

# “JUST AS THE CORYBANTES SEEM TO HEAR THE FLUTES”: A READING OF PLATO’S CRITO

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## INTRODUCTION: The Philosopher and the Man of the Many

Poor Crito! Here was a man – a longtime friend, among the philosopher’s oldest – trying to convince a recalcitrant Socrates to escape an unjust death by fleeing to Thessaly. Crito had endured much sleeplessness and pain worrying about Socrates,<sup>1</sup> and had committed a great deal of his money and wealth to ensuring Socrates’ deliverance. But the philosopher stood by the ways in which he had always spoken<sup>2</sup>,

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<sup>1</sup> Plato, *Crito* (hereafter cited as ‘*Crito*’), in *Four Texts on Socrates*, translated with notes by Thomas G. West and Grace Starry West, (Ithaca, New York: Cornell University Press, 1998), 43b3-4. *Four Texts on Socrates* hereafter cited as ‘*FTOS*.’

<sup>2</sup> Cf. *Memorabilia*, IV.4.6-8: And after listening to these things, Hippias said, as though making fun of him, “Are you, Socrates, still saying the same things that I myself once heard from you a long time ago?” And Socrates said, “And what is even more terrible than this, Hippias,--I not only say always the same things but even say them about the same things. But you, perhaps, due to your great learning, never say the same things about the same things.” “By all means,” he said, “I try always to say something new.” “Even about the things you understand?” he said. “For example, if someone asks you how many and which letters are in ‘Socrates,’ do you try to say different things now from what you said before? Or to those who ask regarding numbers whether twice five is ten, don’t you give the same answer now as

despite Crito’s appeal to friendship and the fact that both interlocutors’ reputations were at stake.<sup>3</sup> Gloomier times were difficult to conceive of for the friends of Socrates, but much more so for this “sober, well-to-do gentleman of ordinary intelligence,”<sup>4</sup> Crito. The man who had lived for many years in the same *deme* with Socrates watched on as his comrade was convicted of impiety and corrupting the youth at his trial, without doing what easily could have been done to eschew his dire fate.<sup>5</sup>

Socrates faced an Athenian court which he said had accrued a longstanding bias toward him.<sup>6</sup> The accusers prefaced Socrates’ defense with their own speech, warning that he was a “clever speaker,” a “thinker on the things aloft, who has investigated all things under the earth, and who makes the weaker speech the stronger.”<sup>7</sup> These claims comprise the first set of accusations raised against Socrates, but not the only set. The other “slanders” raised against Socrates were that he taught

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you did before?” From Xenophon, *Memorabilia*, translated by Amy Bonnette with introduction by Christopher Bruell (Ithaca, New York: Cornell University Press, 1994).

<sup>3</sup> *Crito*, 44b8-c2

<sup>4</sup> *FTOS*, 86, n. 61

<sup>5</sup> Cf. Plato, *Apology of Socrates* (hereafter cited as ‘*Apology*’) in *FTOS*, 38d6-e1: “Rather, I have been convicted because I was at a loss, not however for speeches, but for daring and shamelessness and willingness to say the sorts of things to you that you would have been most pleased to hear: me wailing and lamenting, and doing and saying many other things unworthy of me...”

<sup>6</sup> *Apology*, 18b1-c2

<sup>7</sup> *Apology*, 18b8-c1

others the same things,<sup>8</sup> was “most disgusting and corrupt[ed] the young,”<sup>9</sup> and that others who investigated the things Socrates supposedly investigated also did not believe in gods.<sup>10</sup> The prospects of a persuasive speech by the weary, pot-bellied Socrates seemed to be dimmed by the way in which the “men of Athens” had been affected by his accusers, “so persuasively did they speak.”<sup>11</sup>

