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Knowledge and the Eyewitness: Plato Theaetetus 201 a-c.

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Replying to Theaetetus' suggestion that knowledge is true opinion at *Tht.* 200e, Socrates remarks that 'a whole profession' testifies against this definition. The orator practises the art of persuasion, not to teach people, but make them believe whatever he wants. If a robbery has taken place, for example, he cannot in a short time teach adequately the truth about what happened to people who were not on the scene. He can only persuade them. Now whenever a juryman is persuaded in accordance with justice, on matters which only an eyewitness can know, and which cannot be known in any other way (*περὶ ὧν ἰδόντι μόνον ἔστιν εἰδέναι, ἄλλως δὲ μή*), then his conclusion is on the basis of testimony,¹ and he has true opinion, but not knowledge. He has been

1 *ἐξ ἀκοῆς*, b8-c1, cannot mean 'by hearsay,' as Cornford and McDowell for example translate, for hearsay evidence is not admissible under 4th century Athenian law: cf. A.R.W. Harrison, *The Law of Athens* vol. II (Oxford: Oxford U. P. 1971) 145-6. The phrase must mean to contrast the eyewitness, who has the evidence of his own eyes, with the juror, who can only *listen* to the eyewitness testimony of others.

correctly persuaded, assuming that he has judged well. But if knowledge and true opinion were the same, the very best juryman could not reach a correct judgment if he did not have knowledge. So the definition of knowledge as true opinion is refuted.

Plato's argument here seems simple, if only because its conclusion seems to us so obviously true. Since its truth was also obvious to Plato,² the interest of the passage must lie in *how* he argues for his conclusion. And here, I shall assume that his argument is, if not simple, at least at bottom *sound*. This assumption is not trivial, for it will, I hope, force us to get clear about some points that, on the fact of it, make his argument less than fully compelling. First (1), what view of knowledge is assumed in the argument? On one account, the characterization which Socrates advances is quite strongly restrictive: all knowledge is a matter of *eyewitnessing*, in some suitable sense. Is this account of Socrates' position right? The answer to this is important to our assessment of the argument, for the more restrictive the notion of knowledge which Socrates offers, the less widely acceptable his refutation of Theaetetus' definition is likely to be.³ (2) If knowledge is not simply equated with eyewitnessing, still Plato may hold that eyewitnessing is a *necessary condition* for knowledge, or at least, that it is a necessary condition for knowledge of empirical fact. On one view of the argument, Plato appears to be ambivalent on whether eyewitnessing is or is not necessary for knowledge. On a second account, Plato is consistent, and holds throughout the passage that first-hand experience is a necessary condition of empirical knowledge: a key component of this defence, however, is the premiss that, according to Plato, in the absence of first-hand experience, a juror can have *well-justified true belief*, but not knowledge. I shall argue that neither of these alternatives is correct. Plato is not ambivalent: for him, eyewitnessing has *no* special role in our knowledge of empirical fact. And the passage requires no notion of

2 Cf. *Gorgias* 454d1 ff., *Meno* 97c11 ff., *Symposium* 202a2 ff., *Timaeus* 51d5 ff.

3 Plato's general policy in the *Theaetetus*, as it is now most often perceived, is to argue for the philosophical conclusions at hand with a minimum of baggage which is extraneous for his immediate purposes: so for example Richard Robinson, 'Forms and Error in Plato's *Theaetetus*,' reprinted in his *Essays in Greek Philosophy* (Oxford: Oxford U.P. 1969) 39-73; W.G. Runciman, *Plato's Later Epistemology* (Cambridge: Cambridge U.P. 1962) chapter 2; John M. Cooper, 'Plato on Sense-Perception and Knowledge (*Theaetetus* 184-186),' *Phronesis* 15 (1970) 123-146, and John McDowell, *Plato Theaetetus* (Oxford: Oxford U.P. 1973) *passim*. We must be sure then in interpreting the present argument that we do not attribute to Socrates a more strongly restrictive notion of knowledge where a weaker would suit his purposes equally well.

well-justified true belief, in the special sense in which this is contrasted with knowledge. (3) Even if Plato's argument makes no special assumptions about the nature of knowledge, one key question remains. Plato argues against Theaetetus by finding a case in which a juror who does not *know* can still have *true belief*. Why should Theaetetus be moved to accept such an example? Theaetetus has proposed that knowledge and true belief are *the same*: how then can Socrates' counter-example fail simply to beg the question against him? What appeal can Socrates make to Theaetetus, that will persuade him to find a counter-example convincing?

