings of pleasure and pain, as there is between the two lower parts/horses, with the better part acting as an ally of reason against the powerful pull of the appetites.' Cf. Sassi, 'Self', 133.

ver cords'.⁸ In the puppet passage, *thumos* is included indiscriminately among the recalcitrant and disruptive irrational forces that pull against reasoning. Given the emphatic contrast between spirited emotion and appetitive desire in *Republic* and *Timaeus*, and given the important moral role granted to the *thumoeides* in those texts, this seems surprising. Moreover, as Sassi rightly points out, comments on spirited anger throughout the *Laws* confirm its low status: *thumos* is treated as a 'tyrannical' force that can motivate criminal behaviour (863 B) and even parricide (869 A), it can lead to ignorance (934 A) or madness (934 D), and it is a force that needs to be minimized or extinguished (731 D).⁹ In short, spirited anger, or *thumos*, is far from making a reliable contribution to individual virtue in the *Laws*. On the contrary, it is treated as a potentially significant *threat* to virtue. 'Although in the *Laws* Plato continues to attribute to *thumos* an important role in moral psychology,' Sassi concludes, 'in this text his attention is focused more on its irrational and uncontrollable manifestations, which make it a decidedly unlikely candidate for that alliance with reason which is hinted at in both the *Republic* and *Timaeus*.'¹⁰

⁸ *Utopia*, 264. In *Utopia*, 260–82, and in C. Bobonich, 'Akrasia and Agency in Plato's *Laws* and *Republic*' ['Agency'], *Archiv für Geschichte der Philosophie*, 76 (1994), 3–36 at 17–28, Bobonich offers a detailed interpretation of the puppet passage in support of his developmentalist thesis about Plato's moral psychology. Bobonich emphasizes the fact that none of the puppet's affections is described as being 'agent-like': the iron cords are not described as soul-parts with their own psychological lives, but rather they all seem to be occurrent mental states of some kind ('Agency', 20). I confront Bobonich's interpretation of the passage in J. Wilburn, 'Akrasia and Self-Rule in Plato's *Laws*', *Oxford Studies in Ancient Philosophy*, 43 (2012), 25–53, and offer my own alternative reading of it. ⁹ 'Self', 135.

¹⁰ *Ibid.* 137. R. F. Stalley, 'Justice in Plato's *Laws*', in L. Brisson and S. Scolnicov (eds.), *Plato's Laws: From Theory into Practice* (Proceedings of the VI Symposium Platonicum; Sankt Augustin, 2003), 174–85 at 181 n. 6, agrees that in the *Laws* spirited motivation does not have the same psychological role that it had in the *Republic*: 'In the *Republic* it is the positive role of spirit that is emphasized; its task is to come to the aid of reason and help it overcome the temptations of appetite. In the *Laws*, on the other hand, it appears in a negative role as the source of irrational passions which oppose the reason.' Cf. Bobonich, *Utopia*, 288. Brisson, who argues that the *Laws* accepts tripartition, none the less agrees that 'in the *Laws*, spirit displays a primarily negative role . . . Anger is a source of vicious behaviour, a negative force that needs to be moderated by gentleness' ('Soul', 298–9). He also remarks that 'we hear so little' of *thumos* in the *Laws* (*ibid.* 289). While Brisson does acknowledge two limited, positive uses of spirit in the *Laws*—first, when entering into a competition in the practice of virtue (cf. comments in sect. 4 below), and second, when channelling one's anger towards punishing the incurably unjust—he does not acknowledge the important role that (I will argue) the *thumoeides* plays in early education and moral development.

There are several points to make in response to this line of interpretation. The first is that, despite what many commentators suggest, the puppet passage is not intended to provide an account of the human soul. Indeed, the word 'soul', *psuchē*, despite being used frequently throughout the rest of Book 1, does not occur anywhere either in the puppet passage itself or in the passage immediately leading up to it.¹¹ That is not to say that the Athenian is not concerned with the soul at all in the passage, of course, but only that he is not attempting to illustrate a general theory of human psychology. Rather, his express purpose is to shed some light on a specific notion within moral psychology—namely, the notion of being 'stronger' or 'weaker' than oneself. This has two important implications. First, given that Plato's focus is relatively narrow in the puppet passage, we should be cautious about drawing any conclusions about his overall theory of the soul on its basis.¹² Second, if we take the aim of the passage into account, we can readily see why Plato would not have been inclined to distinguish among our various non-rational impulses: because the passage is designed to illustrate the notion of being stronger or weaker than oneself, it makes sense that it should focus on non-rational impulses than which we *need* to be stronger. In that context, there is no dialectical need to introduce an intermediate class of unproblematic non-rational motivations.

The next point to make is that although Plato's treatment of *thumos* in the *Laws* emphasizes its negative and psychologically dangerous aspects, Plato crucially does not identify *thumos* with the spirited part of the soul. Plato's usage in the works that feature tripartition confirms this. When Plato wants to refer to the emotional state of spirited anger, he typically uses *thumos* (as a synonym for *orgē*). When he wants to refer to the part of the soul responsible for spirited desires and emotions, on the other hand, he typically employs either the substantivized term *thumoeides* or a periphrastic expression such as 'the middle part that loves victory and is spirited' (τῷ μέσῳ τε καὶ φιλονίκῳ καὶ θυμοειδεῖ, *Rep.* 550 B 6).¹³ The distinc-

¹¹ *Psuchē* occurs at 643 D 1 and 645 E 5, but it is conspicuously absent from 643 D 2 to 645 E 4.

¹² Kahn, '*Laws*', 361–2, notes this point, and he rightly argues that the absence of tripartition in the *Laws* reflects more about the aims and context of the dialogue than it does about Plato's moral psychological theory.

¹³ See A. Hobbs, *Plato and the Hero: Courage, Manliness, and the Impersonal Good* [*Hero*] (Cambridge, 2000), 6–7, for a discussion of this issue.

tion is clearest in the *Timaeus*, where Plato uses *thumos* to refer to an affective state among many others but refers to the spirited part of the soul itself as ‘the part that has a share in courage and *thumos*’ (τὸ μετέχον τῆς ψυχῆς ἀνδρείας καὶ θυμοῦ, 70 A 2–3). Plato’s characterization of spirited anger in the *Laws*, therefore, cannot be taken as a characterization of the part of the soul responsible for that anger.

Moreover—and this is the most important point—even in the works that feature tripartition, spirited anger is always treated warily and is often characterized as irrational and potentially vicious. Indeed, the very case that Plato uses in *Republic* 4 to argue for the distinction between the reasoning and spirited parts of the soul presupposes a negative side of *thumos*: Odysseus must restrain his anger precisely because it is ‘irrational’ and pulls him contrary to ‘the part that has reasoned about better and worse’ (441 B 3–C 2). Similarly, in *Republic* 10 *thumos* is included with pleasure and pain in a generic list of irrational states that lead us (just as they do in the puppet passage) contrary to reasoning and law (606 D 1). Finally, in the *Timaeus* Plato twice includes *thumos* indiscriminately among the irrational affections of the mortal soul (42 A 7; 69 D 3), and he even emphasizes the unruliness of *thumos* by calling it ‘difficult to soothe’ (δυσπαραμύθητον, 69 D 3). None the less, the unruly nature of spirited anger does nothing to undermine the positive psychological role of the *thumoeides* in the *Timaeus*: the spirited part of the soul is considered ‘naturally superior’ to the appetitive part, and it is located in the chest, near the head, ‘so that it might listen to reason and together with it restrain by force the part consisting of appetites’ (69 E 5–70 A 6). These passages make it clear that Plato’s characterization of spirited anger as a dangerous irrational impulse can sit comfortably alongside his characterization of the spirited part of the soul as reason’s psychic ‘ally’. The fact that anger is treated with caution in the *Laws*, therefore, cannot be taken as a sign of a change in Plato’s attitude towards the *thumoeides* itself, and *a fortiori* cannot be taken as a sign of Plato’s abandonment of tripartition.

It will be apposite here to specify what I mean in speaking of Plato’s ‘theory of tripartition’, and in arguing that he continues to recognize the *thumoeides* as a distinct ‘part’ of the soul, given that there is significant scholarly debate about what Plato’s view that the soul consists of three ‘parts’ amounts to. What I take to be essential to the theory of tripartition, and what I take the *Laws* to be committed to (at a minimum), is (1) the view that there are three distinct

sources of motivation in the soul, each of which is characterized by the distinctive objects that attract or repel it, and each of which can produce action all by itself, independently of the other parts.¹⁴ To say that there exists a spirited part of the soul, then, means that there is a distinct source of desires and emotions in the soul that can cause a person to act independently of his reasoning and independently of any appetitive impulses he may have. (2) The three sources of motivation in the soul, moreover, have distinctive functions or roles in our psychology (see esp. *Rep.* 441 E–442 D and *Tim.* 69 D–71 E). Roughly put, the *thumoeides* is responsible for providing the soul with courage—which means (in a broad sense) supplying motivations, emotions, and attitudes (ones characterized by a certain kind of object; see Section 2 below) that effectively support reasoning and good judgement against vicious internal or external resistance.

Note that this ‘motivational’ interpretation of tripartite theory represents a (relatively) neutral kind of middle way between ‘literalists’—who, drawing on the personifying language that Plato often uses to characterize the tripartite soul, take the three parts of the soul to be robustly ‘person’-like, each being the subject of its own desires, beliefs, thoughts, and even (for some interpreters) reasoning—and ‘deflationists’—who downplay Plato’s use of personification and offer various weak readings of Plato’s talk of ‘parts’.¹⁵ It should be further noted, however, that my arguments

¹⁴ Brisson’s defence of the claim that the *Laws* remains committed to tripartite psychology evidently presupposes a similarly ‘motivational’ conception of tripartition. In the course of arguing that the *Laws* acknowledges the existence of the three soul-parts, he concludes that ‘appetite is a part of the soul that is one of the causes of human action’, that ‘*thumos*, or spirit, is indeed considered as a distinct part of the human soul that is one of the causes of human action’, and that ‘the spirit of anger is obviously the cause of specific actions’ (‘Soul’, 296–8).

