

PHIL 1313: INTRODUCTION TO PHILOSOPHY

ANCIENT PHILOSOPHY:

Plato's *Crito*



Bruce L. Gordon, Ph.D.
Houston Baptist University
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A Brief Outline of the Dialogue

The life of Socrates provides a clear example of a person seeking the moral justification for his actions in a discernment of the proper relationship between the individual and society. Socrates tries to use his reason to determine whether an action is right or wrong without regard to his own fate.

I. Setting and Prologue (43a-46a)

- A. Socrates in jail
- B. Crito's plea for escape
- C. Socrates' articulation of the dilemma created by Crito's plea

II. The Problem with the Opinion of the Many (46d-48a)

- A. Crito's appeal to the opinion of the many
- B. Socrates' appeal to right opinion rather than majority opinion
- C. Socrates' proposal for rational examination of the options

III. Socrates' Argument (48b-54e)

- A. One ought to live rightly (48b-49b): would it be right to disobey the laws?
- B. One ought never to do wrong (49b-49d): it is *not* permissible to do wrong, even when wronged
- C. One ought to keep agreements (49e-54e)
 - 1. Socrates has a tacit agreement with the laws of the state
 - 2. The laws of the state are just, but unjustly applied by the citizens (54c)
- D. Therefore, it would be wrong to break the laws by escaping his sentence (54d-e)

Crito's Counsel

Crito tries to persuade Socrates that *it would be better to escape into exile than suffer death*. He offers the following considerations:

- Not escaping would not reflect well on Socrates' friends, who will be perceived by the majority as valuing their money more than his life, since they were unwilling to spend the money required to save him (44c).
- It is not right to give up your life when you can save it, especially when you will be leaving children behind rather than bringing them up and educating them (45d).
- Furthermore, Socrates' friends would also be regarded as cowardly and unmanly if they did not take the risk required to save him, and this would be an evil and shameful thing (46a).

Socrates' Response

- Socrates replies that the opinion of “the many” (*hoi polloi*) is not something that should be respected simply because it is held by the majority of people.
- What matters is not the number of people who hold a belief, but the quality of the belief itself.
- The opinions of the many are haphazard (44d), whereas wise men offer good opinions (47a).
- For example, those involved in physical training should pay attention to doctors and trainers, not to the opinions of those who lack knowledge, for following the advice of those who lack knowledge leads to harm (47c-d).
- Furthermore, Socrates contends (47e-48a), since life in a corrupted body is not worth living (!), it is even more the case that life with a corrupted soul is not worth living, for the soul—that which understands justice and virtue—is immeasurably more important than the body.
- **QUESTION:** In regard to this last point, is Socrates correct that life in a disabled body is not worth living? Does anything crucial to his view that the soul is more important than the body depend upon this claim? Could one make an argument that life in a damaged body might be very worth living by the growth it produces in the soul?

The Most Important Thing

- Socrates elicits agreement from Crito that the most important thing is not merely staying alive, but living the good life (not as in a beer commercial, but as in a life that has been cultivated so as to manifest what is good).
- He furthermore gains Crito's agreement that the good life, the beautiful life, and the just life are one and the same thing (48b).
- In light of this, Socrates contends there is only one question that must be faced with regard to whether he should attempt to escape (48c-d): would such an act be just or unjust? Only the course of action which is just benefits the soul, so that course of action is the only correct choice.

Evaluating the Just Course of Action

- Socrates and Crito have agreed that one must never willingly do wrong, and that it is always wrong to return a wrong for a wrong.
- **QUESTION:** In this regard, is it *always* wrong to willingly commit a wrong? Explain. Is it ever just to take someone who has wronged you to court? Are you returning a wrong for a wrong in such a case? Why or why not?
- **QUESTION:** Is *lex talionis* (“an eye for an eye”), that is, the law of *retributive proportionality*, a just principle of law? Does retributive justice benefit or harm the soul of the *offender*? How about *the offended*?
- Socrates then goes on to evaluate whether escaping would benefit or harm the cause of justice.

