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Crito

Plato

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 **CONTEXT**

The life and teachings of Socrates (c. 469-399 B.C.) stand at the foundation of Western philosophy. He lived in Athens during a time of transition (Athens' defeat at the hands of Sparta in the Peloponnesian War (431-404 B.C.) ended the Golden Age of Athenian civilization) and had a tremendous influence on the Athenian youth of his day. Socrates himself never recorded his thoughts, so our only record of his life and thought comes from his contemporaries. These accounts are mixed and often biased by the authors' personal interpretations.

It seems that Socrates led a very simple life, renouncing wealth and holding himself aloof from political ambitions, preferring instead to mingle with the crowds in Athens' public places, engaging whomever he could in conversation. Nonetheless, he did serve as a hoplite (heavy infantryman) in several battles during the Peloponnesian War, and that he was distinguished by his bravery. In 399, Socrates was brought before a jury of around 500 Athenians on charges of not recognizing the gods recognized by the state, of inventing new deities, and of corrupting the youth of Athens.

The most likely reason for this trial is Socrates' close association with a number of men who had fallen out of political favor in Athens, but because an amnesty had been declared for political offenders, other charges had to be brought against him. Socrates was found guilty by a narrow margin and then sentenced to death.

Plato (c. 427-347 B.C.), the author of *The Apology*, was one of Socrates' greatest admirers, and our knowledge of Socrates stems mostly from Plato's dialogues (for competing accounts, see Aristophanes' satirical presentation in *The Clouds* and the writings of Xenophon). Plato was born into a prominent Athenian family, and was expected to pursue a career in politics. However, the short-lived Spartan-imposed oligarchy of the Thirty Tyrants (404-403 B.C.) and the trial and execution of his mentor, Socrates, led Plato to become disgusted with Athenian political life, and he devoted himself instead to teaching and philosophical inquiry. To that end, he founded the Academy around 385 B.C., which counted Aristotle among its students. The Academy lasted in one form or another until 527 A.D., and served as the prototype for the Western university system.

Plato's thought is mostly recorded in the form of dialogues that feature Socrates as the protagonist. Apparently, the Socratic dialogue was a genre form at the time: not just Plato, but many of Socrates' other students recorded philosophical debates in this form. Plato's dialogues are generally classed into early, middle, and late periods. The early dialogues were written soon after Socrates' death, and in them we get the clearest picture of Socrates and Socratic philosophy. As Plato matured, however, he developed an increasingly distinct voice and philosophical outlook. The figure of Socrates in the middle and late dialogues (*The Republic* and *Phaedo*) are two exemplary works of the more mature Plato) becomes more of

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a mouthpiece for Plato's own views. The *Crito* is generally considered one of Plato's earlier dialogues, though there are a number of stylistic inconsistencies that make it difficult to date with certainty. It is set nearly a month after his trial (recounted in *The Apology*)—Socrates sits in prison, awaiting execution.

 **CHARACTERS**

Socrates—The protagonist of the *Crito* (and most of Plato’s dialogues). Socrates is one of the most important figures in the history of Western philosophy, standing at the origin of the rational tradition initiated by himself, Plato, and Aristotle. Socrates himself arguably never advanced any doctrines of his own. His method consisted more of questioning others who claimed to have great knowledge or wisdom, and through the *elenchus*, or cross-examination, showing them that they were in fact ignorant. Thus, his influence lies not in a set of theories he advanced, but his method of approaching questions, and his unrelenting scrutiny. The *Crito* finds him an old man of seventy, sitting in prison and awaiting execution.

Crito—An old friend of Socrates, about his age. Like many of Plato’s dialogues, the *Crito* takes its name from Socrates’ primary interlocutor. Crito is a long-time follower of Socrates, and is deeply distraught at the prospect of Socrates’ impending execution. Crito, and some of Socrates’ other friends, have pooled together their resources to arrange an escape for their friend and mentor. Crito is willing to make almost any sacrifice to save Socrates’ life.

The Laws of Athens—Not a character in the normal sense of the word; the fact that Socrates personifies the Laws of Athens in his argument is crucial to the dialogue. The Laws were originally set down by the legendary lawgiver, Solon, though they had been frequently modified since, especially during the political turmoil in Athens at the end of the 5th century B.C. The Laws are given a voice in the *Crito* because, for the Greeks, just or unjust action is something that one does to someone else. Socrates wants to say that escaping from prison would be unjust, but he must also say whom he would be wronging. His best answer is that he would be wronging the Laws of Athens, but in order to do so, he must treat these Laws as a human being with a human voice. Thus, Plato is not simply employing a rhetorical device in giving the Laws a voice, he is also substantiating the argument.

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 **SUMMARY**

The dialogue takes place in Socrates' prison cell, where he awaits execution. He is visited before dawn by his old friend Crito, who has made arrangements to smuggle Socrates out of prison to the safety of exile. Socrates seems quite willing to await his imminent execution, and so Crito presents as many arguments as he can to persuade Socrates to escape. On a practical level, Socrates' death will reflect badly on his friends—people will think they did nothing to try to save him. Also, Socrates should not worry about the risk or the financial cost to his friends; these they are willing to pay, and they have also arranged to find Socrates a pleasant life in exile. On a more ethical level, Crito presents two more pressing arguments: first, if he stayed, he would be aiding his enemies in wronging him unjustly, and would thus be acting unjustly himself; and second, that he would be abandoning his sons and leaving them without a father.