¹⁵ Commentators who incline towards more or less ‘literalist’ views include: J. Annas, *An Introduction to Plato’s Republic* (Oxford, 1981), 130–1 and 138–45; Bobonich, *Utopia*, 216–35; T. Brickhouse and N. Smith, *Socratic Moral Psychology* (Cambridge, 2010), 203; E. Brown, ‘The Unity of the Soul in Plato’s *Republic*’, in Barney, Brennan, and Brittain (eds.), *Divided*, 53–73 at 62; M. Burnyeat, ‘Lecture I: Couches, Song, and Civic Tradition’, in *Culture and Society in Plato’s Republic* (G. Peterson (ed.), The Tanner Lectures on Human Values, 20: 215–324; Salt Lake City, 1999), 217–55 at 227–8; G. R. Carone, ‘*Akrasia* in the *Republic*: Does Plato Change his Mind?’, *Oxford Studies in Ancient Philosophy*, 20 (2001), 107–48 at 124–5; ead., ‘Plato’s Stoic View of Motivation’, in R. Salles (ed.), *Metaphysics, Soul, and Ethics in Ancient Thought: Themes from the Work of Richard Sorabji* (Oxford, 2005), 365–82 at 366; ead., ‘*Akrasia* and the Structure of the Passions in Plato’s *Timaeus*’, in C. Bobonich and P. Destrée (eds.), *Akrasia in Greek Philosophy: From Socrates*

are somewhat flexible, in that many of them do not depend on any particular interpretation of tripartite theory. Because I am making

to Plotinus [*Akrasia*] (Leiden, 2007), 101–18 at 108–13; T. Ganson, ‘The Rational/Non-Rational Distinction in Plato’s *Republic*’, *Oxford Studies in Ancient Philosophy*, 36 (2009), 179–97 at 185–6; Hobbs, *Hero*, 58; C. Kahn, ‘Plato’s Theory of Desire’, *Review of Metaphysics*, 41 (1987), 77–103 at 85–6; G. Lesses, ‘Weakness, Reason, and the Divided Soul in Plato’s *Republic*’, *History of Philosophy Quarterly*, 4 (1987), 147–61 at 149–51; H. Lorenz, *The Brute Within: Appetitive Desire in Plato and Aristotle [Brute]* (Oxford, 2006); id., ‘The Cognition of Appetite in Plato’s *Timaeus*’, in Barney, Brennan, and Brittain (eds.), *Divided*, 238–58 at 238–9; J. Moline, ‘Plato on the Complexity of the Psyche’, *Archiv für Geschichte der Philosophie*, 60 (1978), 1–26 at 10–11; M. Morris, ‘*Akrasia* in the *Protagoras* and the *Republic*’, *Phronesis*, 51 (2006), 195–229 at 218–19; J. Moss, ‘Appearances and Calculations: Plato’s Division of the Soul’, *Oxford Studies in Ancient Philosophy*, 34 (2008), 35–68 at 64–5; ead., ‘Pictures and Passions in the *Timaeus* and *Philebus*’, in Barney, Brennan, and Brittain (eds.), *Divided*, 259–80 at 274–5; C. D. C. Reeve, *Philosopher-Kings: The Argument of Plato’s Republic* (Princeton, 1988), 138–40; and M. Woods, ‘Plato’s Division of the Soul’, *Proceedings of the British Academy*, 73 (1987), 23–48 at 24. Barney, Brennan, and Brittain, in their introduction to the recent volume *Plato and the Divided Self*, refer to ‘what seems to be a growing consensus’ that the three parts of the soul are robustly agent-like: ‘For each seems to comprise an integrated system of capacities for cognition, volition, affect, and agency vis-à-vis the other parts . . . All this evidence suggests that we are to understand the parts as real agents, having something of the completeness and autonomy of different kinds of organism’ (*Divided*, 2–3). There are, however, dissenters: M. Anagnostopoulou, ‘The Divided Soul and the Desire for Good in Plato’s *Republic*’, in G. Santas (ed.), *The Blackwell Guide to Plato’s Republic* (Malden, Mass., 2006), 166–88; F. Cornford, ‘The Division of the Soul’ [‘Division’], *Hibbert Journal*, 28 (1929), 206–19 at 214; A. W. Price, ‘Are Plato’s Soul-Parts Psychological Subjects?’, *Ancient Philosophy*, 29 (2009), 1–15; R. Robinson, ‘Plato’s Separation of Reason from Desire’, *Phronesis*, 16 (1971), 38–48 at 44–7; C. Shields, ‘Simple Souls’, in E. Wagner (ed.), *Essays on Plato’s Psychology* (Lanham, Md., 2001), 137–56 at 141 and 148; id., ‘Unified Agency and *Akrasia* in Plato’s *Republic*’, in Bobonich and Destrée (eds.), *Akrasia*, 61–86 at 61–2 and 78–83; and J. L. Stocks, ‘Plato and the Tripartite Soul’, *Mind*, 24 (1915), 207–21. Cornford, for example, suggests that tripartition is not really about a division into parts, but rather into three types of life and human character (213), while Price argues that the soul-parts are simply ‘aspects of ourselves’ (1). C. Gill, ‘Plato and the Education of Character’, *Archiv für Geschichte der Philosophie*, 67 (1985), 1–26 at 6; R. Kamtekar, ‘Speaking with the Same Voice as Reason: Personification in Plato’s Psychology’ [‘Speaking’], *Oxford Studies in Ancient Philosophy*, 31 (2006), 167–202; R. F. Stalley, ‘Persuasion and the Tripartite Soul in Plato’s *Republic*’ [‘Tripartite’], *Oxford Studies in Ancient Philosophy*, 32 (2007), 63–90; and R. Woolf, ‘How to See an Unencrusted Soul’, in Barney, Brennan, and Brittain (eds.), *Divided*, 150–73 at 155–6, all remain somewhat more neutral regarding the agent-like status of the parts. Finally, J. Whiting, ‘Psychic Contingency in the *Republic*’, in Barney, Brennan, and Brittain (eds.), *Divided*, 174–208, is distinct in offering a ‘hybrid’ interpretation of Plato’s theory: it is contingent not only how ‘agent-like’ the parts are in a given person’s soul, on her reading, but even how many parts each person’s soul actually has. Because of this contingency, there is variation in Plato’s account: whereas *deflationists* provide the correct interpretation of *Republic* 4’s presentation of the soul, *literalists* provide the better interpretation of *Republic* 8 and 9’s presentation of it.

a case for *continuity* of Plato's views on the soul, many of my arguments should stand regardless of one's preferred understanding of Platonic psychological theory. Commentators who read the *Republic's* commitment to a tripartite soul in a deflationary light, for example, will have reason for thinking, on the basis of what follows, that Plato remains committed to that same tripartite soul in the *Laws*. In this way, my account will admit at least some degree of either literalist amplification or deflationist contraction.¹⁶ My own position, however, is that the tripartite theory of *Republic* and *Timaeus* is committed at least to (1) and (2) above, and I will argue that the *Laws* is committed to them as well. Furthermore, the *Timaeus* also suggests that, on Plato's view, (3) the three parts of the soul have distinct physiological locations and associations within the body (the reasoning part is located in the head, the spirited in the chest, and the appetitive in the midriff). As we will see, there are reasons for thinking that the *Laws* remains committed to this aspect of tripartite theory as well (at least in the case of spirit).

Finally, before turning to my positive account, it should be noted that much of the debate surrounding the status of tripartite theory in the dialogue concerns the burden of proof: does it lie with those who claim Plato abandons the theory, or with those who claim he continues to accept it? There are at least three initial reasons for thinking that it lies with the former. First, although Plato never explicitly endorses tripartition in the *Laws*, he also never explicitly rejects it, either in the *Laws* or in any other dialogue. He does, however, explicitly *endorse* tripartition in two relatively late dialogues,

¹⁶ Those most resistant to the claim that tripartition is present in the *Laws* will tend to be literalists, however. Note that the sharp developmentalism that Bobonich posits in Plato's moral psychology is partly a result of his interpretation of the *Republic's* tripartite theory. Bobonich adopts an extreme version of literalism according to which the parts of the soul in the *Republic* are very robustly agent-like: not only is each part a distinct source of motivation (a claim I accept), but each also has its own rich, discrete psychological life, with its own beliefs, thoughts, and fairly sophisticated cognitive capacities. One reason why he perceives such a dramatic shift between the *Republic's* theory and the *Laws*, then, is simply that he takes the former's theory to be so extreme. Although I cannot address his interpretation of tripartition in the *Republic* here, I do think that there are strong reasons for doubting it, many of which have been recorded in Lorenz (*Brute*, 41–52) and Stalley ('Tripartite'). Once Bobonich's interpretation of the *Republic* is disarmed, much of the theoretical basis for identifying a sharp shift between it and the *Laws* is disarmed as well. Even granted his strongly literalist reading of the *Republic*, however, my arguments will point to significant continuity in Plato's thinking about the soul that (particularly in the light of the burden-of-proof shifting considerations adduced below) tells against Bobonich's developmentalist conclusions.

Timaeus and *Phaedrus*. Second, in the *Republic* Plato deduces the tripartite theory on the basis of the Principle of Opposites, combined with the phenomenon of psychic conflict. Plato certainly acknowledges psychic conflict in the *Laws*, which means that if he had come to reject tripartition, he would have had to have rejected either the Principle of Opposites itself, or at least its application to the fact of psychic conflict. Yet neither the principle nor that connection is ever called into question in the *Laws*, or anywhere else in the Platonic corpus.¹⁷ And finally, the context and aims of the *Laws* are quite distinct from those of the *Republic*, and we should expect to find differences in its moral psychological focus in the light of those different aims.¹⁸

In what follows I will attempt to add to this burden of proof. If what I have said so far is right, then there is room in the *Laws* for the spirited part of the soul to continue to play an important positive role in moral education and development.

2. Musical education

My account will draw on two basic assumptions about the *thumoeides*. The first is that the spirited part of the soul, for Plato, is the part of the soul responsible for what we might call our ‘social’ or ‘other-directed’ emotions and desires. These include: the desires for honour, victory, and good reputation; the emotions of anger, shame, admiration, and disgust; and attitudes of praise and blame. Second, it is one of the primary tasks of early musical education in the *Republic* to shape those desires and emotions of the spirited part. In particular, musical education aims to habituate individuals to feel shame and disgust towards character and behaviour that are genuinely *aischron*, shameful, and to feel admiration towards character and behaviour that are genuinely *kalon*, admirable or beautiful. I will not argue for either of these assumptions in the present

¹⁷ Kamtekar (‘Speaking’, 181–2), too, points out that if Plato attributes conflicting mental states to a single subject in the *Laws* (as Bobonich claims), then that would seem to violate the Principle of Opposites and hence would demand an explanatory story that Plato never provides.