Personifying the Law and the State

- Socrates engages the question of the just course of action by personifying the laws of the state so they might press their case against him if he were to do as Crito has counseled and attempt to escape.
- The context of this evaluation (49e) is the agreed-upon principle that once a contract that is just has been settled between two parties, it should be fulfilled and not violated.
- The first question posed by the law and the state is thus (50b): if you seek to escape the verdict against you under established lawful procedures, will you not be destroying the law and the order of the state by nullifying the verdict of the court in favor of your own private interests?
- **QUESTIONS:** Should private interests ever trump the law? Should unjust laws be obeyed? How does one decide whether a law is just or not? What about an unjust verdict under otherwise just laws? Should one accept an unjust verdict under just laws just to preserve the rule of law? Arguably, Socrates was not wronged by the law, but rather by men.

What Does the Individual Owe the State?

- Socrates argues that he owes the state for his existence, his upbringing, and his education (50e-51c). What are his arguments and is he correct? Explain.
- Socrates argues that he owes the state for his existence (50d) because it was through the state that his parents were married and gave birth to him.
- Is this a convincing consideration? Is marriage a state-constituted legal contract or something more natural and fundamental that pre-exists the state and the state merely recognizes in its laws?
- Socrates further argues that the state nurtured him as an infant and provided for his education by instructing his father to educate him, and his father before him, and so on. So the state is really his parent and he—and his forefathers—are its offspring and servants.
- Is it true that the state has “nurtured” us in this way? Is the state ultimately responsible for our education? Should it be? Even if it were true that the state had educated us, would this bind and obligate us to the state as a “parent” in the way that we are bound to our natural mother and father?

The Abusive State

- Socrates maintains that he owes the state a debt of obedience even if the state abuses him (50e-51c).
- He argues by way of analogy: he maintains that he has no right to retaliate against his parents, regardless of what they do to him, and the state is to be honored above his parents—even worshiped!—so he has no right to harm it through disobedience.
- Do you think Socrates is right about this? Justify your response.
- Has Socrates always acted consistently in respect of this principle?
- Consider the fact that Socrates disobeyed the orders of the state, as represented by the Thirty Tyrants, when he refused to retrieve Leon of Salamis and bring him back for an unjust punishment.
- Would Socrates' refusal to obey state orders under the Oligarchy because those orders were unjust not carry over to his present circumstances? Why or why not?
- Is there a law of justice that supersedes that of any human government? How do we decide what is just and what is unjust? Where do we draw the line in “rendering unto Caesar that which is Caesar’s” (Mark 12:17) when the demand is unjust?

A Contract with the State?

- Has Socrates entered into a contract with the city state of Athens and with its laws by choosing to remain in Athens (51d-53a)?
- There is some plausibility here, it would seem, for this perspective plays a role in conceptions of what it means to live under the rule of law as implicitly established by a social contract (social contract theory).
- If we have implicitly entered into a contract with the laws of a country by living there, do we then have the right to disobey those laws when we suffer an unjust verdict under them?
- Is there are stronger case to be made if that verdict violates our natural rights (those that exist prior to the laws of the state and provide a basis for those laws)?
- If so, what should we regard as candidates for such “natural rights”?
- John Locke (1632-1704), the British empiricist philosopher and political theorist who influenced the American founding so profoundly, listed life, liberty, and property among such rights.

The Socratic Evaluation of the Consequences

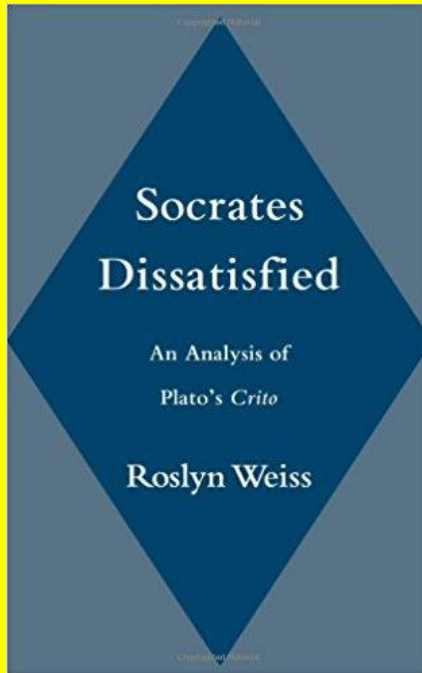
Here are the consequences that Socrates sees as following were he to break the laws of Athens by attempting to escape (53a-54b):

- He would be accused of hypocrisy
- His friends would themselves be in danger of fines and of exile
- He would arrive in another city as a known enemy of its laws
- He would be returning injustice for an unjust verdict and thus harming his soul
- Beyond this, whether he lives in exile or dies, since he would not subject his wife and children to a transient existence in exile, his family would still have to be looked after by his friends, even if he chose to escape.