Socrates answers first that one should not worry about public opinion, but only listen to wise and expert advice. Crito should not worry about how his, Socrates', or others' reputations may fare in the general esteem: they should only concern themselves with behaving well. The only question at hand is whether or not it would be just for Socrates to attempt an escape. If it is just, he will go with Crito, if it is unjust, he must remain in prison and face death.

At this point, Socrates introduces the voice of the Laws of Athens, which speaks to him and explain why it would be unjust for him to leave his cell. Since the Laws exist as one entity, to break one would be to break them all, and in doing so, Socrates would cause them great harm. The citizen is bound to the Laws like a child is bound to a parent, and so to go against the Laws would be like striking a parent. Rather than simply break the Laws and escape, Socrates should try to persuade the Laws to let him go. These Laws present the citizen's duty to them in the form of a kind of social contract. By choosing to live in Athens, a citizen is implicitly endorsing the Laws, and is willing to abide by them. Socrates, more than most, should be in accord with this contract, as he has lived a happy seventy years fully content with the Athenian way of life.

If Socrates were to break from prison now, having so consistently validated the social contract, he would be making himself an outlaw who would not be welcome in any other civilized state for the rest of his life. And when he dies, he will be harshly judged in the underworld for behaving unjustly toward his city's laws. Thus, Socrates convinces Crito that it would be better not to attempt an escape.

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ANALYSIS AND THEMES

Though brief, the *Crito* is a confusing and somewhat muddled dialogue. The difficulty Plato faced in composing the dialogue was to somehow justify Socrates' decision to stay in prison rather than try to escape after his wrongful condemnation. To do this, Plato had to draw out a distinction between the just Laws, which Socrates must obey by staying in prison, and the unjust behavior of Socrates' accusers, who sentenced him to death.

The problem, of course, is that Socrates' accusers have unjustly sentenced him by using the Laws. By giving the Laws their own voice, Plato hopes to distinguish them as a separate entity, making them something human toward which Socrates might be able to act unjustly. However, it is highly debatable how far one can truly separate the laws of a state from the people who apply them. In this instance, we have the people of the state condemning Socrates and the Laws of the state following suit and persuading Socrates that he must face death in order to avoid breaking them. But if both the people and the Laws have ruled that Socrates must be executed, either the people are siding with the Laws or the Laws are siding with the people. And regardless of which of these is the case, it seems odd to assert that the Laws are just and must be respected and that the people are unjust and should not be respected.

It seems Crito, who is trying to persuade Socrates to escape, and Socrates are in a sense talking past one another. One of Crito's strongest arguments in favor of escape comes at 45c, where Crito suggests that Socrates would be abetting the wrong-doing of his enemies in following through with their wishes. Socrates' reply to this argument is that he would in fact be harming the Laws, which are just. If the Laws are just and the people are unjust, but both are willing the same thing, then it seems Socrates is in a quandary. If Socrates stays in prison, he will be siding with his unjust accusers, and if he escapes he will be acting against the just Laws. Ultimately, it seems that it is better to accord oneself with the Laws than to side against the people.

The *Crito*'s distinguished reputation rests largely on the idea of the social contract that Socrates introduces. It is the first suggestion in Western civilization that a legal system exists as a result of a kind of contract between the individual and the state, and this idea has had a tremendous impact on the modern world. Also, the very confusion a reader finds in wading through these arguments is a great motivation to sort through issues of justice and law oneself. After all, Plato's goal is not ultimately to present the final word on any particular issue. He chooses the dialogue form precisely because he wants to encourage us to think for ourselves.

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**SUMMARY AND ANALYSIS****43a - 44b**

Note: There are no breaks in the Crito as Plato wrote it. These notes on the text were made later, sections beginning or breaking off where a new theme or topic is introduced or dropped. Sections in this guide are demarcated according to the Stephanus numbers (the page numbers from the 1578 complete works edited by Henri Estienne ("Stephanus" in Latin)). For Plato, the Stephanus numbers are the standard page references, and most editions of Plato's work contain the Stephanus numbers along the margins.

Summary

The dialogue opens just before dawn as Socrates awakes in his prison cell to find his old friend Crito watching over him. Crito explains that he has been watching over Socrates for quite some time, but dared not wake him. Worried about his friend's impending death, Crito was unable to sleep and decided to visit. He expresses admiration at Socrates' composure and calm sleep under such adverse conditions. Socrates replies that it would be odd to fear death at his old age.

Crito explains that he has come at this early hour because he fears Socrates' execution is near at hand. The annual sea-mission to Delos, during which time no prisoner can be executed, has arrived at Sunium on the Attic mainland, and should be returning to Athens soon. The sea-mission is in celebration of Theseus' victory over the Minotaur and the Minoan civilization that once dominated the Mediterranean world from its homeland in Crete. The boat left the day before Socrates' trial, and so Socrates has spent a good deal of time in prison already. Crito predicts that the boat will arrive in Athens this very day—meaning that Socrates would be executed tomorrow. He notes that this news will probably not concern Socrates greatly, but that he, Crito, and Socrates' other friends are taking the news very hard.

Socrates replies that he doubts that the expedition will arrive today. Last night while he slept, he dreamt he saw a beautiful woman in white robes who, quoting the Iliad, said "To the pleasant land of Phthia on the third day thou shalt come" (44b). While Crito expresses puzzlement at this dream, the meaning, to Socrates, is quite clear: he will not die for another three days. Because he is to be executed the day after the expedition returns, the boat cannot possibly return until at least tomorrow.