Crito’s opinion of Socrates’ apology reflects these bleak prospects: the philosopher had let a just verdict escape him due to “a certain badness and lack of manliness on our part.”<sup>12</sup> But by his own estimation, Socrates had only refused to debase himself by neglecting his piety to philosophy – his piety to ‘the god’ – in order to charm his accusers. His apology soon made it clear that Socrates was doing more than defending himself: the speech he gave before the city of Athens was nothing less than a defense of philosophy *in toto*. And yet, Crito fears the “ridiculous conclusion of the affair,” which might have been prevented with a simple “benefaction.” Already, we might notice that what is shameful for Socrates is not shameful for Crito, but the opposite. Far from deflecting the charges leveled at him with airs of lamentation, passion-filled appeals, or by bribing those who wished to see him quit philosophizing, Socrates instead audaciously claimed that “until now, no greater good has arisen for you in the city than my service to the god”<sup>13</sup> – after engaging an accuser, Meletus, in his hallmark dialectic!

But all attending – not only Meletus – must have been shocked by Socrates’ apology. For it was in its execution that the city first learned the nature of Socrates’ new

piety, of his service to the god. While Socrates hoped to proceed in “whatever way is dear to the god,” this was not the god that the devout Athenians were accustomed to. And then, Gratifying ‘the god’ was not Socrates only concern: “...but the law must be obeyed, and a defense speech must be made.”<sup>14</sup> Socrates added that a particular kind of defense speech, one in which the judge “applies his mind” to considering whether the defender’s speech is “just or not,” and the orator speaks “the truth,” might still have gratified the god. As Socrates began his discourse, the tension between the city and philosophy, though not fully exposed, became apparent. Though he claimed that he had no knowledge of the kind of speech proper to the court, Socrates did seem to realize that while he spoke the “whole truth,” he would not speak “beautifully spoken speeches” like his accusers’, but a kind of speech “foreign” to the law court – that which he used “both in the market-place and at the money-tables.”<sup>15</sup> We can assume that the type of speech Socrates used at the market-place and money-tables is the type of speech which he used when conversing with the artisans.<sup>16</sup> The kind of speech Socrates used with the artisans was a kind of speech, or more precisely a kind of dialogue, pertaining to the greatest things.

This is just the kind of dialogue that Socrates’ accuser Meletus was tested with, whereby the wisdom that Meletus claimed, knowledge pertaining to who makes the youth better, would be held up to scrutiny. The cross-examination of Meletus in the *Apology* tells us several things: that the laws

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<sup>8</sup> *Apology*, 19c1-2

<sup>9</sup> *Apology*, 23d1-2

<sup>10</sup> *Apology*, 18c2-3

<sup>11</sup> *Apology*, 17a3

<sup>12</sup> *Crito*, 45e7-8

<sup>13</sup> *Crito*, 30a6-8

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<sup>14</sup> *Apology*, 19a6-7

<sup>15</sup> *Apology*, 17c8-9

<sup>16</sup> After finding that the artisans had knowledge of things he had no knowledge of, Socrates discovered that “because he performed his art nobly, each one deemed himself wisest also in the other things, the greatest things—and this discordant note of theirs seemed to hide that wisdom” (*Apology*, 22d7-e1).

are held to be among those things which make the youth “better;”<sup>17</sup> that the city, or at least Meletus, believed Socrates and no one else ‘corrupted’ the youth;<sup>18</sup> and that injustice is the result of ignorance.<sup>19</sup> Their tête-à-tête culminated in the possibility that it would take one knowledgeable “expert” to make the youth better. Punning on Meletus’ name, Socrates suggested that whoever this expert was, he must be one who “cares” for the youth.<sup>20</sup> Socrates thus implied, in large part owing to his interpretation of the Delphic oracle, that he alone – if anyone at all – made the youth better, just as one skilled with horses alone makes a horse better.<sup>21</sup>