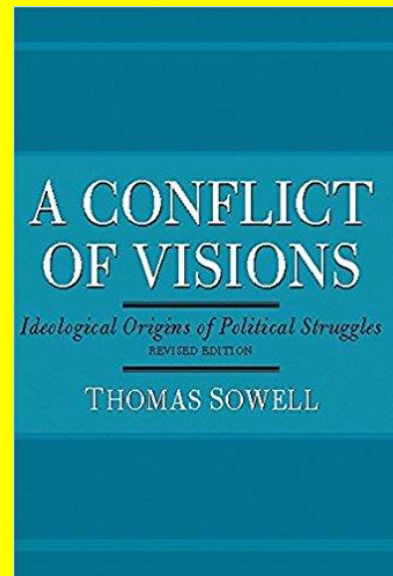
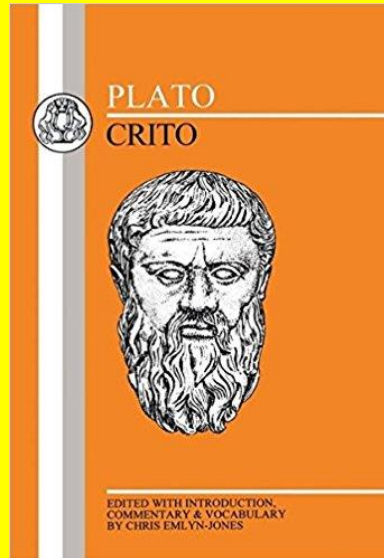
Crito or Socrates?

- What assumptions are made about justice by Crito versus Socrates?
- Is this a fair analysis? Explain.
 - Crito: Individual and natural justice take precedence over state laws, especially when an unjust verdict is rendered under state laws
 - Socrates: The good of the state supersedes that of the individual, so state-established laws, especially those that embody principles of natural justice, must be obeyed even when their application is unjust
- Is Socrates consistent to claim that it is quite possible that he has been wronged by the people of Athens (54b7-c1), yet he must still obey the laws by which he has been sentenced?
 - Does it make a difference if natural right (and law) supersedes state laws?
 - Is “the law” still harmed if state laws that conflict with natural rights are disobeyed?
 - Does the existence of state-instituted laws that contravene natural rights harm “the law”? If so, is it our moral duty to disobey?
- Who do you think is right—Crito or Socrates? Explain and defend your answer.

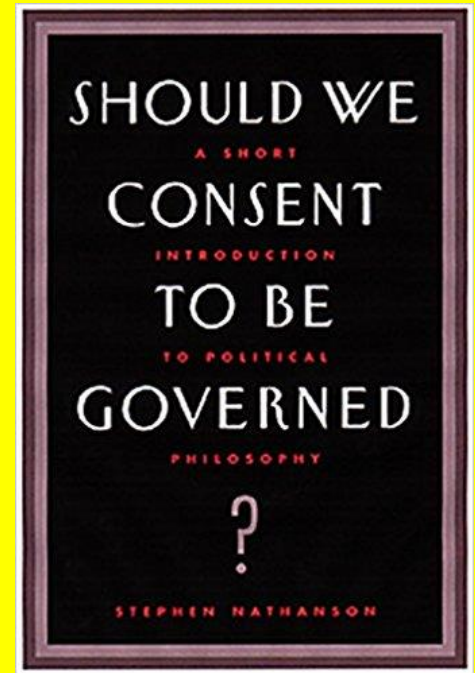
Supplementary Resources



Roslyn Weiss
(1952 -)



Thomas Sowell
(1930 -)



Stephen Nathanson
(1943 -)

End of Presentation