

Books and Literature Review Society (BLRS) presents:

Critical Review of the Research:	Plato's Legal Philosophy
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**Core Idea**

In this article, writer criticized Athenian attitude towards ethics and other theories of democracies and emphasize on Plato's legal philosophy which was based on utopianism. He presented history of Socrates's trail and death and presented its reasons that Socrates appreciated Sparta and praised its political system. And, he criticized defeat of Athens in Peloponnesian War. According to writer, Plato considered that the death of Socrates is due to differentiating among law and administration of law, between law and verdict, between law and decision or judgment and, law of irreligion and law of corruption. And, Plato gave his legal philosophy to defend Socrates's ideas against metaphysical philosophies existed in Athens. Although, Plato's legal philosophy is episodic and presented in Republic and the Laws, but in the Republic, his major concern was on Justice where firstly, he presented difference among justice and injustice and then presented concept of imaginary state with calling it "a city of blessed". He admitted in the Republic that "Republic is utopia and the perfect state is difficult to attainment." Writer in this article quoted Montesquieu who said that "The Republic is not a work on politics but finest treatise on education that was ever written". Writer also quoted Barker who said that "Republic is an ideal which must be contrasted with utopian "city of clouds". Similarly, McIlwain said that "Republic does not delineate an ideal state but is a search for the fundamental principles of all human conduct." On the other hand, writer himself argues that Plato's legal philosophy is not utopian but is an ideal construct.

Writer again quoted barker who said that Plato rejected sovereignty of law in the Republic and the Statesman. Plato also criticized court system of Athens, differentiated law from administration and judgment. He wanted to educate youth than to invent lesser rules. So, in the Laws, Plato said that proper educated citizens will be able to provide necessary legislation themselves. But, in the statesman, Plato himself agreed for some positive law making. According to writer, Plato never said like Bentham that law is an evil but he was relying on educated philosopher king firstly in the Republic, and secondly argued in the Statesman that positive law cannot be perfect, it can be changed but rule of law must be existed in a state.

In the end, writer compared Plato's legal philosophy presented in the Republic, the Statesman and the laws with modern social sciences. He called all his theories as over-simplification.

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Research Methodology

Jerome Hall used theoretically and historically descriptive, comparative and qualitative research methods. Firstly, he used theoretically descriptive method to describe Socrates theories, trial and death. Secondly, he used historically descriptive method to highlight Plato's criticism on Athenian attitude towards ethics and system of government. Thirdly, he compared Plato's legal theories with the modern theories, and lastly, he used qualitative method during presenting his personal opinion regarding comparing Plato's legal philosophy with modern social sciences.

Personal Views

Although this article is so much fruitful in understanding Socrates ideas and Plato's legal philosophy but I agree with Montesquieu who is quoted by the writer. Even writer himself called Plato's legal philosophy as over-simplification but Montesquieu said that "The Republic is not a work on politics but finest treatise on education that was ever written". Similarly, I agree with McIlwain who said that "Republic does not delineate an ideal state but is a search for the fundamental principles of all human conduct." I understand that Plato's legal philosophy is not utopian but for educating and delivering maturity to the citizens at that level when they will automatically differentiate among "what is good", "what is bad" and "what ought to be". So, I can say this theory as a construction of human conduct, not rejected by saying as utopian.