We have noted that Socrates had opened up his defense dangerously, by claiming to speak the truth rather than by speaking beautifully or wailing and lamenting, for this would seem to be an indictment of the city’s law court. But Socrates’ exchange with Meletus, as well as the latter’s conviction that Socrates was an atheist, highlighted the tension between the city and the philosopher with even more clarity. Socrates’ new kind of speech, his speech “foreign to the law court,” seemed to expose that the judges did not know the laws! Socrates had, in effect, put the city of Athens on trial. But in so doing, Socrates also attempted to persuade the court that his new kind of speech, accompanying his new kind of god, would not undermine – but perhaps even harmonize with – the revered gods of the city. Socrates opened his apology by explaining the parameters of discourse acceptable to his god, and what his

god ordered was that he philosophize.<sup>22</sup> Contained in this grandest of Socrates’ proposals is a reinterpretation of piety; it is a piety to philosophy veiled in a piety to the city’s traditions.<sup>23</sup> Socrates’ god beckoned him to investigate the speech of others, the poets, politicians, and artisans – nay, “any townsman or foreigner” he supposed to be wise – to see whether or not they were wiser than he. However, this endeavor of Socrates’ was first introduced only after his associate Chaerephon, who asked the oracle at Delphi whether there was any man wiser than Socrates, was told that no man was wiser. Socrates followed the lead of his *daimon*, but his service to the god was also an attempt to refute and then later to verify Chaerephon’s story, thus constituting an attempt to verify the word of the city’s oracular agent.<sup>24</sup>

Refusing to abandon his post, Socrates’ extraordinary claim upon the city’s traditions also included its greatest hero, Achilles. Socrates would have rather

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<sup>17</sup> *Apology*, 24e1-2

<sup>18</sup> *Apology*, 25a9

<sup>19</sup> *Apology*, 25d10-e4

<sup>20</sup> *FTOS*, p. 73 n. 39: “Care is meleté; Socrates puns on Meletus’ name by arguing that “Mr. Care doesn’t really care.”

<sup>21</sup> Cf. *Memorabilia*, III.3

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<sup>22</sup> *Apology*, 29d2-30a6

<sup>23</sup> Cf. Leo Strauss, *Plato’s Apology of Socrates and Crito in Studies in Platonic Political Philosophy* (hereafter cited as *SIPPP*), (Chicago & London: The University of Chicago Press), 14: “What is new [about Socrates’ philosophy] is Socrates’ emphatic admission that his idiosyncratic way of life has to be justified according to standards acceptable to the city and its moral-religious beliefs. In presenting this justification, however, Socrates does not limit himself to showing how, as “Gadfly,” he recalled the city to the highest aspirations it already recognized. He goes on to make the claim that his life is in fact the unexpected summit of human existence – to which the good citizens, the gentlemen or the pious ones, have always more or less unknowingly looked up (38a). Socrates supports or leads up to what Strauss calls this ‘momentous statement’ by developing a new interpretation of the tradition, including its greatest hero (Achilles) and its foremost contemporary mouthpiece (the Delphic Oracle). One may suggest that he alloys the gods of the poetic tradition with the gods of the philosophers.”

<sup>24</sup> *Apology*, 23b5-8

died a philosopher and thus have lived well rather than have backed down in disgrace.<sup>25</sup> In fact, Socrates continues to justify his actions as those akin to a Homeric Achilles in the *Crito*. Near the start of the dialogue, we learn that the goddess Thetis has appeared to Socrates in a dream, telling him “thou wouldst not arrive in fertile Phthia.”<sup>26</sup> It is a double-reference to Homer’s *Iliad*, combining both Achilles’ sentiment that he would rather die straight-way after Hektor than live in disgrace, along with the warrior’s threat to leave the army at Troy and return to his fatherland in Thessaly. Perhaps the philosopher cannot stay in the city, even while he can claim to be the city’s greatest benefactor.<sup>27</sup>

