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PLATO AND THE STRUCTURES OF INJUSTICE¹

By

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Drawing on Plato's dialogues *Republic I* and *Gorgias*, I would like to argue in this essay that injustice is a self-contradictory and self-cancelling concept. I would like further to illustrate the structures of injustice with reference to Thucydides' Melian dialogue and literary works by Aristophanes, Molière, and Brecht.

The figure of self-cancellation is, as Hegel notes in his history of philosophy, the specific insight of Socrates:

What Socrates wished to effect was that when other people brought forward their principles, he, from each definite proposition, should deduce as its consequence the direct opposite of what the proposition stated, that is, he did not advance a counterposition, but rather worked with each proposition and showed how it contained its own opposite (18.458, my translation).

Socrates' use of immanent critique, his ironic assumption of an opposing position, followed by an act of thinking the position through in order to show its internal contradictions, is important in two wide-ranging senses. First, it is the method of philosophical critique. If the validity of immanent critique is not acknowledged, one is left with one dry assurance against another and no rational means for settling disputes. For a refutation to be thorough and definitive, it must be taken and developed from the principle in question, not effected by external claims or arbitrary counterassurances. Second, immanent critique not only demonstrates untenability, it establishes by way

of its double negation positive positions. Both moments can be recognized in Plato's demonstration of the self-cancellation of injustice and his subsequent grounding of justice.

Thrasymachus in Republic I and Callicles in Gorgias advance the Sophistic view of justice as the will of the more powerful directed towards his or her own interests.² Here justice is understood as a standard of action for the individual or state; thus, injustice or "the sovereignty and advantage of the stronger" is offered as a standard of action.³ Injustice or power positivism is a negative philosophical position and, like all negative positions, untenable, because, first, it presupposes the positive position it attempts to deny and, second, when thought through on its own terms, it cancels itself.⁴ Epistemological scepticism is an example of one such self-cancelling position. The negative proposition, "We cannot know the world," still makes a claim to knowledge. To suggest that we cannot know the world but can know our capacity for knowledge--as negative--presupposes that matters stand differently with the world than with reason and that knowledge of reason does not imply knowledge of the world. Since, however, any reflection on the relationship between object- and metalevels must include both spheres, the implicit dualism is dissolved; the proposition assumes knowledge of both reason and the world. Even the metasceptical proposition, "We cannot know whether or not we know the world," fails, for it leads to an infinite regress. In addition, the statement, "We cannot know anything," could never on its own terms be seen as valid, i.e., presented as knowledgeable. Thus, it cannot compete with an opposing position and cancels itself.

Injustice functions in a structurally analogous way. First, injustice always presupposes justice. For any number of individuals to get the strength to be unjust they must act justly by one another. Socrates asks Thrasymachus: "Do you think that a city, an army, or bandits, or thieves, or any group that attempted any action in common, could accomplish anything if they wronged one another?" (351c). The answer of course is no, for "factions...are the outcome of injustice, and hatreds and internecine conflicts, but justice brings oneness of mind and love" (351c). The thought is not new to literary critics familiar with the real or expected loyalty within the robber-bands of Schiller's The Robbers (Act I, Scene 2) or Brecht's The Threepenny

Opera or with the legalistic mentality of Goethe's Mephistopheles (Faust 11, 1410-17). Injustice requires justice. As Plato insists again and again, an evil person can befriend neither a good nor another evil person.⁵ Taken on its own terms, injustice becomes an enemy not only to justice but to itself. Even the individual who acts unjustly toward all other individuals and knows not a single partner in crime must act justly toward him/herself. The many parts of the self couldn't function if they were wholly unjust toward one another. Injustice will "in the first place make him incapable of accomplishing anything because of inner faction and lack of self-agreement, and then an enemy to himself and the just" (352a). Plato recognizes the concept of not only social but also internal justice. Unless injustice includes justice as a moment, whether in a group or an individual, it dissolves itself:

If we ever say that any men who are unjust have vigorously combined to put something over, our statement is not altogether true, for they would not have kept their hands from one another if they had been thoroughly unjust, but it is obvious that there was in them some justice which prevented them from wronging at the same time one another too as well as those whom they attacked. And by dint of this they accomplished whatever they did and set out to do injustice only half corrupted by injustice, since utter rascals completely unjust are completely incapable of effective action (352b-c).