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Commentary

Unlike many of Plato's dialogues, there is no framing device in the *Crito*: we are launched immediately into the dialogue, with Socrates' first words upon waking. This strategy is more characteristic of Plato's earlier dialogues, where a more historical representation of Socrates is given. In the middle and later dialogues, in which the character of Socrates becomes increasingly a mouthpiece for Plato's own views, elaborate framing devices are set up so that Socrates' own words are recounted by a friend of a friend who heard about it from another friend—or some such thing. Here, we get Socrates' own words more directly, though we should note that Plato himself is nowhere present; the account is at best second-hand.

In spite of this formal hint that the *Crito* is an earlier dialogue, there is a great deal of debate regarding its date of composition. Stylistically, it varies quite a bit, and many of the characteristic elements of an early dialogue are missing. There is no claim on Crito's part to be an expert in any field, nor does Socrates show Crito to be ignorant. Not only does the dialogue lack the cross-examination and irony of a typical early Socratic dialogue but, as we shall see, it contains positive doctrines more characteristic of Plato's more mature works.

Phthia was the Homeric hero Achilles' homeland, and the quotation from *The Iliad* relates to Achilles' return home. The suggestion, then, is that Socrates will soon be returning to his real home, just like a hero of Greek legend. The immortality of the soul is a theme that runs throughout Plato's work (and is made most explicit in the *Phaedo*). Socrates believes his soul is immortal and that, by freeing it of his body, he will allow it return to its proper place. This view differs interestingly from *The Apology*, in which Socrates claims to have no knowledge of what happens after death, and also from the *Phaedo*, in which Socrates expresses with much greater certainty his knowledge of the afterlife and the fate of the soul.

Rather than accuse Socrates or Plato of inconsistency, we can understand this increased certainty in an afterlife as a result of Socrates' increasing visionary powers. In *The Apology*, Socrates refers to a divine voice that speaks to him on occasion, warning him not to do certain things, and he also claims close kinship with Apollo, the god of prophecy, whose oracle at Delphi proclaimed that Socrates is the wisest of all men. As Socrates' death approaches, his powers of prophecy are on the increase. Here, he recounts a vision that foretells his day of death. Also significant is that this vision comes to him in a dream. Death, Socrates recounts in *The Apology*, is like drifting off into a deep sleep and not reawakening, so it should not surprise us that he should foresee his death while sleeping. His closeness to and his acceptance of death should also explain why he is capable of such calm and deep sleep. In the *Phaedo*, which tells of Socrates' actual death, he is portrayed as slipping into a slumber: there is nothing violent or unpleasant about Socrates' final end.

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44b - 46a

Summary

Alarmed by Socrates' willing acceptance of his execution, Crito hastens to explain that he can and must help Socrates to escape. All it would take is a few appropriate bribes, which would not be at all difficult to manage. Crito explains that if Socrates does not escape, no one would believe that he had willingly faced execution. Instead, Crito would be accused of not having helped Socrates, and of valuing his money more than his friend's life. Socrates suggests that one should only take heed of the opinions of sensible people who will see things exactly as they turned out. To this, Crito replies that popular opinion is a powerful and dangerous force—that Socrates' own trial and sentencing are enough to suggest that the public has an unlimited capacity for doing harm. Socrates disagrees with Crito, suggesting that it is a great shame that the public does not have an unlimited capacity for doing harm, since they would then also have an unlimited capacity for doing good. However, Socrates suggests, the public cannot make a man either wise or foolish—what they achieve is determined by chance alone.

Crito next addresses the question of whether Socrates is unwilling to escape for fear of inconveniencing or endangering his friends. He makes it clear that he and all Socrates' friends are more than willing to face any kind of danger—besides which, the bribe is not an impossible sum, and there are quite a few wealthy men who can put up the money. Crito also argues that Socrates should not be afraid of living in exile, as he suggested in his defense speech (see *The Apology*, 37a-38c): Crito has many friends, particularly in Thessaly, who would be delighted to take in Socrates and protect him.

Not only would it be easy to rescue Socrates, Crito suggests, but Socrates is acting unjustly by remaining in prison. In refusing to escape, he is treating himself as his enemies want to treat him, and so is wronging himself. Further, he will be deserting his sons before their upbringing and education has been completed. In accepting an unnecessary execution, Socrates is willingly abandoning his children and his responsibility to them. Without him, they will receive the second-rate upbringing and education that is normally reserved for orphans. A man such as Socrates, who has dedicated his life to pursuing the good, must surely not abandon his sons like this.

Lastly, Crito suggests again that Socrates' behavior will reflect badly upon Socrates himself as well as his friends, making them all appear to be cowards. Throughout, Socrates seems to have made no effort to resist his condemnation and execution: he came to court willingly, he defended himself in a brash and obviously unsuccessful manner, and now he is unwilling even to be rescued by his friends. Crito urges Socrates to agree to a ready plan to smuggle Socrates out of prison that night. If they don't act now, it will be too late.

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Commentary

Crito is right in suggesting that Socrates has done absolutely nothing to avoid being executed. In fact, the authorities of Athens probably didn't want to execute him at all, hoping only to silence or exile him. Socrates could probably have avoided the whole affair by not coming to court to defend himself. And again, in court, as we witness in *The Apology*, he made no effort whatsoever to apologize for his actions. When found guilty, he firmly rejected the options of prison, exile, or censure, insisting that if they would let him live, they must let him live as he had always done. Thus, Socrates forced the hand of the Athenian jurors, putting them in a position where they must either execute him or let him go free. Though they may not have wanted to execute him, Socrates left them no choice.