But we might consider that Socrates did more in the *Apology* than simply take up the city’s piety and forge it with his own new piety. After all, a defense speech was given, and a punishment was accepted. Ultimately it became Socrates’ conviction that philosophy must be accepted under the auspices of those in the city, for he realized that a man must belong to a city. We might be tempted to ask, given the court’s verdict, what purpose the *Crito* serves in the portrayal of Socrates before his death, wedged as it is between the boastful vindication of philosophy in the *Apology* and the denouement of the *Phaedo*. To discover this purpose, we must first understand the man Crito, the man who seems most unphilosophic – even at times “hubristic and unrestrained.”<sup>28</sup> In the simplest terms, Crito is a man who sees himself as a good citizen. By attempting to persuade Socrates to leave the prison and escape his impending death, Crito is only attempting what he believes any good Athenian would do: Socrates is his friend, and it is just to help friends. This is

Crito’s premier grievance<sup>29</sup>, and it is one that Socrates is forced to take seriously. Engaging Crito, Socrates meets a proud Athenian whose moral perspective represents that of “the many.” It is a moral perspective which exhorts the gentleman to help friends and harm enemies, and which revolves around “reputation,” “manliness,” and “benefaction.”

Indeed, the introduction of the Laws’ speech by Socrates in the *Crito* presents a turn in the dialogue suited to Crito’s character.<sup>30</sup> But Socrates begins the dialogue with the assumption that Crito, as a longtime friend, subscribes to what we might call Socratic philosophy, an acknowledgement of one’s own ignorance concerning things “noble and good.”<sup>31</sup> This philosophy exalts the primacy of the soul first and foremost. The soul, as explicated in the *Crito*, is “that thing which, as we used to say, becomes better by the just and is destroyed by the unjust.”<sup>32</sup> It follows that considering the just action on each particular occasion is the only suitable option for Socrates as well as those who call themselves his friend. This is because it is knowledge of the soul – and hence, of the just and unjust things – which reveals the nature of the noble and good, the virtue of “human being and citizen.”<sup>33</sup>

Because the tending of the soul is the gateway of a philosophic life, a well-ordered soul is the first care of philosophy. The human soul well-ordered is one which recognizes that “the proper work of man consists in living thoughtfully, in understanding, and in thoughtful action.”<sup>34</sup>

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<sup>25</sup> *Apology*, 28c2-d5

<sup>26</sup> *Crito*, 44b2-3

<sup>27</sup> *Apology*, 36c1-d1; 40b

<sup>28</sup> Cf. *Apology*, 26e7-8

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<sup>29</sup> *Crito*, 44b8-9

<sup>30</sup> Cf. *SIPPP*, 66; Roslyn Weiss, *Socrates Dissatisfied: An Analysis of Plato’s Crito* (hereafter cited as ‘SD’), (New York Oxford: Oxford University Press, 1998), 147

<sup>31</sup> *Apology*, 21d3-9

<sup>32</sup> *Crito*, 47d4-5

<sup>33</sup> *Apology*, 20a4-b6

<sup>34</sup> Cf. Leo Strauss, *Classic Natural Right in Natural Right and History* (hereafter cited as ‘NR&H’),

There is, it seems, a synthesis beginning with proper thought and maturing in proper action. The *Crito* has as its subtitle, ‘*Or On What Is to Be Done.*’ In other words, the *Crito* seems to be the best, and final, stage of this synthesis.

Socrates’ dictum that he “obey nothing else of what is mine than that argument which appears best to me upon reasoning”<sup>35</sup> does, after all, imply action – obedient action, action obedient to reason. It is proper for a human being to obey what seems best upon reasoning because *logos* is particular to human life. The chief command of Socrates’ reasoning in the *Crito* is that injustice never be returned for injustice,<sup>36</sup> just as his reasoning had commanded before in Book I of *Republic*. Crito does seem to accept Socrates’ argument for staying in the prison rather than fleeing, yet without confidence, at one point even admitting that he does not understand.<sup>37</sup> This lack of understanding seems symptomatic of Crito’s disordered soul: it is Crito’s lack of understanding which keeps him up at night while Socrates pleasantly sleeps,<sup>38</sup> and which serves as an explanation of why Crito’s arguments are grounded always in an appeal to the passions. What Crito does not understand is that one ought not to deceive those they have entered into just agreements