¹⁸ It should be noted here that the ostensible goal of *Republic* is to address the twin questions ‘What is justice/virtue?’ and ‘Why should we be just/virtuous?’, and the theory of tripartition is central to the answers it provides to them. *Neither* question is ever taken up in the *Laws* in any systematic way, however.

paper, although I take both of them, and especially the first, to be at least relatively uncontroversial.¹⁹

2.1. Spirited motivation

The Athenian identifies virtue as complete consonance between correct rational belief and law, on the one hand, and an individual's feelings of pleasure and pain, on the other (653 B–C). Education, he says, is concerned with fostering that consonance from the side of pleasure and pain. It is 'the drawing and pulling of children towards the argument that is said to be correct by law' (659 D 1–3), and it aims at 'correct training in pleasures and pains, so that a person hates what he is supposed to hate from the very beginning until the end, and also loves what he is supposed to love' (653 B 6–C 2).²⁰ The Athenian goes on to identify education with the choral art. Human beings alone among animals perceive, and take pleasure in,

¹⁹ Certainly both of them have been widely endorsed and defended in the secondary literature. The view that the spirited part of the soul is responsible for the desires, emotions, and attitudes cited above is advocated in, among many others, T. Brennan, 'The Nature of the Spirited Part of the Soul and its Object' ['Spirited'], in Barney, Brennan, and Brittain (eds.), *Divided*, 102–27 at 109; D. Cairns, *Aidōs: The Psychology and Ethics of Honour and Shame in Ancient Greek Literature [Aidōs]* (Oxford, 1993), 383–4; J. Cooper, 'Plato's Theory of Human Motivation', in id., *Reason and Emotion* (Princeton, 1999), 118–37; Hobbs, *Hero*; and T. Irwin, *Plato's Ethics* (Oxford, 1995). The view that early education targets the spirited part of the soul is defended in Cairns, *Aidōs*, 386–8; R. C. Cross and A. D. Woozley, *Plato's Republic: A Philosophical Commentary* (London, 1964), 123; J. C. B. Gosling, *Plato* (London, 1973), 42–5; Hobbs, *Hero*, 58–9; J. Moss, 'Shame, Pleasure, and the Divided Soul', *Oxford Studies in Ancient Philosophy*, 29 (2005), 137–70; G. R. Lear, 'Plato on Learning to Love Beauty', in G. Santos (ed.), *The Blackwell Guide to Plato's Republic* (Malden, Mass., 2006), 104–24; Mackenzie, *Punishment*, 169; and I. Vasilou, 'From the *Phaedo* to the *Republic*: Plato's Tripartite Soul and the Possibility of Non-Philosophical Virtue', in Barney, Brennan, and Brittain (eds.), *Divided*, 9–32 at 29. (It is, however, partly challenged in two recent articles by Wilberding, who argues that the spirited part of the soul is the target of a smaller portion of musical and gymnastic training than is commonly supposed. See J. Wilberding, 'Plato's Two Forms of Second-Best Morality', *Philosophical Review*, 118 (2009), 351–74 at 361–9, and id., 'Curbing One's Appetites in Plato's *Republic*' ['Appetites'], in Barney, Brennan, and Brittain (eds.), *Divided*, 128–49.) For textual support for my first assumption, see esp. *Rep.* 401 D–402 A, 439 E–440 A, 441 C, 549 A, 550 B, and 581 A; *Tim.* 70 A–D; and *Phdr.* 253 D–254 A. For the second, see esp. *Rep.* 410 D–411 E and 441 E–442 A. (Although the discussion of early education in the *Republic* precedes the introduction of the tripartite soul, Socrates' comment at 441 E 8–442 A 2 indicates that we are to identify the *thumoeides* of books 2 and 3 with the spirited part of the soul as it is characterized in book 4: 'And isn't it, as we were saying, a mixture of music and poetry, on the one hand, and physical training on the other, that makes the two parts harmonious?')

²⁰ Translations of the *Laws* are based on T. Pangle, *The Laws of Plato* (Chicago,

order in voice and bodily movement, he says ('harmony' is order in voice, 'rhythm' order in bodily movement: 653 E–654 A). That is why, from the time they are very young, human beings are incapable of keeping still or remaining silent, but are always moving their bodies around and using their voices. The institution of the chorus attempts to instil the proper rhythm and harmony in individuals by directing the pleasure they take in order and by imposing rhythm and harmony on their own movements and speech: broadly speaking, gymnastic education is the bodily part of the choral art concerned with dancing and orderly *movement*, and musical education is the vocal part of the choral art concerned with singing and orderly *speech*.

There is a *prima facie* reason for thinking that musical education in the *Laws* aims at the spirited part of the soul: it targets the same class of emotions and attitudes that were previously attributed to the *thumoeides*—in particular, admiration, disgust, and shame. The choral art as a whole, the Athenian indicates, and music in particular, aims at a proper appreciation of what is admirable and beautiful. The properly educated individual, he explains, will consider admirable things to be admirable and shameful things to be shameful. An individual is adequately educated in this sense 'who is not fully able to express correctly with voice and body what he understands, yet feels pleasure and pain correctly—warmly welcoming what is admirable and being disgusted by what is shameful' (654 C 9–D 3).²¹ What is most important is not a person's technical skill in singing and dancing, but rather the admiration he feels for what is *kalon* and the contempt he feels for what is *aischron*. Song and dance provide means of cultivating these appropriate attitudes because they are

1980), with modifications. All other translations of Plato are based on J. Cooper (ed.), *Plato: Complete Works* (Indianapolis, 1997).

²¹ The properly musically educated individual's 'warm welcoming' (*ἀσπαζόμενος*, 654 D 2) of what is admirable has a parallel to *Rep.* 401 E–402 A: Socrates says that if the young are properly reared on rhythm and harmony, they will love what is admirable and hate what is shameful before they are able to grasp reason, and that when reason does come, they will 'warmly welcome it' (*ἀσπάζουσι*, 402 A 3) on account of their strong kinship (*δι' οἰκειότητά, 402 A 3–4*) to it. Significantly, *ἀσπάζεται* is the verb used at 376 A 6 to describe the reaction that spirited dogs have to those with whom they are familiar (*οἰκεῖον*, 376 B 6). It is a spirited trait to love and protect what is familiar, and musical education in the *Republic* (and in the *Laws*, on my account) aims to exploit that trait by making beautiful character *οἰκεῖον*. Cf. n. 23 below. Brennan ('Spirited', 115–18) offers an insightful discussion of the role of the *οἰκεῖον* in spirited psychology.

'imitations' of moral character: admirable postures and songs imitate virtue, and disgraceful postures and songs imitate vice (655 B). By delighting in the right kinds of songs and dance, therefore, a person is cultivating feelings of admiration towards *kalon* character and behaviour (and feelings of shame and disgust towards *aischron* character and behaviour).²² The reason attitudes of admiration and disgust are so important is that those who admire a certain kind of character or behaviour come to acquire that character and to behave in those ways themselves. 'Surely it is necessary', the Athenian declares, 'that one who takes delight in things then becomes similar to the things he takes delight in . . . And what greater good or evil could we say there is for us than such completely necessary assimilation?' (656 B 4–7). Musical education, then, is designed to make people admire and praise the right kinds of things so that they *become* the right kinds of people.²³

There are further reasons for thinking that musical education aims at the *thumoeides*, however. These become clearest through the Athenian's discussion of public drinking parties. When the Athenian suggests that drunkenness can be useful and praiseworthy under the right circumstances, he meets significant resistance from his more austere Cretan and Spartan interlocutors. In response to their concerns, he provides an extended defence of the practice in books 1 and 2. He begins by explaining the psychological effects of wine-drinking: wine makes pleasures, pains, feelings of anger (*thumoi*), and sexual desires stronger and more intense, while it causes perceptions, memories, beliefs, and prudent thoughts to 'completely abandon' a person. The intoxicated individual, the Athenian says, 'arrives at a disposition of the soul that is the same as the one he had when he was a young child' (645 E 5–6).

Although this represents a depraved state of the soul, drunken-

²² Aristotle agrees that musical rhythms and harmonies contain likenesses to aspects of character, and that taking pleasure in the right kinds of music can make a person more inclined to take pleasure in the right kinds of people and behaviour. He offers an analogy: 'For if someone enjoys looking at the image of something for no other reason than because of its shape or form, he is bound to enjoy looking at the very thing whose image he is looking at' (*Pol.* 1340^a25–8).

²³ This dual process of delighting in the *kalon* and becoming more *kalos* oneself, moreover, is mutually reinforcing, for people tend to take pleasure in what is most like themselves: 'Those whose character is in accord with what is said and sung and in any way performed—because of nature or habit or both—are necessarily delighted by the admirable things, and led to praise them and pronounce them admirable' (655 D 7–E 3).

ness can, if practised under the right conditions and supervision, provide at least two interrelated benefits in a moral educational programme. The first is that drunkenness can provide a kind of endurance training for people through which their sense of shame is tested. The Athenian points out that although Crete and Sparta have developed many ways of testing their citizens in their endurance of *pains*—for example, through strenuous physical exercises and exposure to extreme heat and cold—they do not provide comparable tests for their endurance of *pleasures*. This is troubling, the Athenian says, given that those who cannot hold firm in the face of pleasures are even *worse* than those who cannot endure pains (633 E). Alcohol, however, on account of its unique properties and psychological effects, provides an excellent way of testing resolve in the face of temptation. Because our pleasures are stronger and more intense when we are drunk, they are much *harder to resist*, and because reasoning ‘completely abandons’ us, we cannot rely on our rational judgements and desires to hold us in check against them. This means that we are completely at the mercy of our non-rational impulses. Those who have cultivated the proper sense of shame, however, will continue to find morally objectionable behaviour repugnant even while they are drunk and will act accordingly; those who have not, on the other hand, will indulge their basest pleasures and impulses, having neither shame nor reason to restrain them. Drinking parties, then, provide a way of practising resistance to pleasure and testing one’s sense of shame in the process.²⁴

What is noteworthy about this discussion is that it clearly draws a distinction between two classes of non-rational impulses: there are the potentially vicious impulses, particularly those related to pleasure, that need to be resisted, and there are the better impulses, particularly feelings of shame, that can do the resisting. Thus, although the image of the puppet ‘makes no room for silver cords’, this discussion of drunkenness that immediately follows it *does* recognize an intermediate class of superior non-rational motivations, and they are precisely the kinds of motivations that were previously attributed to the spirited part of the soul. Those motivations can

²⁴ In this way intoxication provides an opportunity to see what kinds of motivations people have in the absence of their better judgements, as well as how those non-rational motivations balance against each other. See discussions of the function of the drinking party in G. M. A. Grube, *Plato’s Thought [Thought]* (Indianapolis, 1980), 243; Kamtekar, ‘Psychology’, 141–2; and G. Morrow, *Plato’s Cretan City [Cretan]* (Princeton, 1960), 315–17.

cause a person to act, moreover, independently (*a*) of his reasoning, which has abandoned him, and (*b*) of his appetites, which he is resisting. And finally, these virtuous motivations serve the same psychological function that is attributed to the *thumoeides* in tripartite theory—namely, providing courageous resistance to internal threats to virtue. The discussion of drunkenness thus points to a distinct psychic source of non-rational, non-appetitive motivations. In other words, it points to the existence of a spirited part of the individual's soul.²⁵

There is a second benefit to drinking parties. If used properly, they do not merely *test* a person's sense of shame, but also *reinforce* and *shape* that sense of shame. Although education is supposed to cultivate the proper non-rational feelings and attitudes in individuals, that education, the Athenian says, 'tends to slacken in human beings, and in the course of a lifetime it becomes corrupted to a great extent' (653 c 7–9). The primary benefit of alcohol, on his account, is that it provides a way of correcting this natural tendency through a kind of *re-education* of adults:

Didn't we assert that . . . the souls of drinkers, like some iron [καθάπερ τινὰ σίδηρον], become fiery [διαπύρους], softened [μαλθακωτέρας], and youthful, so that they can be easily led—as they were when they were young, by someone who possesses the ability and the knowledge required to educate and mould [πλάττειν] souls? Didn't we say that the one who did the moulding is the same as he who moulded them earlier, the good lawgiver, whose laws must be fellow drinkers at the banquet? They must be able to make whoever becomes confident, bold, and more shameless than he

²⁵ Brisson ('Soul', 294) also finds tripartition in the passage on drunkenness, but he does so solely on the basis of 645 d–e: 'When the Athenian suggests giving wine to this puppet, we find a very clear distinction between (1) pleasures and pains, (2) anger and desires, and (3) sensations, memory, opinions, and thought, that is, between appetite (*epithumiai*), spirit (*thumos*), and intellect (*nous*).' This comment is somewhat curious, however, because it is unclear how (1)–(3) are supposed to map onto the tripartite soul, and particularly how (1) and (2) are supposed to map onto appetite and spirit. Brisson provides no details. Moreover, it is doubtful whether Plato really intends to mark off any distinction between appetitive and spirited impulses at 645 d, given that the Athenian is at this point merely distinguishing between states and impulses that are intensified by drinking and those that are weakened or eliminated by it—that is, between non-rational states and rational ones (corresponding to the iron cords and golden cord, respectively, in the immediately preceding puppet image). The fact that the Athenian lists the non-rational impulses as τὰς ἡδονὰς καὶ λύπας καὶ θυμὸς καὶ ἔρωτας at 645 d 7, without distinguishing among them (even syntactically), confirms this reading. It is not until the subsequent discussion of the educational benefits of drinking parties that the distinction between appetitive and spirited impulses becomes evident in the way I have suggested.

should be . . . willing to act in just the opposite way. When ignoble boldness appears, these laws will be able to send in as a combatant the noblest sort of fear accompanied by justice, the divine fear to which we gave the name 'awe' and 'shame'. (671 B 8–D 3)

There are several things to note about this passage. First, wine's usefulness lies in the fact that it makes the souls of drinkers *young* again. Youth is the period of time in our lives when we are most impressionable and educable, and alcohol temporarily induces a return to that impressionable and educable state. Second, the primary psychological means through which the intoxicated individuals are to be educated is shame. In a properly run drinking party, individuals will be encouraged to avoid indecorous behaviour, and while those who succeed will be publicly praised, those who fail will be publicly blamed and humiliated.²⁶ These practices will reinforce the attitudes of admiration and shame that were cultivated during early education, but which have since 'slackened'. And finally, the Athenian uses distinct metaphorical language in his discussion: the soul is likened to soft, fiery 'iron', and education is understood as a process of 'moulding' that iron.

This characterization of the effects of musical education on the soul parallels in striking ways the *Republic's* characterization of the effects of musical education on *the spirited part* of the soul. In the *Republic* Socrates also characterizes early education as a kind of 'moulding' of the soul, for during youth a person is 'most malleable' and 'takes on any stamp one wishes to impress on him' (377 A 12–B 3). After outlining his programme of musical and gymnastic education, Socrates then describes the psychological consequences of neglecting or overindulging in either of the two disciplines. About music he says:

When someone gives music an opportunity to charm his soul with the flute and to pour those sweet, soft, and plaintive tunes we mentioned through his ear, as through a funnel, and when he spends his whole life humming them and delighting in them, then, at first, whatever spirit [*thumoeides*] he has is softened like iron [*ὡς περ σιδηρον ἐμάλαξεν*], and from being hard and useless, it is made useful. But if he keeps at it unrelentingly and is charmed by the music, after a time his spirit [*thumos*] is melted and dissolved until it vanishes, and the very sinews of his soul are cut out and he becomes 'a feeble warrior'. (411 A 5–B 4)

²⁶ See 671 D–672 D; cf. 648 B–E.

In this passage the *thumoeides* is again likened to iron, which music can 'soften' and make usefully malleable.²⁷ Gymnastic education, meanwhile, is understood as a process of hardening the *thumoeides* (410 D). In conjunction with music, gymnastics ensure that the *thumoeides* becomes tough enough to hold the 'shape' that is given to it through musical education. This metaphorical language precisely parallels the Athenian's characterization of the psychology of education. Given the parallel, and given that in the *Republic* the iron-like, malleable part of the soul is the spirited part, we have strong reason for thinking that when Plato employs the same characterization of the psychological effects of education in the *Laws*, he continues to have the *thumoeides* in mind.²⁸

This is by no means an isolated use of the moulding metaphor, moreover. Indeed, passages throughout the text characterize proper education in terms of hardness and softness of the soul, and many of them contain tantalizing occurrences of *thumos* and its cognates.²⁹ For example, when a person drinks wine, 'the soul, by escaping from its dispiritedness [*δυσθυμία*], has its disposition turned from harder to softer, so that it becomes more malleable, like iron when it is plunged into fire' (666 B 7–C 2). Likewise, 'If [our citizens] aren't practised in enduring pleasures and in never being compelled to do anything shameful, their softness of spirit [*γλυκυθυμία*] before pleasures will lead them to experience the same thing as those overcome by fears' (635 C 5–D 1).³⁰

Finally, in his condemnation of insulting speech, the Athenian says, 'The one who speaks [abusively] is gracious to a graceless

²⁷ The reason that the *thumoeides* is 'useful' when it has been softened is that, like tempered metal, it can be moulded and shaped. On the other hand, if it is too soft, or soft for too long, it becomes 'useless' (just as a hammer is useless if the metal out of which it is moulded never cools and hardens).

²⁸ Cf. Hom. *Il.* 24. 205: *σιδήρειόν νύ τοι ἦτορ*. The heart is traditionally associated with *thumos* and is often characterized as 'iron' in Homer. It is also the seat of the *thumoeides* in Plato (see *Tim.* 70 A–B and sect. 3.2 below).

²⁹ T. Saunders, *Plato's Penal Code [Penal]* (Oxford, 1991), 185–7, discusses the *Laws*' use of the 'physiological' language of hardness/softness and hotness/coldness to characterize the soul, though he does not note any connections between the use of that language and the use of *thumos* and its cognates.

³⁰ See also 880 D 8–E 3, where the Athenian states that the laws exist 'partly for the sake of those who have shunned education, who employ a certain tough nature and have been in no way softened so as to avoid proceeding to everything bad'; 633 D 2–3, where pleasures 'can turn to wax the spiritedness [*thumos*] even of those who think themselves solemn'; and 789 E 2–3: 'When the child is born [the woman] must mould it like wax so long as it remains moist.'

thing, spiritedness [*thumos*], and gorges his anger with wicked feasts, making that sort of thing in his soul [*τῆς ψυχῆς τὸ τοιοῦτον*] that was at one time tamed [*ἡμερώθη*] by education savage again' (935 A 3–6).³¹ Although Plato avoids explicitly acknowledging the existence of soul-parts in the *Laws*, this remark comes close with its 'that sort of thing in the soul'. In any event, the Athenian makes it clear that whatever it is in the soul that is responsible for anger is also a primary target of education. Based on everything we have seen, we have good reason for thinking that that thing is still the spirited part of the soul.

2.2. *Pleasure and pain*

There is an objection that one might raise to my account at this point: the Athenian characterizes education as correct training in *pleasure and pain*, and his programme of musical education is predicated on the delight that children take in songs, dance, and play. This might suggest that, to the extent that music targets part of the tripartite soul, it targets the *appetitive* part, not the spirited.³² There are at least two ways to respond to this worry, however. First, the Athenian's talk of pleasure and pain throughout the dialogue makes it clear that he has in mind not simply *appetitive* feelings of pleasure and pain, but a diverse range of non-rational states and impulses that explicitly include spirited impulses such as anger and envy.³³ Similarly, in the *Timaeus* it is the entire non-rational soul,

³¹ Cf. *Rep.* 442 A 2, where music 'tames' (*ἡμεροῦσα*) the spirited part of the soul.

³² This is the view of Bobonich, who argues that, in the *Laws*, appetitive pleasure (which Bobonich does not, of course, attribute to a distinct appetitive part of the soul) is actually considered *more* useful than spirited emotions for the purposes of moral education (*Utopia*, 365–7). Kamtekar ('Psychology', 128–30 and 145–8) also emphasizes the role of pleasure in Magnesians early education and provides a useful discussion of various interpretations of the psychology underlying pleasure's role in education. Pleasure is also prominent in the accounts of Morrow (*Cretan*, 302–18) and R. F. Stalley, *An Introduction to Plato's Laws [Introduction]* (Indianapolis, 1983), 125–7. W. Jaeger, *Paideia: The Ideals of Greek Culture*, iii. *The Conflict of Cultural Ideals in the Age of Plato*, trans. by G. Highet (New York, 1944), 228, emphasizes the Athenian's focus on 'irrational' impulses in general.

³³ See the Athenian's discussion of the psychological causes of criminal behaviour at 863 B–864 C. He initially identifies anger (*thumos*) and pleasure as the two non-rational causes of crime (863 B 1–9), but at 863 E 6–8 he expands this list to include 'anger, fear, pleasure, pain, feelings of envy, and appetites'. Then, at 864 B 3–6, he narrows the list back down to two categories: 'anger and fear, which we call "pain"' and 'pleasure and appetites'. See similarly broad lists of pleasures and pains at 645 D, 649 D, and 934 A.

not merely the appetitive part of it, that partakes in pleasure and pain, and in the *Republic* each part of the soul is assigned its own distinct pleasures.³⁴ Because the language of pleasure and pain is used throughout the *Laws* as a way of referring generically to non-rational affections, the Athenian's description of early education as training in pleasure and pain does not determine our interpretation of the psychology underlying that process. When he characterizes music as a process of directing and moulding the child's feelings of pleasure and pain, therefore, that leaves open the possibility that what he has in mind includes, or even predominantly involves, spirited impulses.³⁵

Second (and more importantly), it should be noted that my account does not claim that musical education aims *exclusively* at the spirited part of the soul. Presumably, appetitive pleasure *is* a target of early education, and in at least two ways—one negative and one positive. It is a target negatively in that early education partly aims to make sure that children do not have strong and intractable appetitive urges that might interfere with their pursuit of decency. While ensuring that they would be *ashamed* of indecent appetitive indulgence is one way to achieve the proper balance of motivations, the task will obviously be easier if their appetites have been moderated and controlled through childhood rearing.³⁶ Second, it seems safe to assume that much of the pleasure the child takes in song, dance, and play is appetitive pleasure, and that appetitive pleasure and pain play a positive psychological role in the child's coming to

³⁴ See *Tim.* 42 A, 69 C–D; *Rep.* 580 D–581 C.