Now, the authorities would probably be as eager as Socrates' friends to have Socrates escape and live out his years in exile. It is only Socrates' own principled stubbornness that leads to his death.

Many of Crito's arguments are quite sensible and convincing. In particular, his arguments that Socrates is behaving unjustly in allowing himself to be executed appeal precisely to some of Socrates' own thoughts. Central to Socrates' teaching is the association of goodness with knowledge and evil with ignorance. One of his more famous doctrines is that no one ever knowingly does wrong. Thus, Socrates' stated purpose in life is to bring people to greater wisdom by questioning them and revealing their ignorance. In improving people's wisdom, he makes them more virtuous. The very reason that Socrates rejects the suggestion that he abandon his teaching and live free is that he would then no longer be doing any good for the world at large, and would be abandoning his duty to the gods. Crito's appeal regarding Socrates' sons thus plays on that theme. If Socrates can improve people through his teaching and if that is his purpose in life, he would be letting his sons down unjustly if he died now, abandoning them to ignorance.

We could also read a kind of Socratic reasoning into the argument that, by submitting to his enemies, Socrates would only be helping them to do wrong. If Socrates is allowing himself to be punished just as his accusers would like, Socrates is harming himself in according himself with their intentions. If no one can knowingly do wrong, Socrates must be displaying ignorance, and therefore evil, in allowing himself to be wronged. Crito's attitude can also be understood in terms of a more traditional Greek notion, aired by Polemarchus in the first book of the *Republic*, that justice consists in helping one's friends and harming one's enemies. Crito here does not endorse harming Socrates' enemies, but certainly sees helping them as wrong.

One brief reply to Crito's arguments in this section comes early, in Socrates' and Crito's discussion of the public's capacity for doing harm. There, Socrates suggests that the people cannot make a man wise or foolish; they do not have an unlimited capacity for doing harm or good. Instead, he suggests, they act somewhat at random without any great capacity for

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good or evil at all. Thus, Crito's suggestion that the public is wronging Socrates, and that Socrates is therefore wronging himself in not fighting the verdict, becomes questionable. Socrates might be able to reply that he is not being wronged at all—that it is just fate and circumstance that have led to his execution.

46b - 50a

Summary

In response to Crito's plea that Socrates agree to be rescued, Socrates answers that Crito's enthusiasm is only well exhibited if it is right and proper. When considering arguments, Socrates suggests, one ought only to take heed of those that seem right upon reflection. It would be wrong for Socrates to abandon the arguments he propounded in the past simply because his life is now in danger. If he is to change his behavior now, it should be for reasons other than his impending death.

Crito agrees with Socrates that not all opinions are of equal value—that some are sound and some are flawed—and that one should follow the opinions of the wise, which are sound, and not of the foolish, which are flawed. The opinions of the wise in any matter come from experts in those matters. Thus, if a man considered everyone's advice regarding his health, he might not benefit, but if he listens only to his doctor, he would be much better off. Someone who disobeys or ignores the advice of his doctor will surely suffer, and his body will deteriorate.

Analogously, then, Socrates refers to the part of us which is harmed by unjust actions and benefited by just actions. (This "part of us," left ambiguous here, is referred to as the soul in later works of Plato's.) Socrates suggests that this part of us is far more valuable than the body, and that life would hardly be worth living if it were damaged. In this case, it is of even greater importance not to take anyone and everyone's advice, but to listen only to experts who know best how to handle such matters. Crito, then, is wrong to worry about public opinion regarding matters of justice: he should ignore it altogether, paying heed only to those who are wise about justice. In response to Crito's objection that, though they may be ignorant, the public has the power to put a man to death, Socrates replies that this has no bearing on the argument whatsoever. After all, Socrates is not concerned with what he must do in order to live, but what he must do in order to live well—that is, honorably and justly. Thus, Socrates and Crito should not worry about the public or about Socrates' sons or anything else, but should ask themselves only whether or not arranging an escape would be just and honorable.

Agreed upon this point, Socrates moves to a variation of one of his more famous claims: that no one can ever knowingly do wrong. Here, he suggests that one should never, under

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any circumstances, knowingly commit an injustice. So even in retaliation, it is wrong to inflict an injury upon someone who has wronged you, since inflicting injury is a form of injustice. Socrates also persuades Crito that one does injury, and therefore injustice, in breaking an agreement. His conclusion, then, is that if he leaves his prison without first persuading the state to let him go, he is breaking his agreement to abide by the laws of the state, and is thus causing the state an injury. Crito confesses that Socrates' reasoning has left him confused.

Commentary

The most interesting and most famous part of the *Crito* comes in the sections that follow, where Socrates imagines the voice of the Laws of Athens explaining why he should stay in prison and face death. By personifying the laws in this speech, Socrates will treat the agreement between the individual and the state in the same way as he might treat an agreement between two individuals. Even in this section, we get a sense of Socrates' rhetorical thrust in several cases of personification. At 46b, he refers to arguments as his "friends," suggesting that he shouldn't listen to the advice of all his "friends," but only to the sound ones. At 48a, he speaks of the truth as being on the side of the expert in affairs of justice. Finally, at 49e-50a, Socrates discusses the question of persuading the state to let him go, and whether he would be breaking his agreement with the state if he escaped. In these acts of personification, Socrates casts all political and ethical matters as an interaction between two people. Political matters, in spite of their complexity, are just the same as personal matters except one is dealing with one's relationship with the state and its laws rather than with a close friend.