1. Knowledge as Eyewitnessing.

Plato's argument turns on the following conditional:

If knowledge and true belief are the same, then any belief short of knowledge must be false.

Thus, Socrates notes at 201c4-6 that if true opinion and knowledge were the same, a good juror would not judge correctly without knowledge. That is, given the definition, knowledge is (at least) a necessary condition for true belief. It follows that if there are grounds for saying that a juror *cannot* know, then if he holds any belief on the subject at all, that belief must be false. This gives the conditional. To overturn Theaetetus' definition, therefore, Socrates need only show that a belief that falls short of knowledge can still be correct. Must Socrates assume some special view of knowledge in order to persuade Theaetetus that such cases can exist?

On one current interpretation of the passage, the notion of knowledge on which Socrates relies is quite strongly restrictive. On this view, 'an eyewitness's knowledge is a paradigm case of genuine knowledge.'⁴ That is, having knowledge is like being an eyewitness.

4 Hintikka, p. 79 (Jaakko Hintikka, 'Time, Truth, and Knowledge in Aristotle and Other Greek Philosophers,' in his *Time and Necessity*, (Oxford: Oxford U.P. 1973) 62-92). Readings of the passage along these lines are at least as old as Schleiermacher: '[der] Unterschied zwischen der auch mittelbar zu erlangenden richtigen Vorstellung, und der allemal und in allen Dingen nur unmittelbaren Erkenntnis'' (p. 177 of his introduction to the *Theaetetus*, Part 2, Volume 1, of his

Knowledge is modelled after perception, and is taken as a form of acquaintance with an individual or, by extension, with an event or a fact, or even, finally, with a Platonic form. On this view of knowledge, anyone other than an eyewitness who is correct about some happening can have only true opinion, not knowledge. Only the eyewitness can know, and (for example) a juror who is not an eyewitness can never know.

On an alternative view, we need assume only that *there are cases in which only an eyewitness can know*. In the kind of case intended here, the evidence is inadequate, and only an eyewitness could know the truth. But an astute juror can, if only on the basis of the testimony of others, come by a true belief on the matter. Thus, he has reached the correct verdict, for example, that the accused man is guilty, and he believes that his verdict is correct. But his conviction falls short of knowledge. He does not know that his verdict is correct, and hence does not know that the accused is guilty. The possibility of such a case is by itself sufficient to establish a distinction between knowledge and true belief. But no general thesis is offered that knowledge must always be an eyewitness affair. In other cases, where the evidence is more complete, a juror who was not an eyewitness can get actual knowledge.⁵

Platons Werke, 2nd. ed. (Berlin: 1817)). A similar view appears in Bluck, p. 32: the case of the juror suggests 'that the distinguishing mark of knowledge is *personal acquaintance with the truth*' (his italics)... 'you may be said to have knowledge of the truth instead of mere true belief about it only if you have had some sort of personal experience of it' (R.S. Bluck, *Plato's Meno* (Cambridge: Cambridge U.P. 1961). Bluck believes that in this example, 'Forms are not mentioned but we are probably meant to think of them' [p. 214]; note that in his view, the *only* kind of knowledge we can have of forms is knowledge by acquaintance, which 'could not be expressed in any kind of proposition' [pp. 212f.]. See also Rorty, p. 228; 'Juries can have true opinion but not knowledge; direct witnessing of some sort is a necessary, though not a sufficient condition for knowledge' (Amelie Oksenberg Rorty, "A Speculative Note on Some Dramatic Elements in the *Theaetetus*," *Phronesis* 17 (1972) 227-238). Rorty suggests that Plato *might* here have adopted a less austere view of knowledge; in fact, however, 'it is of course' the position quoted that Plato actually pursues.