³⁵ Moreover, in the *Laws* *χαίρειν* is the verb the Athenian most frequently uses to refer to the pleasure the young take in song and dance. It occurs at least twenty-one times in book 2 (e.g. 654 C 7, 655 E 2, 656 B 5), and he clearly identifies *χαίρειν* with taking pleasure (see esp. 659 D 5 and 663 B 5, where *χαίρειν* is opposed to *λυπέισθαι*, in parallel to the *ἡδονὴ καὶ λύπη* that occurs throughout book 2, e.g. at 653 B 2–3, C 7, and 654 D 2). Even in the *Republic*, however, this kind of pleasure evidently plays a positive role in early education: Socrates says that those who are educated through proper rhythm and harmony will 'take delight' (*χαίρων*, 401 E 4) in what is admirable. The Athenian's emphasis on the pleasure and delight the young take in music is nothing novel, therefore, and cannot be taken as evidence of a shift in Plato's views.

³⁶ Wilberding ('Appetites', 140–6) provides a useful discussion of how, on Plato's account, our appetites can be trained through early education by practising self-restrained and moderate behaviour. On Wilberding's view, though, this training affects the appetitive part of the soul *exclusively*: acting moderately, he claims, 'does not serve to arouse the spirited part of the soul' (146). However, given Plato's view that courage involves resistance by the spirited part against both external threats *and* appetites within, it is unclear why moderate behaviour could not, for Plato, involve both the subduing of appetite *and* stimulating training for the *thumoeides* itself.

have the right attitudes of admiration, disgust, and shame. While I think that a range of possible ways of spelling out this role are compatible with my account, my own tentative suggestion is the following: the child takes both appetitive pleasure and spirited pleasure in song and dance, but for two different reasons. The child takes appetitive pleasure because rhythm and harmony are pleasing to the senses—because it ‘feels good’ to perceive, and take part in, song and dance—and the child takes spirited pleasure because the *thumoeides* is naturally responsive to what seems *kalon* or admirable. The appetitive pleasure serves to reinforce the spirited pleasure, and the result of all this is that the child comes to develop the proper spirited attitudes of admiration, shame, and disgust. The important point is this, though: whatever role appetitive pleasure might play in musical education, it is clear that the *primary* aim and outcome of that education is for the individual to have the right feelings of admiration, shame, and disgust. That is why the institution of the drinking party, which is supposed to test and restore the effects of education, is training in *shame*. And because admiration, shame, and disgust are spirited attitudes in Plato, we have good reason for thinking that the primary goal of music is proper training of the *thumoeides*.³⁷

One final question that is worth considering: why not think that attitudes of admiration, disgust, and shame have become, in Plato’s later work, *rational* attitudes (or at least, as Bobonich claims, attitudes that necessarily draw on reasoning), and that musical education thus aims at training the child’s developing rational capacities? There is an immediate response to this, however. If musical education had its primary psychological effect on our rational nature, then it would be inexplicable why drinking parties would have the effect of mimicking musical education and restoring its psychological effects. If early musical education were *rational*, then why would that education be renewed through drunkenness, which is precisely (according to the Athenian) when our rational capacities abandon us and our emotions are at their peak?

³⁷ Grube (*Thought*, 252) agrees: ‘The “part” of the soul most directly concerned [in music and gymnastics] is undoubtedly the *θυμός*, the spirit or feelings.’ D. Cohen, ‘Law, Autonomy, and Political Community in Plato’s *Laws*’, *Classical Philology*, 88 (1993), 301–18 at 310, and Cairns (*Aidōs*, 377) also emphasize the Athenian’s focus on shaping the values of shame and honour in early education.

3. Gymnastic education

The Athenian returns to the topic of early education in book 7, where his focus shifts to gymnastic education. As we have seen, he characterizes gymnastics as the part of the choral art—that is, of education—concerned with order in bodily movement.³⁸ The Athenian's gymnastic proposals are founded on the ideas that certain kinds of bodily motions characterize virtuous individuals, that those bodily motions express and imitate corresponding motions and conditions of the virtuous individual's soul, and that habituation in the appropriate bodily motions can facilitate acquisition of the corresponding psychic condition.³⁹ Hence he reiterates his earlier view that the rhythmic movements of dance (like the harmonies of song) are 'imitations' of human character (798 D–E). The purpose of gymnastics is to impose the right kinds of movement on the body, therefore, so that the corresponding virtuous motions of the soul become inculcated (at least in a preliminary way) in the individual as well.⁴⁰

This process should begin, the Athenian claims, even before the child is born. 'All bodies benefit from the invigorating stir produced

³⁸ It should be noted that, because singing and dancing are two sides of the same art, music and gymnastics are not always very strictly separated from each other. Indeed, participation in a chorus will count as both musical and gymnastic education. Therefore, we should avoid thinking that musical and gymnastic training take place strictly one at a time in succession. Cf. remarks in Morrow (*Cretan*, 331–2) and L. Strauss, *The Argument and Action of Plato's Laws* (Chicago, 1975), 100.

³⁹ The Athenian provides a useful physiological analogy to illustrate the effects of gymnastics: in the case of the body, a person can become accustomed to all kinds of foods and drinks and exercises, even if at first he is upset by them. Over time, the person becomes familiar with them and becomes 'like' them, and at that point it would pain the person to change back to his old regimen. 'One must hold', the Athenian says, 'that this very same thing applies to the thoughts of human beings and the natures of their souls' (798 A). Saunders (*Penal*, 174–5) provides an account of the psychological effects of punishment in the *Laws* that draws on this 'medical', physiological model. According to Saunders, punishment is painful (and hence effective) because it represents a sudden, violent breaking up of the patterns and affections to which the criminal agent has become accustomed.

⁴⁰ See discussions of gymnastic education in Morrow (*Cretan*, 304–9), Grube (*Thought*, 246–52), and especially Kamtekar ('Psychology'), with whose account I take my own to be largely aligned. Whereas the accounts of Grube and Kamtekar (along with my own) focus on the inward psychological effects of gymnastic education, Morrow's interpretation focuses on the *outward* effects, pointing to the various ways in which proper motion and dance are intended to impact on 'the gestures, postures, and movements of ordinary life' (306). Kamtekar responds to Morrow's account (128).

by all sorts of shaking and motions,' he says, 'whether the bodies be moved by themselves, or in carriers, or on the sea, or by being carried on horses or on any other body' (789 D 1–4). For that reason, pregnant women must go for regular walks, and, once children are born, the infants' bodies and souls should be kept in motion as continuously as possible, 'as if they were always on a ship at sea' (790 C 5–8). Motion brings order and quiet to the restlessness of the infant's soul, as evidenced by the fact that mothers use rocking, not stillness, to lull their babies to sleep. The Athenian explains this phenomenon:

The passion being experienced is presumably terror, and the terror is due to some poor habit of the soul. When someone brings a rocking motion from the outside to such passions, the motion brought from without overpowers the fear and the mad motion within, and, having overpowered it, makes a calm stillness appear in the soul that replaces the harsh pounding of the heart [*καρδίας χαλεπῆς πηδήσεως*] in each case . . . It thereby replaces our mad dispositions with prudent habits. (790 E 8–791 B 2)

Feelings of fear are associated with certain kinds of motions in the soul, and if those motions become a settled part of the child's psychic habit, they will become an obstacle to its acquisition of courage.⁴¹ Feeling fear is 'practice in cowardice', the Athenian says, and for that reason infants should be kept free of terror and suffering as much as possible during the first three years of their lives (791 B; 792 B). This is accomplished by imposing the right kinds of external motions, which in turn alleviate the *internal* motions that constitute that fear and worry.⁴²

From the ages of three to five or six, children should play games

⁴¹ Kamtekar ('Psychology') provides an illuminating discussion of this passage. In particular, she addresses the question in what sense the disturbing motions of the infant's soul could count as fear, given that the Athenian elsewhere characterizes fear as the expectation of evil (644 c), which (she claims) seems to require the involvement of the rational part of the soul. Her suggestion is that what the infant experiences are the physiological and phenomenological correlates of the rational expectation of evil that constitutes fear, and that in virtue of their usual correlation with such expectation, those experiences can be counted as a primitive form of fear (141). Her explanation of why rocking the child helps prepare it for courage is as follows: 'If the rational part may, but need not, occupy itself with non-rational affections, then perhaps eliminating such affections from the child's early experiences reduces the opportunities for the rational part to form the associated false opinions which would, if they took hold, make for a coward. Presumably the motions of fear are uncomfortable and a child familiar with them would tend to form the opinion that whatever occasions them is evil' (145).

⁴² Grube (*Thought*, 246) concurs that external motion alleviates the troubling

of their own design. The main concern of their nurses during this stage of development is to make sure that the children do not become accustomed either to excessive luxury—which leads to irascibility, ill-humour, and a propensity to be upset by trivialities—or to excessive punishment—which leads to servility and savageness (791 D). At the age of six, the children begin to learn martial skills such as horseback riding, archery, and javelin-throwing, and in later years they study the two main branches of gymnastics, wrestling and dancing. Because the Athenian considers dancing and singing to be two sides of the same activity—participating in a chorus—many of his comments about the latter apply to the former as well. In book 7, however, the Athenian provides further details concerning the guidelines for dance. Dancing, he says, is divided into two main forms: imitation of admirable bodies in solemn movement, and imitation of shameful bodies in low movement. The youths should be trained only in the imitation of the admirable, which in turn has two parts: the Pyrrhic or warlike part, which involves the imitation of noble bodies engaged in violent martial exertion, and the peaceful part, which involves the imitation of noble bodies behaving moderately in peaceful conditions (814 E–815 A).⁴³ As for wrestling, the youths must not practise techniques that are useless for the purposes of war, but should focus exclusively on those that promote strength, health, and military prowess (796 A). The youths should practise wrestling, fighting, and dancing that involves heavy

psychic motion within. E. B. England, *The Laws of Plato* [*Laws*], 2 vols. (New York, 1976), ii. 241, however, offers an alternative interpretation of the passage. According to England, *φαίνεσθαι* at 791 A 4 indicates that the 'calm stillness' merely *appears* to the child to be present in its soul (but is not *really* present). Rocking accomplishes this, England, claims, by *distracting* the child's attention away from the mad motion within. It is not that the external motion actually has any effect on internal psychic motion, on this account; it simply makes the child temporarily unaware of the troubling psychic motion.

⁴³ Kamtekar takes it to be a virtue of her account (as do I) that it provides an explanation of why, for the purposes of achieving the desired psychological effects of gymnastic education, it is not enough that the young citizens simply *observe* orderly movement, but must also practise orderly movement themselves. Because, on her account, engaging in the right kind of physical motion impacts the psychic motions and affections within, we cannot produce those results simply as *spectators* ('Psychology', 147–8). In his own account of musical education, Aristotle offers a somewhat different view on why the young must not be mere spectators: 'It is not difficult to see, of course, that if someone takes part in performance himself, it makes a great difference in the development of certain qualities, since it is difficult if not impossible for people to become excellent judges of performances if they do not take part in it' (*Pol.* 1340^b21–5).

armour and weapons, and the movements that they learn should be those that are ‘by far the most akin to fighting in war’ (814 D).