Not only does injustice presuppose justice, the unjust individual cannot attempt to convince others of the validity of his or her position in dialogue form without falling into a contradiction between the theory of injustice and the theory of discourse (348a-c). The unjust individual endeavors to overreach and get the better of the just and the unjust (350b). The unjust person's eristic position thus conflicts--as Socrates elaborates--with the pursuit of knowledge and the investigation of truth, which call for impartiality, consistency, and communicability (349c-50c; 495a). The theory of discourse suggests that one test arguments on their own terms and adjust conflicting claims fairly; this is possible only within a framework of justice. Thrasymachus and Callicles find themselves in the self-contradictory position of arguing for injustice while accepting the just conditions of discourse. Their contradiction is pragmatic: it lies not between two statements but between content and form, that is, between the statement and what is presupposed in

the act of making the statement. Dialogue is possible only in a system of justice; it is therefore impossible to make a case for injustice without assuming the position one would deny. Insofar as Thrasymachus remains a partner in dialogue, the victory of justice is decided a priori. It is a victory we see in Gorgias as well, where Callicles denies any intent to "deceive" Socrates or betray the good will of his "friend," in offering his arguments for the ruthless sovereignty of his own interests, the absolute and arbitrary validity of the more powerful (487e).⁶ To be consistent the unjust individual would have to be silent about his or her theory of injustice.

Thucydides' classic dialogue on the subject of injustice, the Melian dialogue from his History of the Peloponnesian War, might appear at first glance to include an example of such a consistent silence. The Athenians announce that they will not enter into a discussion of justice. Instead, they will simply negotiate a surrender. Despite their intentions, however, the Athenians find themselves defending their principle of justice. Indeed, they go to great lengths to ground the validity of their position. They present an "argument" they believe to be "incontrovertible" (5.85) and trust that the Melians will eventually accept "the right view" (5.111). The Athenians argue that what normally passes for injustice is the proper principle of justice, "that the standard of justice depends on the quality of power to compel and that in fact the strong do what they have the power to do and the weak accept what they have to accept" (5.89). The Athenians assert not just that might will prevail but that might makes right:

So far as the favour of the gods is concerned, we think we have as much right to that as you have. Our aims and our actions are perfectly consistent with the beliefs men hold about the gods and with the principles which govern their own conduct. Our opinion of the gods and our knowledge of men lead us to conclude that it is a general and necessary law of nature to rule whatever one can (5.105).

The language of the Athenians further betrays them. They speak of terms that are fair and reasonable (5.111), and they do so in dialogue format, the importance of which is reinforced by its unique position within Thucydides' narrative. The Athenians go so far as to specify the just conditions of dialogue. They tell the Melians to "interrupt us whenever we say something

controversial [so that we can] deal with that before going on to the next point" (5.85). The Melians gladly accept these terms: "No one can object to each of us putting forward our own views in a calm atmosphere. That is perfectly reasonable" (5.86). However, the Melians do object to the fact that the declaration of war is "scarcely consistent with such a proposal" (5.86). One might look at the problem from another angle: the dialogue format is scarcely consistent with the Athenian view of justice as the advantage of the more powerful. The Athenians do listen to the claims of the Melians (even if their purpose is to refute them), and they do so, much like Callicles, "out of good will."⁷

After denying the possibility of objective discourse to the unjust individual, one might think that he or she could try to persuade others rhetorically and irrationally of the virtues of injustice, avoiding--perhaps more successfully than the Athenians--any direct confrontation with the arguments or structures of justice, but here too he or she would only lose the power that forms the core of his or her injustice. Insofar as the unjust individual encourages belief in the validity of injustice, he or she justifies the violation of his/her rights by others. The unjust individual who encourages others to act unjustly and who teaches that the rights of others are irrelevant to one's own actions effectively encourages others to harm him/her and so destroys his/her own position.⁸ Socrates suggests, therefore, that the unjust individual who would remain unscathed and "who attempts injustice rightly must be supposed to escape detection" (361a) and must support--at least theoretically--the idea of justice, under whose shield he/she can remain unjust only as long as he/she seems to be just. In short, to defend injustice is to place the unjust individual and the principle for which that individual stands in danger. Franz Grillparzer, the nineteenth-century Austrian dramatist, captures this concept in telling lines from the fourth Act of his excellent tragedy Fraternal Strife in Hapsburg: "For even villains want that they alone / And only they be free from what is right, / All others they desire restrained by law, / To keep their loot secure from robbers' hands" (77, my translation). Unjust individuals not only presuppose what they deny, they cannot present a case for injustice without undermining their own position.