- 5 This second account of Plato's counter-example takes a much less restrictive view of what can count as knowledge. Even on this weaker view, however, we do not deny that in general the eyewitness holds a privileged position. He alone saw what happened, and no juror however diligent who was not on the scene can later see what he saw. Nor can the event be repeated for the juror's benefit. (For a discussion of this and related issues, see Manley Thompson, 'Who Knows?', *Journal of Philosophy* 67 (1970) 856-869.) But the privileged position of the eyewitness hardly shows that he *always* knows, or that non-eyewitnesses *never*

Which of the two arguments sketched does Plato adopt? The logic of Plato's argument is a simple Modus Tollens on the conditional above. Given this conditional, and the case of the non-eyewitness who does not know but still holds a true belief, it follows that the definition is false. The logic of this argument gains nothing if we suppose that only an eyewitness can ever know, in preference to the weaker view that there is at *least one* case in which only an eyewitness could know.

Logic aside, Plato must also convince Theaetetus that the second premiss of his argument is *plausible* — that is, that there *can* be a case in which a man who does not know still holds a true belief. Why should Theaetetus accept this claim, given his commitment to the view that knowledge and true belief are *the same*? This question deserves more attention, and I shall return to it below. But again, we should notice that Plato's task in persuading Theaetetus is not made easier by assuming the more restrictive notion of knowledge, in preference to the weaker. For whichever view of knowledge we choose, Plato must still find the means to persuade Theaetetus that a non-eyewitness who does not know can still arrive at a true opinion.

I conclude that Plato would be radically overarguing his case if he claimed that the jurymen may be right but in the absence of eyewitness knowledge can *never* know, in this case, or in any other. His argument is in no way weakened if we imagine that in other circumstances, non-eyewitnesses *could* know. And indeed Plato hints that other factors may enter into the question whether the jurymen can get knowledge: he is hampered not only (in this case) because he is not an eyewitness, but also because of the time limit, the quality of the speakers, and even the ability of the jurymen himself.

2. Is Eyewitnessing a Necessary Condition for Empirical Knowledge? Knowledge and Well-Justified True Belief.

It is especially significant that, as we have just seen, Plato mentions more than one set of circumstances that might prevent a jury of non-eyewitnesses from reaching full knowledge. If knowledge is simply a

know. Suppose then that in some case other than that envisioned in the *Theaetetus*, the juror *knows*. To be sure, there will still be a difference between the juror's knowledge, which is inferential, and that of an eyewitness, which is direct and non-inferential. But we are not forced to suppose that only direct and non-inferential knowledge can be called knowledge at all.

matter of being an eyewitness, it is misleading for Socrates to go on to suggest that there are *other* circumstances that may prevent the jury from knowing. This same difficulty exists for the weaker view that being an eyewitness is a *necessary condition* for knowledge on the part of the jury. If eyewitnessing is necessary for knowing, why mention further circumstances that disqualify a jury of non-eyewitnesses from having knowledge? This difficulty is tackled in a recent paper by Myles Burnyeat.⁶ Burnyeat notes that Plato offers two independent reasons why the jury will not know: (i) the limitations of courtroom procedure, thanks to which they are only persuaded, not taught, and (ii) the fact that they are not eyewitnesses. According to Burnyeat, these two explanations appear to give conflicting answers to the question, Can the jury ever know? If (i) is the right explanation, then given enough time, they might; but if (ii) is correct, then a jury of non-eyewitnesses can *never* know, no matter how favourable the courtroom circumstances. This discrepancy suggests a serious ambivalence in Plato's mind on the role of eyewitnessing, or of first-hand experience in general, in our knowledge of empirical fact. For (ii) seems to suggest that eyewitnessing is a necessary condition for empirical knowledge, (i) that it is not.