There are several reasons for thinking that gymnastic education is directed at the spirited part of the soul. First, the Athenian makes it clear that one of the most prominent aims of gymnastic training is to prepare the young citizens for war by making them more *courageous*. Most obviously, this aims at defence against external, foreign enemies, but his remarks also reveal that the citizens must be fit to combat internal ‘enemies’ as well—namely, recalcitrant feelings of pleasure and fear.⁴⁴ The spirited part of the soul, we have seen, is the part that is specially responsible both for the virtue of courage and for battling external and internal enemies alike. Again, this provides a *prima facie* reason for thinking that Plato presents his gymnastic proposals with the *thumoeides* in mind.

Second, we once again find a useful parallel to the *Republic* (where gymnastic education is explicitly said to target the *thumoeides* at 410 B 5–6). In the *Laws*, the Athenian identifies a cluster of psychic defects that can result from improper gymnastic education: the young can become ill-humoured (*δύσκολον*), irascible (*ἀκράκολον*), slavish (*ἀνελεύθερον*), or savage (*ἄγριον*), and they can come to possess cowardice (*δειλία*) (791 B 7, D 5–9). In the *Republic*, this same cluster of defects are all explicitly identified as defects of the *thumoeides*: excessive music ruins a person’s *thumoeides* and makes him ill-humoured (*δύσκολον*), irascible (*ἀκράκολον*), and quick-tempered, while excessive gymnastics makes a person savage (*ἄγριον*); ill-humour (*δύσκολία*) overstrains the *thumoeides*; luxury and softness introduce cowardice (*δειλία*) into it; and slavishness (*ἀνελευθερία*) turns the *thumoeides* from ‘lion-like’ to ‘ape-like’ (411 B 6–C 2, D 7–E 2; 590 A 9–B 9).⁴⁵

Finally, further evidence can be found by looking to the *Timaeus*. As we have seen, the Athenian often characterizes our psychology in terms of motion (a position which receives a theoretical foundation at 896 E ff.), and he characterizes gymnastic education as a process of instilling the appropriate psychic motions in the soul through training in corresponding motions of the body. Similarly, in the *Timaeus*, psychological states and disturbances, as well as psychic health and affliction themselves, are characterized in terms

⁴⁴ See 633 C–634 B; 791 B–C; 814 E; 815 E–816 A; cf. *Rep.* 442 A–C; *Tim.* 70 B 3–5.

⁴⁵ And cf. *Laws* 901 E 4–7, where cowardice and luxury cause ‘softness of spirit’ (*ῥαθυμία*).

of psychic motion, and education is understood as a process of fostering the proper motions in each of the three parts of the soul (90c).⁴⁶ With this framework in mind, Timaeus' comments on the spirited part of the soul are especially significant. He says that the spirited part of the soul is located near the heart, and he explains:

The gods foreknew that the pounding of the heart [*πήδησις τῆς καρδίας*] (which occurs when one expects what one fears or when one's anger is aroused) would, like all such swelling of the passions [*τῶν θυμουμένων*], be caused by fire. So they devised something to relieve the pounding: they implanted lungs, a structure that is first of all soft and without blood and secondly contains pores bored through it like a sponge. This enables it to take in breath and drink and thereby cool the heart. . . so that when anger (*thumos*) within the heart should reach its peak, the heart might pound against something that gives way to it and be cooled down. (70c 1–d 6)

Here, the 'pounding' of the heart in fear or anger is caused by, or related to, the agitation of the spirited part of the soul, which Timaeus locates in the chest. Likewise, in the passage quoted above from the *Laws* (790e–791b), fear is associated with precisely the same 'pounding' of the heart and agitation of the soul. The parallel suggests that in the *Laws* Plato continues to be committed to a similar model of the soul's physiological associations, and that, although the *thumoeides* is not explicitly mentioned in the *Laws* account, it is still the psychic source of the agitation involved in fear and anger. Two further points hint at this interpretation. First, as noted above, the Athenian states that if infants become accustomed to feeling fear of the sort he has described, they will not become courageous, but cowardly. And second, he follows up his comments by asking, 'If someone were to apply every device in an attempt to make the three-year period for our nursling contain the least possible amount of suffering and fears and every sort of pain, don't we suppose that he would give the soul of the one brought up this way a better spirit [*εὐθυμον*]?' (792b 4–8).

⁴⁶ Kamtekar's account of gymnastic education in the *Laws* is similarly informed by the psychology and physiology of the *Timaeus* ('Psychology', 130–43). Brisson ('Soul', 285–7) also draws attention to parallels between *Timaeus* and the *Laws*, though with a different focus.

4. The law

Moral education for the citizens of Magnesia does not end with musical and gymnastic training. Plato also assigns to the lawgiver, and to the laws themselves, an important educational function in the *Laws*. Indeed, one of the chief innovations of the dialogue is Plato's insistence that the laws should make use of *persuasion*, rather than mere force. The Athenian draws an analogy: whereas the slave doctor (who treats slaves) will simply issue medical orders without explanation, the free doctor (who treats free men) will 'as much as he can teach the one who is sick. He doesn't give orders until he has in some sense persuaded' (720 D). Similarly, legislation should be accompanied by preludes that attempt to *persuade* the citizens to follow the laws, rather than simply threaten them with punishment if they do not. Commentators have presented a wide range of interpretations of the precise role the preludes are intended to play, and in what sense they are to 'persuade' the citizens. On one side of the debate, commentators such as Bobonich and Terence Irwin have argued that the preludes *teach* the citizens in a very robust sense: they provide the citizens with 'good epistemic reasons' for thinking that the principles underlying the laws are true (reasons which Plato himself accepts), and the rational instruction they provide is intended to lead to understanding.⁴⁷ On the other side, commenta-

⁴⁷ Bobonich (*Utopia*, 104). See C. Bobonich, 'Persuasion, Compulsion, and Freedom in Plato's *Laws*' ['Persuasion'], *Classical Quarterly*, NS 41 (1991), 365–88; id., 'Reading the *Laws*', in C. Gill and M. M. McCabe (eds.), *Form and Argument in Late Plato* (Oxford, 1996), 249–82 at 264; id., *Utopia*, 97–119; and T. Irwin, 'Morality as Law and Morality in the *Laws*' ['Morality'], in Bobonich (ed.), *Guide*, 92–107 at 98. The rationalist interpretation is well stated by Bobonich: 'What the lawgiver and the preludes do is characterized as "teaching", that is, giving reasons to the citizens and bringing it about that they "learn" . . . The preludes are thus designed to be instances of rational persuasion . . . Thus the citizens will learn why the laws are fine and just and should also learn why following the laws and, more generally, acting virtuously is good for them. They are to receive a true and reasoned account of what is good for human beings' (*Utopia*, 104). Bobonich goes so far as to suggest that the preludes could even produce *knowledge* in the citizens ('Persuasion', 378–80) (though cf. Bobonich's later remarks at *Utopia*, 199). R. Curren, 'Justice, Instruction, and the Good: The Case for Public Education in Aristotle and Plato's *Laws*', *Studies in Philosophy and Education*, 13 (1994), 1–31 at 20–1, also advocates a rationalist interpretation of the preludes. J. Annas, 'Virtue and Law in Plato' ['Virtue'], in Bobonich (ed.), *Guide*, 71–91, inclines towards the rationalist camp but adopts a more moderate interpretation than that of Bobonich. She argues that the preludes are neither wholly rational argument nor wholly 'rhetorical spell' (84–6). Many of them, she claims, are more like an 'earnest address' that 'provides no argument' (76).

tors such as André Laks and Richard Stalley have suggested that the preludes appeal primarily to *non-rational* aspects of our psychology, and that for that reason they are not intended to provide rational education.⁴⁸ Although I will not undertake a complete examination of the preludes here, I will briefly provide some considerations in favour of thinking that the kind of moral education that the laws, taken as a whole (that is, taken to include the preludes as well as the rules and prescribed punishments themselves), provide is largely intended to appeal to non-rational, spirited attitudes and desires. Although this does not by itself show that they are intended to appeal to a distinct spirited *part* of the soul, in the light of the above analysis of early education it is reasonable to conclude that they are. It is especially reasonable, I will suggest, because there are strong reasons for doubting the robustly rationalist interpretations offered by Bobonich and Irwin.⁴⁹

⁴⁸ See A. Laks, 'L'Utopie législative de Platon', *Revue philosophique*, 4 (1991), 416–28, and id., 'The Laws', in C. Rowe and M. Schofield (eds.), *The Cambridge History of Greek and Roman Political Thought* (Cambridge, 2000), 258–92 at 278; Stalley, *Introduction*, 43, and id., 'Persuasion in Plato's Laws' ['Persuasion'], *History of Political Thought*, 15 (1994), 157–77; R. Mayhew, 'Persuasion and Compulsion in Plato's Laws 10', *Polis*, 24 (2007), 91–111; E. R. Dodds, *The Greeks and the Irrational* (Berkeley, 1951), 212; England, *Laws*, i. 258; G. Morrow, 'Plato's Conception of Persuasion' ['Persuasion'], *Philosophical Review*, 62 (1953), 234–50, and id., *Cretan*, 310; A. Nightingale, 'Writing/Reading a Sacred Text: A Literary Interpretation of Plato's Laws' ['Sacred'], *Classical Philology*, 88 (1993), 279–300, and id., 'Plato's Lawcode in Context: Rule by Written Law in Athens and Magnesia' ['Lawcode'], *Classical Quarterly*, NS 49 (1999), 100–22; Brisson, 'Ethics', 116–20; C. Ritter, *Platos Gesetze: Kommentar zum griechischen Text* (Leipzig, 1896), 13–14; and H. Görgemanns, *Beiträge zur Interpretation von Platons Nomoi* (Munich, 1960), who all adopt (varyingly strong versions of) anti-rationalist interpretations. Dodds, for example, writes: 'In the *Laws*, at any rate, the virtue of the common man is evidently not based on knowledge, or even on true opinion as such, but on a process of conditioning or habituation by which he is induced to accept and act on certain "salutary" beliefs . . . Plato now appears to hold that the majority of human beings can be kept in tolerable moral health only by a carefully chosen diet of "incantations" (*ἐπιφαταί*)—that is to say, edifying myths and bracing ethical slogans' (212). Morrow shares Dodds's emphasis on the Athenian's characterization of educational measures as *ἐπιφαταί* ('Persuasion', 238 ff.). Bobonich ('Persuasion', 373–7) offers a reply to Morrow. Görgemanns argues that the preludes make use of 'eine staatsmännische Rhetorik' that is directed to a popular, non-philosophical audience (70, 108).