With this in mind we can return again to the Melian dialogue. The Melians suggest that if the Athenians treat them unjustly, they will bring upon themselves the wrath of all just states:

Is it not certain that you will make enemies of all states who are at present neutral, when they see what is happening here and naturally conclude that in course of time you will attack them too? Does not this mean that you are strengthening the enemies you have already and are forcing others to become your enemies even against their intentions and their inclinations? (5.98)

The Athenians deny this, asserting that other states will fear their power. The Athenian position, however, is not valid, at least not in the long run. If power is dominant, whatever internal cooperation exists is based not on ethical norms but on contingent factors, constellations of power that could--under new circumstances--destroy the nation from within. The Athenians justly stress their fear of internal destruction (5.91-99). But internal destruction can function on an even higher plane. What is valid for the individual and the state is also true for a community of states. According to the principle of injustice, other states have the right--to the extent that their power increases--to destroy the Athenians. Athens has passed on to other states the principle of its own destruction. Moreover, by acting unjustly, Athens threatens the harmony of a larger community of states. To the extent that national autonomy has been transgressed and human rights violated, the larger order of the world is threatened, and so the unjust state provokes resistance and war.

Though the principle that might makes right has no small number of adherents in the contemporary world, Plato's analysis demonstrates that the position is, on its own terms, untenable. To deny the a priori validity of justice would be to deny the law of non-contradiction, and thus the very conditions of discourse. Injustice is self-contradictory, and for that very reason untenable. The superiority of justice over injustice is a truth not only for a particular individual in a particular setting but for the individual as such, under all conditions, even and especially for the individual who attempts to deny this claim. By way of the negation of a negation, the immanent critique not only invalidates the principles of injustice and power

positivism, it establishes the categorical superiority of justice--without of course having yet spelled out its various dimensions.

Socrates' insights are not only useful in and of themselves, they shed light on a contemporary debate concerning the relation of reason to injustice. In the wake of Max Horkheimer's and Theodor Adorno's commentaries on the dialectic of enlightenment, contemporary culture has been relentless in its attacks on reason as an instrument of immortality, injustice, and oppression. According to this argument, a defining feature of reason is its association with structures of domination.⁹ Unfortunately, Horkheimer and Adorno, like others after them, fail to distinguish a technical-instrumental rationality that serves, in a purely strategic manner, arbitrary ends from a more general concept of rationality that establishes a priori norms, themselves not means but ends, and on the basis of which alone a valid critique of instrumental reason is possible. It is, one might say, the distinction between the Sophistic position of injustice, according to which all ends are reduced to means, and Plato's undermining of this position and subsequent grounding of a priori truth. The sophists, having abandoned objective ends, view means as primary. Gorgias extols the virtues of rhetoric,¹⁰ and Callicles suggests that in order to achieve his subjective ends he has the right to sacrifice anything in his way.¹¹ This Sophistic view, however, is a reduction of reason to its formal dimensions, and, as I have suggested, it is non-rational to the extent that it evokes contradictions. Even when the unjust individual employs the calculating-instrumental tools of reason, injustice ultimately remains non-rational.¹² The unjust individual is of necessity inconsistent, while the just individual is just only to the extent that his/her actions conform to the moral laws of a priori reason. In fact, it is precisely the suspension of the law of non-contradiction, the law of reason, that erases the possibility of immanent critique and makes all claims, even the most arbitrary and unjust ones, equally valid. If the supremacy of reason, and with it immanent critique, is abandoned, then so too are the guidelines for validity and justice. The logical argument that injustice requires justice for its own existence suggests, if one looks at the problem from another angle, that without reason and justice, there is no injustice.

There is another, less philosophical sense in which the structures of injustice can shed light on contemporary tendencies and issues. Independent of its theoretical implications, the argument suggests that the structures of injustice may help us understand complex patterns of action. Why is the individual who achieves power often at a loss as to what to do with his/her power? Why does the legal system of the unjust state inevitably embroil itself in self-contradictions? Why do groups of unjust individuals tend to self-destruct? And why does the unjust individual profess to affirm the very laws against which he or she transgresses? The philosophical argument can help us understand the actions of those who have abandoned or, more precisely, have attempted to abandon justice. One doesn't need a great deal of imagination to see that the logic of injustice can become a heuristic tool for the historian, the sociologist, the psychologist,¹³ even the interpreter of the contemporary political scene. The Socratic insight is not anachronistic.

Finally, the logic of injustice can be a tool for the humanist attentive to the underlying philosophical structures of literary works. The number of texts on which this structure can shed light is, I think very large. Let me briefly comment on three comedies to suggest how this might function. First, consider Aristophanes' contemporary The Clouds (423). In order to free himself of his debts, Strepsiades sends his son Pheidippides to learn from the Sophists, who reportedly can teach one how to win any case, whether one's stance is right or wrong. It is not long before Pheidippides acts unjustly towards his father. Adopting the tricks taught to him, Pheidippides beats his father and then commences to prove that it's right for him to do so. Injustice turns on itself. The self-cancellation does not stop there. The play ends with Strepsiades beating Socrates' disciples and burning down the house of the Sophists. In Moliere's Tartuffe (1669), we again see the self-destruction of injustice, though the stress, in mirror image to Aristophanes' play, is on the unjust individual's dependence on justice. Tartuffe, the unjust hero and hypocrite, can succeed only to the extent that others believe him to be just. The play is an excellent illustration of the often humorous structure by which the unjust individual must appear just in order to survive as an unjust individual. Not only that. The hero appeals to justice in action as well as appearance. In his desire to destroy Orgon, Tartuffe eventually turns to the