To meet this difficulty, Burnyeat fastens on the details of Plato's phrasing at 201b3. Plato implies that if the limitations of the clock are removed, the jury *can* be 'taught adequately the truth of what happened' (b3) — that is, presumably, they *could* know; while at the same time, they are not eyewitnesses, and so could *never* know. Burnyeat's suggestion is that we abandon the connection between being taught and knowing. If the clock is gone, the jury might be 'taught adequately' what happened. But they will then have only *well-justified* true belief; they will not *know*. So Plato is consistent after all: the jury will never know.

This interpretation follows a suggestion by Thompson that in courts of law, the jurors are picked if anything because they are *not* eyewitnesses. They do not know what happened, but in their verdict they are supposed to arrive at well-justified true belief. So the argument

6 Myles Burnyeat, 'A Paradox in Plato's Distinction Between Knowledge and True Belief (*Theaetetus* 200d-201c),' read at the Triennial Meeting of the Joint Committee of Greek and Roman Societies, Cambridge, August 1, 1978. I do not know if Burnyeat still holds the views I attribute to him here, and in any case, he is not responsible for the use I make of them. A revised version of his paper (which I have not seen) is to appear in *Proceedings of the Aristotelian Society, Supplementary Volume* 44 (1980).

7 Thompson, *op. cit.*, note 5.

distinguishes knowledge and well-justified true belief. It is crucial here that not only do the jury not know when the trial begins, but they will never know, even when the trial is over. Here, then, we have a sense of 'know' which *excludes* inferential knowledge. What elsewhere might be regarded as inferential knowledge here counts only as well-justified true belief.

But there are reasons for doubting that this can be Plato's argument in the *Theaetetus*. (1) On this account, the argument becomes curiously oblique. Plato's main business in the passage is to show that knowledge is not identical with true belief. But at a8 ff., on this interpretation, he is occupied with the contrast between true belief and well-justified true belief, and it emerges only later at b7 ff. that the jury cannot *know* in virtue of their position as non-eyewitnesses. From this Plato concludes that however good a juryman is, and however well he has judged, he cannot know. That is, apparently, knowledge is not well-justified true belief. Now it may be that this conclusion entails the denial of Theaetetus' original identification of knowledge with true belief *simpliciter* — but if so, the argument now takes a strangely circuitous route to its true destination.

(2) In answer to Theaetetus' definition, Plato sketches one or more counter-examples that make it plausible to separate knowledge and true belief. But, as has often been remarked, he offers no explicit comments about the crucial feature, justification, that for us is distinctive of knowledge. This makes it very hard to see how there is room in the text for the notion of well-justified true belief. For mention of the key ingredient, namely justification, is missing from the discussion.⁸

(3) But is there in any case room for the contrast between knowledge and well-justified true belief in the context of the Athenian law-court? The concept of well-justified true belief, as distinct from knowledge, is well-entrenched in the Anglo-American legal system, but has, I believe, no place in the Athenian system of Plato's day.⁹

8 The best we can do is to suppose that reference to justification is buried in *ἰκανῶς* b3, or in the idea that the juror is *ἔκτος*, c6, or that he has performed his job well, c2, but this falls well short of what is needed.

9 The concept of well-justified true belief, as distinct from knowledge, is the natural complement of our assumption that *in principle* a juror, who is not an eyewitness, can never know. No change in the circumstances of deliberation, then, could bring a juror to know the truth in the technical sense reserved for the eyewitness. At the same time, however, the system is not capricious. To convict, a jury must have a high degree of certainty. They must have better than mere true belief: that is, they must reach *well-justified* true belief. This concept is institutionalized in our practice by various constraints both on how the jury is

If these points are correct, and the notion of well-justified true belief does not play a role in Plato's argument, how are we to avoid the difficulties described? If it is thanks merely to the limitations of time that the jury cannot know, then given more time, perhaps they can know. But if they do not know because only an eyewitness could know, and they are not eyewitnesses, then they can *never* know. But do these different results indicate a real discrepancy in Plato's concept of empirical knowledge? They reflect a real difficulty only if we suppose that Plato's heart is really with the view that the jury does not — and cannot — know *because they are not eyewitnesses*. That is, we must assume that for Plato eyewitnessing is in general a necessary condition for knowledge of empirical fact. With this assumption, Plato would be inconsistent if he implied that, given more time, a jury of non-eyewitnesses can come to know the truth. Without the assumption, however, no real difficulty exists.