⁴⁹ In support of his rationalist interpretation of the preludes, Bobonich points out that what the preludes do is sometimes characterized as 'teaching', and that the citizens are sometimes characterized as 'learning' from them (*Utopia*, 104). However, the passages that Bobonich cites—718 C–D, 720 D, 723 A, 857 D–E, and 888 A—are far less conclusive than he suggests, for a number of reasons. (1) Two of the occurrences of 'learning' (718 D 6 and 723 A 5) are actually occurrences of *εὐμαθέστερον*: the preludes are intended to make the citizens *ἡμερώστερον* (718 D 4), *εὐμειέστερον* (718 D 4,

There are several reasons for thinking that the educational role of the laws is conceived largely with spirited emotions in mind. First, the Athenian repeatedly and emphatically characterizes the task of the lawgiver as that of making the citizens univocal in their attitudes of praise, blame, and shame. The lawgiver must care for the citizens by distributing honour and dishonour correctly among them, and in all the various experiences and circumstances that arise throughout life, the lawgiver must issue praise and blame correctly ‘by means of the laws themselves’ (631 D 2–632 B 1).⁵⁰ The traditional attitude towards incest provides a model for his approach. The reason that incest is the one sexual act from which almost everyone refrains ‘as willingly as possible’ is that *everyone* considers it to be the most shameful of shameful things, and no one ever says otherwise (838 A–c). The lawgiver’s goal, then, is to instil the proper sense of shame in the citizens by fostering, through the laws themselves, univer-

723 A 4), and *εὐμαθέστερον*. But *εὐμαθέστερον* does not indicate that the citizens *learn* from the preludes. It indicates that, if anything, the preludes make them ‘better suited for learning’ or ‘more disposed to learn’. That implies that what the citizens gain from the preludes does not constitute the learning itself, but at most a kind of psychological preparation for learning, if any is to occur. The fact that *εὐμαθέστερον* is paired with *ἡμερώστερον* and *εὐμενέστερον* further suggests that the preludes aim at a pre- or non-rational good condition of the soul, rather than at rational education. (2) At 720 D 4–6, while characterizing the free doctor to whom the prelude-giving legislator is likened, the Athenian says that the doctor ‘both learns [*μανθάνει*] something himself from the sick and, as much as he can, teaches [*διδάσκει*] the afflicted one’. Two points are noteworthy here. First, the doctor only ‘teaches’ his patient *καθ’ ὅσον οἶός τε ἐστίν*. That suggests a limitation on how much the patient can actually learn (cf. 718 D 5: *εἰ καὶ μὴ μέγα τι, συμκρόν δέ*). Second, the sense of *μανθάνει* is evidently broad enough in this context to allow that the doctor is learning *from the patient*. The doctor certainly cannot be learning medicine from a layperson, however, but at most some empirical facts about the individual patient’s case. If that is all that is necessary for something to count as *learning*, then to say the citizen ‘learns’ from the preludes does not say very much at all. (3) At 857 D 7 the free doctor is accused of ‘practically teaching’ his patient. Once again, however, *σχεδόν* suggests that what is going on at best *approximates* teaching, but is not actually teaching. Moreover, the fact that this accusation is put into the mouth of the slave doctor, who does not possess the art of medicine himself, further undercuts its significance as a genuine assessment of what constitutes *teaching* the art of medicine. (4) The *Laws* is noteworthy for the way it characterizes ‘education’ as something that falls far short of *rational* education. At 653 B and 659 D ‘education’ (*παιδεία*) is defined as the correct training in pleasure and pain, and at 689 A–C the Athenian paradoxically characterizes ignorance (*ἄμαθία, ἄνοια*) as the condition in which a person feels pleasure and pain in a way that is opposed to reasoning. All of this suggests that even if the preludes are taken to teach the citizens (for example, with *παιδεύει* at 857 E 3), that does not necessarily mean that they provide *rational* education for the citizens.

⁵⁰ Cf. 822 E–823 A.

sal agreement about what is praiseworthy and blameworthy. To the extent that he succeeds, citizens will behave correctly. For that reason, the lawgiver 'reverses with the greatest honours' the emotion of shame, and he considers a lack of shame to be the greatest private and public evil (647 A–B).

Second, the punishments themselves that the laws employ consist largely, and often exclusively, of blame, dishonour, and public humiliation.⁵¹ To give just a few examples: the penalty for men who do not marry by the required age of thirty-five is that they will be excluded from the honours the young pay to their elders (721 D); the penalty for buying or selling an allotted house is that an account of the offender's wrongdoing will be written on tablets to be stored in the temples, 'there to be read and remembered for the rest of time' (741 C 6–7); and those who abandon their post while serving in the guard are to be held in ill-repute, and anyone who encounters them may strike them with impunity (762 C).

And finally, as the converse of this second point, there is significant positive emphasis throughout the preludes and laws, and in the Athenian's characterization of the lawgiver's aims throughout the dialogue, on the love of victory and good reputation. Indeed, the argument of the very first prelude that the Athenian offers—the prelude to the marriage law—appeals to 'the desire to become famous and not to lie nameless after one has died'. The Athenian also frequently refers to the 'contest in virtue', and he claims that we must all be lovers of victory when it comes to virtue (731 A). Children must be educated for the sake of 'victory' over pleasures, he says, and sexual indulgence should be kept in check by love of honour (841 C).⁵²

There is an important caveat to add here: although the laws and

⁵¹ Brisson ('Soul', 290–1) also observes that the punishments imposed by the laws, as well as the preludes' heavy use of the rhetoric of praise and blame, are 'on the side of spirit'.

⁵² If the citizens treat the law against sexual indulgence with sufficient reverence and awe, the Athenian claims, then they will be entirely obedient to it. However, the Athenian acknowledges, not everyone will be perfectly successful in this regard, and for that reason it is necessary to establish 'a second-best standard of the shameful and noble' (841 B 5–6). According to this second-best standard, the citizens must always have a sense of shame towards sexual behaviour that makes them practise it infrequently and only when they can do so without being detected. Notice that there is no mention in any of this about the extent to which the citizens are rationally *convinced* that they should not be sexually indulgent. The difference between the highest standard and the second-best standard is simply a difference in the degree to which the citizens possess due reverence and shame.

preludes appeal largely and primarily to spirited attitudes, they by no means do so exclusively. Indeed, it is clear that many of the punishments prescribed by the laws will be especially repulsive to the appetitive part of the soul, and some of the myths presented in the preludes are plainly intended to make the citizens (appetitively) *afraid* of doing wrong by citing physically painful consequences.⁵³ Moreover, it is clear that at least some of the preludes are intended to appeal partly to the citizens' *rational* nature, by providing arguments or reason-like considerations in favour of obeying the law. Given Plato's recognition of the diversity of human motivation throughout his works, and in the *Laws* itself, it would be strange if the laws and preludes did *not* reflect an awareness of psychological complexity.

However, although it is clear that some of the preludes recognize and appeal to our rational nature, there are strong reasons for resisting the idea that they genuinely *teach* the citizens, in the strong sense of providing them with knowledge, understanding, or even a firm grasp on good reasons for holding true beliefs.⁵⁴ To begin with, in his late dialogues Plato raises concerns about the value and effectiveness of writing that bear directly on the written legislation of the *Laws*. In the *Phaedrus* Socrates levels the criticism that writing encourages readers to defer to the authority of the writer rather than to learn for themselves. Writing, Socrates says, 'will enable them to hear many things without being properly taught, and they will imagine that they have come to know much while for the most part they will know nothing' (275 A 7–B 1). However, it is not just that

⁵³ Bobonich ('Persuasion', 375–6, and *Utopia*, 113–14) addresses the fact that the preludes sometimes offer myths that appeal to our appetitive impulses. Cf. Saunders, *Penal*, 210–11.

⁵⁴ The prelude that comes closest to doing so is the prelude to the law on piety, which takes up most of book 10. The Athenian offers some very sophisticated arguments in support of the claims that the gods exist, that they care for human beings, and that they are not subject to bribery. However, the Athenian makes it clear that the prelude to the law on piety is directed at impious individuals, many of whom hold the beliefs that they do, *not* because they have vicious non-rational desires, but because of *ignorance* (886 B; 887 C–888 B). Indeed, some of them are 'naturally just' and become impious 'without evil anger or disposition' (908 B, E). Moreover, the Athenian makes it clear that impiety is *special* among crimes in being (at least sometimes) a purely rational failure of this sort. Given its uniqueness in this regard, it makes sense that the prelude on impiety should appeal to rationality in a way that the others do not. Annas ('Virtue', 88) concurs that the prelude to the impiety law requires special attention to argument: 'Citizens who have once got the idea of atheism need to be met with argument, since a rational challenge to tradition has to be met on its own ground.'

readers do not, as a matter of fact, learn from writing; rather, they *cannot* learn from it. Learning requires *questioning*, which writing does not permit:

Writing shares a strange feature with painting. The offspring of painting stand there as if they are alive, but if anyone asks them anything, they remain most solemnly silent. The same is true of written words. You'd think they were speaking as if they had some understanding, but if you question anything that has been said because you want to learn more, it continues to signify just that very same thing for ever. (275 D 4–9)

Socrates' conclusion is that writing is not to be taken seriously, because words 'are as incapable of speaking in their own defence as they are of teaching the truth adequately' (276 C 8–9).

There are several reasons for thinking that this criticism applies to the written legislation of Magnesia. First, the point in the *Phaedrus* is clearly a general one: it is not that some writing, if done in the right way, can avoid the shortcomings Socrates describes; rather, *all* writing shares those shortcomings. The generality of this point is even emphasized (277 D–E; cf. 261 E; 271 B). Furthermore, the *Phaedrus* actually flags Socrates' discussion as one that specifically concerns the *political* role of rhetoric—in particular, in what ways it is appropriate for politicians or lawgivers to make use of it (see esp. 257 C–258 C). In his closing remarks Socrates reiterates this point by explicitly applying their conclusions to laws and political documents. 'If Lysias or anybody else ever did or ever does write—privately or for the public, in the course of proposing some law—a political document which he believes to embody clear knowledge of lasting importance, then this writer deserves reproach, whether anyone says so or not' (277 D 6–10). Moreover, the *Laws*' characterization of the role of law in education echoes the *Phaedrus* in at least two noteworthy ways. First, the *Phaedrus* introduces and draws on a medical analogy: like the good doctor, who must be familiar with the body in order to improve it, so also the good rhetorician must be familiar with the soul. Rhetoric itself, moreover, is likened to a medicine or drug (*φάρμακον*: 230 D 6; 268 C 3; 270 B 6; 274 E 6; 275 A 5). Likewise, we have seen that the Athenian introduces the need for prelates by way of a medical analogy, and he, too, characterizes law as a kind of medicine (*φάρμακον*: 836 B 3; 919 B 4). The good judge, he says, must internalize the writings of the lawgiver and use them as 'antidotes' (*ἀλεξιφάρμακα*: 957 D 6), both for him-

self and for the rest of the city, against vicious, unlawful speech.⁵⁵ Second, the *Phaedrus*' characterization of rhetoric as 'soul-leading' (*ψυχαγωγία*: 261 A 8; 271 C 10) anticipates the *Laws*' talk of the 'pull of law' (*ἀγωγὴ τῆ τοῦ νόμου*: 645 A 4–5) that draws the soul towards virtue, as well as its understanding of education as the 'drawing' (*ἀγωγή*: 659 D 2; cf. 643 D 2; 645 A 1) of the soul towards law. Finally, we should note that Plato's critique of writing is not unique to the *Phaedrus*. Concerns about written law are also articulated in another late work, *Statesman* (see esp. 294 A ff. and n. 61 below), and even in the *Laws* itself, the Athenian voices scepticism about the effectiveness of speeches 'spoken before the masses' (890 E 1–3).⁵⁶

In the light of these considerations, the implications of the *Phaedrus*' critique of writing for the written legislation of Magnesia are clear: whatever psychological effect the preludes might have on the citizens, and even if part of that effect is a rational one involving persuasion, they cannot be *teaching* the citizens in any genuine sense. Teaching requires the active engagement of the student or 'listener', which means above all *questioning*, and that is precisely what the written laws do not allow. Indeed, they positively *discourage* questioning, for the citizens are trained to defer to the laws as a god-given, absolute authority, and anyone who does question them is punished.⁵⁷ The analogy of the free doctor, which

⁵⁵ And cf. the characterization of wine as an educational *φάρμακον* at 646 C 4, 647 E 1, 649 A 3, 666 B 6, and 672 D 7.