A salient issue in the *Crito* is the question of how consistent it is with other Platonic dialogues—the early dialogues in particular. A number of possible inconsistencies raise themselves in this section (though the most important ones are raised later, in the speech of the Laws of Athens). At 46b, Socrates speaks of "the arguments which I used to expound in the past," a claim which sounds more like Plato than Socrates. Socrates consistently claims that he has no arguments of his own, that he is only interested in exposing the weaknesses of others' arguments. At the same time, his claims that no one ever knowingly does wrong, or that knowledge is virtue, do seem like arguments, and here he seems to accept this. Later in his career, Plato would use the character of Socrates to argue for many other doctrines as well.

In Socrates' discussion of injustice, we find a number of familiar themes: that there are experts in ethical matters and that one should not take just anyone's opinion as though it were of equal value, and that no one ever knowingly or willingly does wrong. However, at the same time, his equation of doing injury with injustice is again questionable. (Elsewhere, in the *Gorgias*, it is argued that an injury done to a wrongdoer in punishment is for the good

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of the wrongdoer.) Here, Socrates seems to be firm in his opinion that no injurious action can be just.

50a - 51c

Summary

In order to clarify his position to Crito, Socrates depicts the Laws of Athens confronting and questioning him about his desire to escape. The Laws point out to Socrates that if he does indeed decide to disobey them and escape, he will effectively be destroying the Laws, and the whole State as well. If private individuals can disobey and nullify laws when they please, the Laws will no longer have any effect or any importance, and so the State will fall into chaos. The State is only held together by the Laws, and the Laws are only binding if they hold no matter what the circumstances. If Socrates should suggest that the State has committed an injustice against him by making a faulty judgment at his trial, he imagines the Laws would reply that he had agreed to abide by whatever judgments the State should make. After all, the Laws are not to be accepted piecemeal, but either entirely or not at all.

The Laws then point out the role they have played in shaping Socrates, and how important their relationship is. It was through the Laws that his parents were married and were able to give birth to Socrates. The Laws then provided for his upbringing and education, ensuring that he received adequate training in music and gymnastics. From this, the Laws suggest that their relationship with Socrates is similar to that of a father with his son, or of a master with his slave. In these relationships, the son or slave has no right to retaliate if he is punished for wrongdoing, and certainly should not destroy his father or master simply in order to protect himself. The Laws go even further to suggest that one's ties to one's country are even stronger than one's ties to one's family, and so it is even more important to respect the judgments of the Laws. Just as one should be willing to suffer and die for one's country in battle rather than flee to save oneself, one should also be willing to suffer and die according to the Laws rather than to destroy them by trying to save oneself. If Socrates is to avoid being executed, he must persuade the Laws that they punish him unjustly rather than simply fleeing, which would disrespect and destroy the Laws.

Commentary

The portrayal of the Laws of Athens as a voice that enters into dialogue with Socrates is not only a stylistic choice, but one that deeply informs the arguments that Socrates makes. Justice, for the ancient Greeks, consisted in obligations to other people: an unjust action is one that is detrimental to others. Thus, for Socrates (or perhaps Plato) to argue that it would be unjust for him to leave his cell, he must be clear against whom an injustice would

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be committed. He cannot simply be acting unjustly, but must rather be injuring someone in particular.

Certainly, if *The Apology* is any indication, Plato and other followers of Socrates have little sympathy for Meletus, and the others who brought Socrates to trial and then sentenced him to death. Plato would not want to suggest that Socrates somehow has an obligation to his accusers to stay, and that he would be behaving unjustly toward them if he escaped. The question then, is whom would he be behaving unjustly toward in escaping? The only possible answer is the State itself and the Laws of the state. But since one can only act unjustly toward another person, it is necessary for Socrates to personify the Laws of Athens in order to justify his position.

Also worth noting is that Socrates personifies the Laws in the role of parents. They were responsible for his birth, and for raising and educating him. His real parents are effectively reduced to being agents of the Laws. By doing this, Socrates greatly clarifies his obligation to the Laws. While the Laws may seem like abstract, ancient, and distant entities to which one is bound only for fear of punishment, Socrates portrays them as living beings that have nurtured and raised him, who will suffer if he disregards them. With this new twist, it becomes far more problematic to justify breaking the Laws.

On the other hand, it is clear (from *The Apology*) that Socrates' trial was far from fair, and that he is not truly guilty of the crimes he has been condemned for. As a result, we have every reason to believe that Socrates himself has been wronged. Some scholars have suggested that in allowing himself to die, Socrates is complacently accepting an unjust application of the Laws, and in so doing is allowing the Laws to fall into disrepute. Socrates' method of *elenchus*, or cross-examination, which is central to his philosophy, consists in showing his interlocutors that they are mistaken in their claims. Surely this method should apply to his parents, or to the Laws as well. If they are mistaken in punishing him, he should not have to abide by their punishment, but should rather expose their injustice, doing both himself and them a favor.