It is worth noticing, however, that Plato does have in mind two different counter-examples to Theaetetus' definition. He begins by noticing circumstances which generally surround a jury's work, and which may stand in the way of their coming to know the truth: they are not eyewitnesses, and the litigant has a limited time in which to address them (201a10-b3). He goes on to generalize about cases where the lack of first-hand experience alone is sufficient to preclude knowledge, and presumably all the time in the world will not remove this epistemological disability (b7-c1). In both kinds of case, he argues, true belief is still possible even though knowledge has been excluded.

chosen, and on how it operates. There is little room, however, for the notion of well-justified true belief in the Athenian system of Plato's day, for the mechanics of the system do not allow it. There is at least *prima facie* the same difference between the eyewitness and the juror whose business it is to evaluate testimony (cf. *ἐξ ἀκοῆς*, b8-c1). But juries are large (from 200 to 500 members), and no particular attempt is made to exclude partial jurors beyond the heliastic oath to vote 'without fear or favour' sworn by all dikasts at the beginning of each year. Jurors are not disqualified by any prior knowledge or opinion they may have of the matter at hand, and there are not the same restraints on what evidence is admissible. Finally, Athens is usually agreed to be one of the cities in which no deliberation is allowed before the jurors vote (Aristotle *Politics* 1268b9 ff., cf. Harrison, *op. cit.*, p. 164). The absence of a notion of well-justified true belief does not by itself prove that the Athenians also lacked our assumption that a juror by definition cannot know. But the two conceptions are so closely tied together that the conclusion seems probable, in the absence of clear evidence to the contrary. For Athens, therefore, in an idealization of the courtroom process, a juror might well attain to actual knowledge. As we have seen, no Athenian would find grounds in his own legal system for supposing that only well-justified true belief is ever available.

Clearly they are two *different* sets of cases. (The first, where lack of time is a reason why a speaker cannot teach the jury, but only persuade them, is perhaps borrowed from *Gorgias* 455a). But we can accept these as both accounts (in my story, *alternative* accounts) of why the jury does not know, without committing Plato to a fundamental ambivalence in his view of empirical knowledge. This conclusion has also the virtue that, again, Plato's counter-examples against Theaetetus need make no special assumptions about the role of eyewitnessing in knowledge.¹⁰

3. Circularity and Counter-example.

Even if Plato makes no special assumptions about the nature of knowledge, we must still ask what induces Theaetetus to find Plato's counter-examples persuasive. There is a sense in which no argument against Theaetetus can avoid begging the question. Theaetetus claims that there is not true belief without knowledge. If we confront him with a counter-example, it is always open to him to stick to his guns, and claim that no such counter-example exists. Either the man in the example *knows* after all, or his belief is false. In these circumstances, Socrates must look for considerations which Theaetetus may find appealing, and which may help change his mind and induce him to accept a counter-example. How successful is Socrates in finding such considerations, and in constructing a counter-example that Theaetetus will not find blatantly question-begging?

Plato can dispatch Theaetetus' definition very swiftly, if only Theaetetus has the appropriate intuitions. Thus, Plato begins his argument against the definition in a familiar way by appealing to the

10 One last defence of the view that, for Plato, eyewitnessing is at least necessary for our knowledge of empirical fact comes from Plato's description of the counter-example at b7-8: *ὅταν δικάως πεισθῶσιν δικάσται περὶ ὧν ἰδόντι μόνον ἔστιν εἰδέναι, ἄλλως δὲ μῆ*, 'whenever jurors are persuaded in accordance with justice on matters which only an eyewitness can know, and which cannot be known in any other way.' But this evidence is entirely equivocal. On one reading, Plato is speaking wholly generally, asserting of the entire class of distant events that only eyewitnesses can have knowledge of them. But it is equally plausible that he means to introduce a *restriction* on the class of historical events to those which only an eyewitness can know, while excluding those cases in which a jury of non-eyewitnesses can still get knowledge of what took place. So the passage does not force the conclusion that, for Plato, eyewitnessing has a necessary role in knowledge.