⁵⁶ This point is noted by Nightingale ('Sacred', 288). We should also note the critique of writing, and of written law, that is voiced in the *Seventh Letter* (344 C–D).

⁵⁷ In general, the *Laws* does not promote an environment that is conducive to rational, philosophical enquiry. This point is noted in Nightingale ('Sacred', 293–6), Grube (*Thought*, 250), and Morrow ('Persuasion', 248–50). Morrow, for example, writes: 'It is hard to imagine how any citizen who had been subjected for thirty years or more to the strictly supervised regimen we have described could retain the critical power and the freedom of mind required for [dialectical and philosophical] study' (248). Bobonich, on the other hand, argues that the Athenian *does* intend for the citizens to cultivate their rational skills in a significant way (*Utopia*, 106–9). As evidence, he draws attention to the fact that the citizens learn some mathematics, including the doctrine of incommensurability, as well as some astronomy. Bobonich takes this to indicate that the citizens are learning about non-sensible value properties, and that, in doing so, they are being prepared for arguments, contained in the preludes, about what is good for them. However, there is another way of interpreting the purpose of these studies. The Athenian makes it clear that the purpose of learning astronomy is to dispel the myth that the heavenly bodies are 'wanderers' that move without order, and that the purpose of learning about incommensurability is that doing so introduces the citizens to 'divine necessity' (817 E–820 D). In other words, the citizens learn just what is useful for making them pious *believers* in the gods. (And note that at 820 D 4–6 the Athenian says that these studies are not 'difficult' to learn, suggest-

Bobonich and other advocates of the rationalist interpretation cite as evidence for their view, actually draws attention to precisely this shortcoming of the laws. For whereas the free doctor persuades his patient through a *conversation* in which the patient is permitted to ask questions, there is no dialogue between the legislator or the laws on one side and individual citizens on the other.⁵⁸ The legislator issues the laws and the precludes, and the citizens *must* obey them.⁵⁹ Even if the precludes did, as Bobonich claims, provide reasons that Plato would endorse for holding true beliefs, at best they would provide the citizens with some reasons that they could *recite*.⁶⁰ That would not mean that they truly *understand* those

ing that what the citizens are learning is actually unexceptional.) The point is not to teach them about the Good (or even to prepare them for teaching about the Good), but simply to make them acknowledge the active role of the divine in the universe. Why is this so important? Because the revered status granted to the Magnesians laws depends on the claim that those laws come *from god*. The citizens will not be sufficiently reverent towards those laws, therefore, unless they believe that god exists and watches over human affairs. My reading receives further support from the fact that, in his closing remarks of the dialogue, the Athenian claims that no one who has recognized the orderly motion of the stars can fail to recognize the existence of the gods (966 E 2–967 A 1).

⁵⁸ This point is well made by Nightingale ('Sacred', 287, and 'Lawcode', 118–19) and Stalley ('Persuasion', 170).

⁵⁹ See Nightingale, 'Sacred', 291–3.

⁶⁰ There are at least two reasons, however, for doubting that the reasons offered by the precludes for complying with the laws really are good reasons for holding true beliefs. First, many of the arguments that are presented in the precludes are, as Stalley puts it, 'embarrassingly bad' ('Persuasion', 171). This is true even if we leave aside the many dubious myths and superstitions that some precludes advocate. Take, for example, the prelude to the law on marriage, the Athenian's model prelude. The argument it offers for the good of marriage is that having children provides a way of satisfying the natural desire to be immortal and 'to become famous and not to lie nameless after one has died' (721 C). It seems clear, however, that the desire for fame cannot be the right Platonic reason for doing anything, and, in any event, the argument certainly fails to explain why marriage has to take place *between the ages of thirty and thirty-five*. But secondly, it is not even clear that it is *good* for everyone to marry (or at least to marry at those ages). In the *Statesman* the Eleatic Visitor criticizes written legislation on the grounds that, given the unpredictability and variety of human affairs and individual circumstances, 'it is impossible to devise, for any given situation, a simple rule that will apply for everyone for ever' (294 B 4–6). Rather, 'his regulations for each community will be rather imprecise and will be concerned, I think, with the majority of the population, with the most common situations, and with being broadly right' (295 A 5–8). What the Eleatic Visitor's remarks strongly suggest is that, for at least some of the citizens, it will *not* always be better for them to obey at least some of the laws—the marriage law, for example. The fact that Plato himself never married suggests that he did not endorse the Magnesians marriage law as an absolute rule for living a good life (a point made by Stalley, 'Persuasion', 172). If this is right, then for those citizens in those circumstances in which following a

reasons, however. As the *Phaedrus* indicates, rhetoric and written speech at most persuade, but they do not teach (277 E–278 A). The Magnesian citizens, we may conclude, may be *persuaded* by the preludes (which surely involves application of their rationality), but they do not, in any significant way, *learn* from them.

Two final considerations on this matter: first, the Athenian repeatedly characterizes the kind of persuasion offered by the legislator, the laws, and the preludes as *paramuthia*.⁶¹ This is significant because Plato typically identifies *paramuthia* as a means of influencing our *non-rational* psychology. In the *Statesman*, *paramuthein* is what a cattle farmer (being compared to a politician) does in order to calm down the cattle and charm them into docility (268 B). Of special note for my purposes, it is a word Plato uses to characterize the kind of influence that is exercised on the spirited part of the soul.⁶²

Second, there are several indications in the *Laws* that most citizens never really *learn* what is good for them at all. ‘As for prudence and firmly held true opinions,’ the Athenian remarks, ‘he is a lucky person to whom they come even in old age’ (653 A 7–9).⁶³ It seems that far from ever having understanding or knowledge, most citizens never even have stable true beliefs. The old alone may possess them, and even among the old only the ‘lucky’ ones. Moreover, if the citizens did *learn* what is good for them, then it is unclear why education would ‘slacken’ throughout their lives, and why the symposium—an exercise in *abandoning* one’s rationality—would be necessary for restoring it. This point is especially compelling when we consider, first, that the symposium is to take place quite frequently (at least monthly, and perhaps even daily; see 828 A–C), and second, that in the *Republic* the Guardians (all of whom are to have stable belief, and at least some of whom will go on to have knowledge) receive an absolute prohibition against drinking (403 E). In short, what all of this suggests is that while moral education surely does appeal to the Magnesian citizens’ rationality in various ways, what it does not do is *teach* them in any meaningful sense. That is

given law is not actually best for them, the preludes will offer them reasons for holding a belief—that following the law is good for them—that is not in their case *true*. Cf. Irwin, ‘Morality’, 95–9, who notes the problem of generality that written law suffers from, but thinks that the external, written law is ideally supplemented by each citizen’s own ‘internal law’.

⁶¹ Cf. the discussion in Nightingale, ‘Sacred’, 295.

⁶² See e.g. *Rep.* 442 A 2.

⁶³ Cf. Kamtekar, ‘Psychology’, 147.

precisely why deference and obedience to law are so important in Magnesia.

5. Conclusion: the ally of reason?

Aristotle remarks in the *Politics* that the citizens of Magnesia receive 'the same' education that the citizens of Kallipolis receive (1265^a 1–10). While this is no doubt an oversimplification, I hope to have at least partially vindicated Aristotle's comment: according to my interpretation, musical and gymnastic education aim largely at the spirited part of the soul—understood as an independent psychic source of motivation—just as they did in the *Republic*. The *Laws* adds something to the *Republic*'s account, however. In Magnesia, a detailed written lawcode supplements and reinforces the values instilled in the citizens through early education, and it does so in part, I have argued, by continuing to target the spirited part of our psychology throughout adulthood. What all of this shows is that Bobonich's claim that 'the parts of the soul do not do any philosophical work in the *Laws*' is simply mistaken.⁶⁴ Although tripartition is not explicit in the *Laws*, the evidence strongly suggests that Plato remains committed to it, and that his views on the *thumoeides* continue to inform his policies on moral education. An important difference, however, is that whereas the *Republic* characterized spirit's psychic role as the role of supporting the commands issued by the reasoning part on the basis of wisdom, the *Laws* casts doubt on whether most citizens will ever achieve wisdom, knowledge, or even stable belief. In their place, the citizens are to enslave themselves to the laws, which embody—to the extent possible for written legislation—the wisdom of the lawgiver. That does not mean that the citizens are not to make any use of their own rational capacities, but it does mean that their main use of those capacities will consist in believing what the laws say and figuring out, in their own individual circumstances, which actions best conform to them. Sassi argues that the laws in Magnesia are intended to fill the gap that is left by what she perceives to be the omission of the spirited part of the soul in the *Laws*.⁶⁵ On my account, however, the gap that the laws fill is not left by a demoted *thumoeides*. It is left rather by a reasoning part that

⁶⁴ 'Agency', 27.

⁶⁵ 'Self', 137–8.

in most cases never achieves reliably stable belief.⁶⁶ This suggests a shift in, or at least an expansion of, the role that the *thumoeides* plays in moral development and virtue: in the *Laws*, the spirited part of the soul is no longer simply the ally of reason, but now also, and perhaps primarily, *the ally of law*.

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⁶⁶ In the *Republic* those who are unable to rule themselves on the basis of wisdom are enjoined to make themselves slaves of those who *do* have divine rule within themselves (590 c–d). In the *Laws*, however, the Athenian suggests that *no* human being could ever rule without becoming corrupted (see 874 e–875 d). Being enslaved to the laws is thus a 'second-best' in Magnesia.

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