institutions of justice, but it is precisely these institutions that condemn him. The story illustrates the unjust individual's logical (and perhaps on a symbolic level corresponding psychological) need for justice. Goodness and objectivity triumph over the hero who merely appears just and who depends on the very system against which he transgresses. The third work I would like to consider is Brecht's ironic playlet "In Search of Justice" from his collection The Private Lives of the Master Race (1938). Recognizing, like Aristophanes and Molière, the connection between philosophical contradictions and comic incongruities, Brecht embeds his critique of the unjust state in a comic frame that also guards against sympathy and encourages distancing reflection. In Brecht's playlet a judge in the Third Reich attempts to resolve a case not according to any transcendent values but according to the principle: "Whatever's useful to the German Folk is just" (30). The problem arises by virtue of the dissension and discord within the unjust state. Each conflicting party has an element of power, each wants to win the case. Having abandoned any transcendent concept of justice, the judge is the victim of the warring forces. In this almost Kafkaesque world the judge simply wants to do what the powerful want, but the ultimate nightmare results from the fact that justice as power doesn't know what it wants. It is not harmonious. The historical and stylistic differences between the three works are immense, but they share a universal insight. The fact that the works make visible, aesthetically, elements of an eminently philosophical structure is one of the marks of their greatness.

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I have argued that injustice is a self-cancelling concept: first, by way of its internal destruction (one cannot act unjustly, either as a group or an individual, without acting at one and the same time justly); second, by way of its pragmatic contradiction (one cannot argue for injustice unless one accepts the just conditions of discourse); and third, by way of its external destruction (one cannot attempt to persuade others of the validity of injustice without threatening one's own position). I further suggested that Thucydides' Melian dialogue supports, rather than refutes, the Platonic argument on injustice. A brief discussion of the contemporary critique of reason as a mode of domination showed that this critique fails to distinguish instrumental

rationality from transcendental reason and that it is precisely those who negate reason--not those who adhere to reason and recognize a priori norms --who have no valid arguments against arbitrary acts of injustice. I then suggested the heuristic value of the dialectic of injustice: it can help one analyze complex actions, whether from a historical, sociological, psychological, or literary-interpretive standpoint. Finally, I briefly illustrated the dialectic of injustice by commenting on works by Aristophanes, Moliere, and Brecht.

ENDNOTES

¹This paper develops the third section of an essay of mine on "The Self-cancellation of Injustice in Heinrich Mann's Der Untertan," which will be appearing almost simultaneously in Oxford German Studies. Though repetition in parts could not be avoided, the two essays, by virtue of their places of appearance, will likely reach different readers, German scholars on the one hand and philosophers and classicists on the other.

²My analysis of these dialogues is in part indebted to Höhle 330-59 and Jermann 118-78 and 184-91.

³Gorgias 483d. Cf., 488b-e and Republic 338c.

⁴See Höhle 272-304.

⁵Lysis 214c; Republic 349c-51e; Gorgias 507e; Statesman 309e; Laws 716c.

⁶Cf. Gorgias 485e.

⁷Gorgias 486a. Cf., Thucydides 5.91 and 5.111.

⁸At his trial Socrates introduces a similar position. Because unjust individuals always have a bad effect, Socrates couldn't possibly have tried, intentionally, to corrupt others: "Am I so hopelessly ignorant as not even to realize that by spoiling the character of one of my companions I shall run the risk of getting some harm from him?" (Apology 25e).

⁹Despite many brilliant particular insights, Horkheimer's and Adorno's metacritique suffers from a pragmatic contradiction. The analysis presupposes the validity of enlightenment. Or, if Horkheimer and Adorno are serious about their claim that logic mirrors the structures of social domination (see esp. pp. 21-22), then their own logic, i.e., their critique of logic, is likewise undermined by the social structures that determine their thought and so cancels itself. Not surprisingly, one notes a certain dogmatism in their claims, which, if it isn't the expression of underlying social structures, certainly derives from their misology.

¹⁰Gorgias 456a-57c.

¹¹Gorgias 483c-d.

¹²The unjust individual is often better at formal or instrumental rationality than the just, in part because his/her concept of reason has been reduced. Not concerned with ends, one is free to focus on means. This is nicely illustrated in literature. Consider, for example, Shakespeare's Richard III.

¹³Consider not only modern theories of the self but also Plato's perceptive inquiry, noted above, into the harmony or disharmony of the elements of the soul.

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