One might reply in Plato's defense that the Laws do not claim that they should be obeyed no matter what, but rather that they must be persuaded of their mistake rather than simply disobeyed. Thus, if Socrates can persuade the Laws that he is wrongfully imprisoned, he should be free to leave without acting unjustly. The clear difficulty here is one of distinguishing between the Laws themselves and the human accusers who have sentenced Socrates. In *The Apology*, Socrates failed to convince his accusers that he was innocent, and they used the Laws to sentence him to death. Is there any way for Socrates to persuade the Laws that he should be allowed to go free without also having to persuade his accusers? And if he must persuade his accusers in order to change the Laws, that would suggest that the two are the same: if we believe that his accusers have acted unjustly in sentencing him, then the Laws might also be guilty of injustice. Clearly, Plato's choice to personify the Laws of Athens is not without problems.

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51c - 53a

Summary

Socrates continues the speech of the Laws of Athens by appealing to a kind of social contract that exists between the Laws and the citizens. The Laws, as Socrates already suggested, have given him birth, have raised him and educated him, and have shared the wealth of Athens with him and his fellow citizens. All this the Laws do for their citizens before they even reach manhood. Upon attaining manhood, the age at which citizens are meant to be able to think for themselves, they are free to review the Laws and the State, and if they do not like what they see, they are free to take their property and go wherever they please. However, if they choose to stay in Athens, they are actively submitting themselves to the Laws of Athens, and must abide by them no matter what. So the Laws are willing to allow discontents to leave Athens without forfeit, and are willing to be persuaded to change, but if one does not leave and does not persuade the Laws to change, then one must abide by them. If Socrates were to try to escape he would be breaking the Laws rather than following any of these just actions.

Furthermore, the Laws point out, Socrates would be more guilty than most because he has, until now, endorsed Athenian Law and the Athenian way of life. Socrates has only left Athens on a handful of occasions—once to attend a festival, and the other times to do military service in wars on behalf of the state. Unlike most Athenians, Socrates has never traveled or acquainted himself with the customs or laws of other people: he has been perfectly happy in Athens. Also, at his trial (recorded in *The Apology*), Socrates dismissed the possibility of exile, saying he'd prefer to die than live outside of Athens. It would be strangely inconsistent for him to refuse exile when it was offered to him freely, and then to flee Athens when the Laws no longer permit him to do so.

The Laws conclude, then, that Socrates has no reason to break the Laws now: he has had every opportunity to leave or disagree, and the Laws have made no effort to deceive him in any way. In fact, until now, Socrates has expressed great satisfaction with the Laws. If Socrates is to avoid becoming a laughing-stock, he must stick by his agreement with the Laws now as he has always done.

Commentary

Plato introduces a kind of social contract that binds the citizens to the Laws. We should be wary, though, of equating this social contract theory with our modern, liberal notion of the social contract, as presented by Rousseau. In Rousseau's idea of the social contract, the state (or sovereign) is a direct consequence of the general will of the people, and the social contract is an agreement between citizens to live in harmony together under laws. For

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Plato, the agreement is not made between citizens, but between the individual citizen and the Laws. As we saw in the previous section, the personification of the Laws is a crucial move in Plato's argument, as it allows an agreement to exist directly between the Laws and the people. We might characterize the difference between Plato and Rousseau by saying that for Plato, the Laws are real entities (an idea that might follow from his Theory of Forms), whereas for Rousseau, they are abstract constructions made by and for the people.

The idea behind Plato's social contract is that any citizen who reaches the age of manhood should be able to decide for himself whether or not the Laws suit him, and if they do not, he should be free to leave the city. The age of manhood in Athens was set at seventeen, at which time youths would undergo an examination which would formally confirm their citizenship. Those who become citizens have thus explicitly agreed to obey the Laws of the city, and anything they do to break them will be a breach of this agreement.

However, in presenting the Laws as commands to be obeyed, Plato is portraying the Laws as quite tyrannical. If we are to follow Plato's analogy and treat the Laws like parents in a position of great authority, they are the kind of parents who expect their children to do whatever they say. Granted, the Laws can be persuaded into modification, but even so, the relationship between the citizens and the Laws is one of obedience and commandment. The Athenians were fiercely proud of their democracy, one in which justice and law were agreed upon by the majority. Plato's portrayal of the Laws sees Athens more as an enlightened dictatorship, where the people do not create the law, but merely live under its benevolent power. (Interestingly, this view of the state is more like the ideal state Plato envisions in the *Republic*, and less like the actual historical Athens.)

53a - 54e

Summary

The Laws of Athens conclude with an ominous warning as to what would happen if Socrates were to break them and escape. First, his friends would run the risk of banishment or worse for having helped him. Second, he would be unlikely to find welcome in any other town he visited. After all, what city with well-formed laws would welcome a man who had broken the laws of the city that had been his home for seventy years? If anything, he would be confirming Athens' verdict against him (that he corrupts the young), since a man who wantonly destroys the laws is certain to have a bad influence on the young. And if he were allowed into these cities, he could not resume his old way of life, wandering about and questioning citizens in order to improve them. How could he then maintain his teachings that goodness, justice, institutions, and laws are of the highest value to civilized people? His only option would be to live the life of a vagabond or runaway in some lawless part of

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Greece, where at best, he might have some laughs at the ridiculous lengths to which he had to go to escape Athens and civilization. All this would also show an unseemly greediness, clinging to life at such an old age.

The Laws then address the question of who should care for Socrates' sons, one of the strongest reasons Crito provided for Socrates to stay alive. Would Socrates be doing his sons any great favor by running away with them to some lawless land? And if he leaves them behind in Athens, what difference does it make if he is exiled in another land or dead? Surely, if his friends are at all good, they will ensure that his sons are well brought up, regardless of whether he is alive and exiled or dead.