distinction between teaching and persuasion.¹¹ Persuasion is naturally distinguished from teaching by saying just that the results of teaching constitute knowledge, which is always true, but the results of persuasion count only as opinion, which may be either true or false.¹² If Theaetetus accepts this way of drawing the distinction, he also accepts that persuasion can at times impart true belief, without knowledge. Then his intuitions about persuasion are at odds with his definition of knowledge, and Plato has a simple counter-argument to defeat the definition. In fact, however, Plato denies himself this easy victory. He is careful not to assume right off that, where teaching and knowledge are not available, persuasion can produce a belief *that is true*: he says only that, where knowledge and teaching are lacking, the lawyer can make us believe *whatever he wants* (a9-10). This phrasing also avoids the suggestion that where the lawyer cannot teach a person something, he will persuade him *of that same thing* — for in this case again Plato would be assuming that we can be persuaded of something that is true. Similarly, we are told that the lawyer will be unable ‘to teach adequately the truth of what happened’ (b3), but Plato carefully leaves it open whether the belief he imparts can be true at all. So Plato’s argument does not attribute outright to Theaetetus the intuition that, unlike teaching, persuasion can impart true belief that falls short of knowledge. Still, his discussion up to b3 leaves us with an urgent question: Just how *do* we assess epistemically a man who has been persuaded, but does not know? Surely, we want to reply, under some conditions he may have true belief.

On another view of Plato’s strategy against Theaetetus, the notion of persuasion, as opposed to teaching, plays a slightly different role in Socrates’ argument. Persuasion, especially when practised in the constrained context of the Athenian law-court, shows that a true opinion may not be sufficiently *well-founded* to count as knowledge. Persuasion can impart a belief without also imparting the proper grounds for holding that belief. If we suppose that the belief imparted is true, it still cannot count as knowledge because the proper grounds for holding the belief are lacking. The juror may be right, but without justification, we cannot say that he knows. The other side of the coin is that, in the circumstances described, it is just *luck* if the juror reaches the correct ver-

11 Cf. *Timaeus* 51e1-3.

12 Cf. *Gorgias* 454d1-455a7. It is a hallmark of persuasion as opposed to teaching in the *Gorgias*, not just that it imparts belief rather than knowledge in an audience, but also that the man who uses persuasion himself lacks knowledge on the subject (458e-459c).

dict. Knowledge and (mere) true belief, then, are not the same. In fact, I think, there is no explicit reference to justification in Plato's argument (cf. note 8 above). But suppose Plato does mean to argue in this fashion. Again, his arguments may not accord with Theaetetus' intuitions. Theaetetus may complain, 'Your pretence to construct a case in which persuasion induces at best mere true belief begs the question. I say there is no such thing as mere true belief; in my book, if a juror gets his verdict right, then his belief amounts to *knowledge*. And if persuasion varies in the results it gets, this is only because, given the vagaries of the law-court, persuasion leads sometimes to right answers, sometimes not. But none of this shows that there is a middle ground between knowledge and false belief. So my equation of knowledge with true opinion stands.'

In fact, Theaetetus may carry his complaint one step further. 'Your example,' he might say, 'talks about how well-justified a true belief may be, hence whether or not it can count as knowledge. This talk not only assumes the distinction between knowledge and true opinion, but even imports a definition of knowledge on which knowledge and true opinion are not the same. So again your argument begs the question against me.'