Further, Socrates imagines the Laws as addressing themselves to the question of his fate after this life. He has lived a just and pious life, so he should fare well when he comes before the judges of the underworld. However, if he were to escape now, not only would he live in a lawless land, despised by his fellow-citizens, but he would also suffer in the underworld for having acted unjustly. As it is, he has been wronged by the people of Athens, not by the Laws, and will die a victim who has lived well and been killed unjustly. But if he returns this injustice, and hurts the Laws because of the wrongs done him by the people, he will be acting unjustly and the laws of Hades will punish him accordingly.

Socrates claims to hear the voice of the Laws of Athens clearly, and that they have persuaded him to stay. Crito accepts Socrates' words and makes no further effort to persuade him to leave.

Commentary

If we were not satisfied with the Laws' appeal to justice, their prediction of Socrates' possible life in exile seems quite convincing. Socrates is very explicit in *The Apology* about the importance of his way of life. In his famous statement that "the unexamined life is not worth living," Socrates suggests that life only has meaning and importance through the philosophical process of questioning oneself and others. If he were to flee Athens and live in a lawless land, all the reasons he currently has for wanting to be alive would disappear. He would be unable to engage in any kind of philosophical discourse, he would be banned from any just and reasonable city, and his sons would either have to be raised in this state of lawlessness or he would have to be separated from them permanently. Also, consistency is a very important virtue to Socrates: he has willingly been sentenced to death rather than be inconsistent in his behavior or way of life. To flee now would be to succumb to inconsistency and make a mockery of his life up to now.

Socrates' discussion of the underworld is a bit puzzling. As we discussed earlier, as he approaches death, he seems to gain greater confidence as to the nature of the afterlife, so it should not surprise us that he now speaks of the judges of the underworld (when in *The Apology* he denied that anyone could know what happens after death). What seems odd

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is again this distinction between the people who have accused and sentenced him and the Laws by which they have sentenced him. Plato would like to say that the Laws themselves are just, but that the people have acted unjustly. The reason Socrates must stay in prison is that he must show deference to the Laws, not to the people. Plato seems to want to put the blame for Socrates' imprisonment and execution on the people, saying that Socrates will die a victim who has been wronged unjustly. But if the people are the ones who punish him, why is it the Laws that suffer if Socrates escapes? If the Laws are destroyed if Socrates escapes, that would suggest that it is through the Laws that he is imprisoned. But if he is imprisoned wrongly, and if this is in accordance with the Laws, then it would seem that the Laws are unjust and thus deserve to be broken.

Plato is trying to mark a distinction between the Laws themselves and the legislators, one of his reasons for trying to embody the Laws in a voice distinct from any particular person or people. But if we unpack Plato's argument, it seems that there must be a contradiction somewhere. To review: Socrates is imprisoned either justly or unjustly. If he is imprisoned justly, that means he has done wrong and deserves to be punished, a claim that Plato would never want to make. Therefore, he is imprisoned unjustly. If he is imprisoned unjustly, he is being wronged either by the Laws or by the people. Again, it is clear that Plato wants to argue that he is being wronged by the people. Now if the people are wronging Socrates unjustly, that means that they are wronging him in a way that is not in accordance with the Laws. Thus, Socrates should not be breaking the Laws in trying to break free from prison.

The only possible answer is a rather tyrannical one, that the Laws are good and are created for good purposes, but must be obeyed no matter what, and it is up to the people to carry that out. The laws against corrupting the young and preaching false deities are just, and if one is found guilty, one ought to be punished. The problem is that the people have not carried out the application of these laws in a just manner by condemning Socrates. Nonetheless, trial by jury is a part of the Laws; the Laws are inflexible, and if Socrates is found guilty by jury then he is guilty according to the Laws. This picture of the Laws, however, does not seem as just or as reasonable as one might like.

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STUDY QUESTIONS

1. *Where might you place the *Crito* in reference Plato's other works? Is it an early dialogue, a middle one, or a later one? What reasons might you use to support your answer? (Hint: early dialogues are characterized by Socratic irony, and absence of positive doctrines, and a cross-examination of a supposed expert regarding some ethical matter that ends with the interlocutor in a state of *aporia*, or perplexity. More mature dialogues tend to go beyond a state of *aporia* and advance positive theses. They also frequently deal with metaphysical and epistemological problems.)*

The major difficulty in placing the *Crito* is that it lacks the standard form of cross-examination that leads to *aporia*. Though Socrates questions Crito regarding justice, Crito never makes any effort to present himself as an expert, nor does Socrates leave him in a state of bewilderment. Socrates is not trying to question Crito's knowledge so much as he is trying to convince Crito that he is following the right course. This sense of certainty and positive knowledge in Socrates is more characteristic of Plato's mature work, but there is much else to suggest it is an early work. Thematically, it is linked to *The Apology* and the *Euthyphro*, which we know to be early works. Also, like an early dialogue, the *Crito* is very brief and deals with one focused question.

2. *Compare and contrast Crito's argument that it would be unjust for Socrates to stay in prison—since that is what his enemies want—with Socrates' argument that it would be unjust for him to leave—since he would be destroying the laws. Is there a common ground between the two, or are they irreconcilable? What moral assumptions does each argument carry with it?*

This question is obviously linked to the next one: whether or not Socrates' argument is consistent. Crito's argument seems to rest more heavily on the notion that justice consists in helping one's friends and hurting one's enemies, suggesting that it would be wrong to help one's enemies. Socrates seems to want to argue against that, suggesting that retaliation of any kind is wrong. For him, justice consists in obeying the Laws as they have been set down. So they do seem to have differing moral positions, and they do seem irreconcilable to the extent that both see the other's position as unjust. Crito does seem increasingly to agree with Socrates as Socrates clarifies his argument, but Socrates never directly addresses Crito's question of whether it would be unjust to help his enemies. Instead of refuting Crito, he simply side-steps him, giving priority to the question of whether or not one has a right to break the Laws.

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3. *Can Socrates consistently claim that he has been wronged by the people of Athens, but has no right to break the Laws that have sentenced him?*

This is the main question of the dialogue, and more detailed answers have been given in the running commentary sections and the overall analysis. It does seem that there is some inconsistency here. Plato is committed to the claim that Socrates' accusers are acting unjustly, but that the Laws are just. Socrates is thus wrongfully imprisoned and will be wrongfully executed, but he cannot counteract these wrong judgments because they are secured by the Laws. But if the Laws are just, how is it that they permit such injustice? And if the Laws are unjust, what compulsion does Socrates have to abide by them? One might reply that the Laws are fixed in place and have been applied unjustly in this case, but that to go against them would be to attack them in an unjust manner. However, one could reply to this objection by saying that if the Laws are unjustly applied, Socrates is allowing the Laws to come to harm in complacently accepting this injustice.

4. *Discuss and analyze the significance of the voice given to the Laws of Athens. If Socrates had simply presented an argument for staying in prison without creating this voice, how would that have affected his argument?*

5. *Socrates wants to treat moral issues between people and moral issues between the individual and the state as being on the same scale. Do you agree with his reduction? In what ways might moral decisions with respect to the state differ from those with respect to a friend?*

6. *Can the Laws of Athens commit injustice? If they do, what recourse does a wrongly accused citizen have? Why is Socrates unable to overturn his unjust condemnation?*

7. *The Laws tell Socrates that if they are wrong, they can be persuaded to change, but he must by no means break them forcefully. If Socrates has been wrongfully accused, why has he not managed to persuade the Laws to change?*

Suggestions for Further Reading

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 **REVIEW AND RESOURCES****Review Quiz**

1. *Crito is Socrates'*:
 - A. Prison guard
 - B. Old friend
 - C. Most famous student
 - D. Teacher

2. *Socrates has not yet been executed because:*
 - A. The death penalty is still illegal in Athens
 - B. The paperwork has not been completed yet
 - C. He is still awaiting a final appeal
 - D. He cannot be executed until the sea-mission returns to Athens

3. *Phthia is:*
 - A. Another name for the underworld
 - B. Achilles' homeland
 - C. The prison complex where Socrates is waiting
 - D. Crito's homeland

4. *Socrates can escape because:*
 - A. Crito and his friends are willing to pay a bribe
 - B. He was wrongfully imprisoned
 - C. The guards are asleep and have left the door unlocked
 - D. The god Apollo will rescue him

5. *Crito is worried that his reputation will suffer if he allows Socrates to die because:*
 - A. He will then be associated with a known criminal
 - B. He will have no friends
 - C. He will be accused of valuing his money more than he values his friends
 - D. Socrates was responsible for raising Crito to his prominent position in Athenian society

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6. Which of the following arguments does Crito NOT give for Socrates to escape with him?

- A. His sons will be left fatherless
- B. Socrates' enemies would be getting their way in having Socrates executed
- C. Socrates' friends will be made to seem like cowards who made no effort to save him
- D. The Laws of Athens are unjust and Socrates should not be forced to abide by them

7. Under what circumstances does Socrates admit that it is permissible to commit an injustice?

- A. If you commit it against someone who has already wronged you
- B. If the Laws of Athens endorse the injustice
- C. There are no circumstances under which it is permissible to commit an injustice
- D. If you commit it against your enemies

8. Whose opinions should one take into account when weighing moral decisions, according to Socrates?

- A. Everyone's opinion is of equal value
- B. Only the opinions of those who are experts regarding matters of what is just and what is unjust
- C. The opinions of one's friends are the most important
- D. The judges and jury in the law courts should always have the final word

9. According to Socrates, our relationship with the Laws is most similar to our relationship with whom?

- A. Our parents
- B. Our children
- C. Our fellow citizens
- D. Our long-dead ancestors

10. For which of these do the Laws of Athens NOT claim responsibility?

- A. Marrying Socrates' parents, thereby giving him birth
- B. Giving him an education
- C. Giving him a share in the wealth of the city
- D. Protecting him against outside enemies

11. Which of the following do the Laws of Athens NOT permit if one disagrees with them?

- A. To leave the city with all one's possessions
- B. To break only those laws that one believes are unjust
- C. To persuade the Laws that they are wrongly applied
- D. To renounce citizenship and leave the city upon arriving at manhood by not submitting to the examination required for citizenship

12. Why should Socrates, more than anyone else, feel obliged to abide by the Laws?

- A. Because he has never felt any compulsion to leave the city
- B. Because he has a distinguished military record
- C. Because he has been found guilty of a capital crime
- D. Because he is a philosopher

13. Which of the following do the Laws NOT predict would happen if Socrates were to escape?

- A. His friends would risk punishment because of him
- B. He would be hunted down and captured by the Athenian authorities
- C. No other lawful city would welcome him
- D. The judges of the underworld would rule against him

Answer Key:

1: B

5: C

9: A

13: B

2: D

6: D

10: D

3: B

7: C

11: B

4: A

8: B

12: A