Is there any counter-example against which Theaetetus cannot cry foul in this way? Theaetetus will find an example persuasive only if it accords with other intuitions he himself already accepts. In this sense, Plato's argument is like many arguments in the early, Socratic dialogues in exploiting the fact that Socrates' interlocutor is willing to stand by certain beliefs, which Socrates can use to show that some other of his beliefs is false. Yet the argument is not merely *ad hominem*, if it can bring out important features of the concepts under investigation. Theaetetus' equation of knowledge with true belief is transparently wrong. But saying *why* it is wrong involves exploring the wider connections between knowledge and truth, and the role these concepts play in our ordinary canons of epistemic appraisal. Plato's counter-examples are persuasive ultimately because they show just how many of these interconnections are disturbed if we accept Theaetetus' definition. For example, a man who has been merely persuaded of something, under unfavourable circumstances, does not know (a10-b3): how then are we to assess him epistemically, if Theaetetus is right? In the discussion that follows (b7-c1), Plato turns to a different example of epistemic appraisal: can we call one juror *better than* another, in a case where neither can know the truth? As we shall see, our feeling that we can points once more to a distinction between knowledge and true belief.

What, then, are the considerations which Theaetetus himself accepts, and which will lead him to find a counter-example persuasive? In fact, Theaetetus' own views earlier in the dialogue have already

provided part of the materials for a convincing counter-example. Theaetetus has already agreed that if the dictum attributed to Protagoras is right that all beliefs are true, then no orator or litigant is better than any other. At least, no orator can compete with another over which is speaking the truth, since *whatever* a speaker says will be automatically true (see e.g. 161d3-e4, 167a6-b1). Correspondingly (although the point is not made explicitly in these earlier passages), no juror will be better than any other, since whatever a juror allows himself to be persuaded of will be invariably true. Theaetetus has rejected this line of thought. He has accepted a distinction between true and false belief, and with it, the view that some advisors in the city persuade us of what is true, others of what is false (see e.g. 170b1-6, 172a5-8, 177d2 ff.). Plato's counter-example at 201b7 ff. exploits these earlier admissions. Suppose that there is an opinion that falls short of knowledge: can such a belief be anything but false? It can, if in a case where knowledge by the juror is ruled out, it still makes sense to suppose that he can use his best judgement to discover the truth. A less able juror might reach no conclusion at all when the evidence is inconclusive, or a conclusion that is incorrect. Or he might falsely conclude that he knows when he does not know. But the skilled juryman can both reach a correct verdict, and know that he does not know.

The details of Plato's counter-example here, as well as the intuitions to which he is appealing in Theaetetus, are new. Earlier in the passage, the unfavourable surroundings of the Athenian court were uppermost in Plato's mind. In the example at 210b7 ff., by contrast, Plato imagines that the circumstances of the incident before the court by themselves make it certain that a non-eyewitness can never know the truth. Even here, however, a juror may be sufficiently skilled to arrive at the truth. This argument is based on the assumption that, in more ordinary circumstances, some orators and some jurors are better than others. In the political arena, some advisors persuade us of the truth, others of what is false. Equally, a skilled juror can arrive at the truth, while an incompetent one may not. If knowledge is ruled out in a particular case, *these same distinctions should still apply*. That is, some jurors may be persuaded of a true belief, even if others are not.

Theaetetus can still resist this argument. Knowledge and true belief, he may say, are the same, and if there are special circumstances in which a juror cannot know, a speaker's attempts to persuade him can lead only to false belief. In these special circumstances, then, no juror is better than any other — indeed, all are equally bad, since all that any juror can hope for in the circumstances is false belief. But equally, Theaetetus' intuition that some orators and some jurors are better than others may prove sufficiently strong that he will accept Plato's counter-example. A juror may judge *well*, and he is then *correct* to be persuaded

(cf. *ὁρθὰ πεισθέντες, εἶπερ εἴ ἐδίκασαν*, 201c2), even if he cannot know the truth. Again, Plato remarks, if Theaetetus' definition were right, *the* very best juryman (*δίκαστῆς ἀκρὸς*, 210c5-6) could not reach a true verdict unless his belief is to be counted as knowledge. Clearly, if knowledge and true opinion are the same, *no one* could have the one without the other. But Plato's remark still has point. He means to emphasize that some jurors are *better than* others. Contrary to Theaetetus' definition, there is an art dedicated to getting (or, if we think of the litigant and the orator, to instilling) beliefs which we suppose can be true even where full knowledge is not available.¹³

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13 I am indebted to Myles Burnyeat, Robert C. Cummins, and Keith Quillen for helpful discussion of earlier drafts of this paper.