with.<sup>39</sup> Because he does not understand that one should not break just agreements, he also does not understand that by leaving the city, the two interlocutors would commit an injustice, or an evil, against the very people Crito most cares for – himself, his friends, his fatherland, and us, as the Laws point out.<sup>40</sup> Crito’s willingness to break just agreements does more than render him a law-breaker, however: his lack of understanding also means that the just agreements which he and Socrates arrive at through philosophic dialectic have no authority. By learning that one must obey just agreements made with the city, Crito also learns that one must obey just agreements made by reasoning with others.

Socrates has long held contempt for this perspective, the perspective of the many, holding that a good human being cares not to be judged by all opinions, but rather would seek to be judged by judges in truth, the judges in Hades.<sup>41</sup> Philosopher G.W. Hegel noted that the life of Socrates contained an irreconcilable conflict between two principles.<sup>42</sup> Though Hegel suggested that the city and philosopher threaten one another, it my contention that the *Crito* represents Socrates’ attempt to resolve the ancient quarrel between the two. Philosophy, long thought to be inquiry into matters already settled by the gods (and, thus, impious inquiry), such as the “things aloft” and “under the dirt,” is given, by Socrates, a new face. However, this does not mean that Socrates has actually solved the dilemma: as long as philosophy is suspected of mischief, there can be no resolution. The conflicting opinions of Crito and Socrates

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(Chicago & London: The University of Chicago Press), 127

<sup>35</sup> *Crito*, 46b4-5; Plato, *Republic* (hereafter cited as ‘*Republic*’), translated by Robin Waterfield (Oxford New York: Oxford University Press, 1993), 335e1-5

<sup>36</sup> *Crito*, 49c4-5

<sup>37</sup> Cf. *Crito*, 49e10-50a6: [Socrates]: Observe what follows from these things. If we go away from here without persuading the city, do we do evil to some—indeed to those whom it should least be done to—or not? And do we abide by the things we agreed to—if they are just—or not? [Crito]: I have no answer to what you ask, Socrates. For I don’t understand.

<sup>38</sup> Cf. *Crito*, 43b1-12

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<sup>39</sup> Cf. *Crito*, 49e10-50a6

<sup>40</sup> *Crito*, 54c2-6

<sup>41</sup> *Apology*, 41a1-2

<sup>42</sup> Catherine Zuckert, *The Trial and Death of Socrates in Plato’s Philosophers* (hereafter cited as ‘*Pl Phil*’), (Chicago & London: The University of Chicago Press, 2009), 772

embody the dilemma of “human being and citizen” spoken of by Socrates in the *Apology*.<sup>43</sup> By exposing the very point of this contention<sup>44</sup> and shifting Crito away from his own position, Socrates also exposes to the public their point of disagreement with Socratic philosophy. If Crito can be persuaded of Socrates’ decision to die rather than escape, Crito – the man of the city, the man of “the many,” – can reconcile himself to the philosophic life, and thus be improved.

When we consider that a man is both a human being and a citizen, we might be tempted to hold man’s end as a human being superior to his end as a citizen. But as Socrates recognized, even the philosopher needs the city, needs to be a citizen. Socrates, when his companion told him that he intended to live an entirely unpolitical life so as to avoid both ruling and being ruled, is said to have replied, “If the path avoids human beings as well, you might have a point.”<sup>45</sup> Socrates does not simply exalt the good human being to the denigration of the good citizen, for to do so would be to abandon the highest of endeavors, endeavors both “noble and good,” which only the good human being *and* citizen can pursue. My thesis will argue that the *Crito* seeks to reconcile the twin ends of man as both human being and citizen by revealing that the dictates of Socrates’ novel god – the god of philosophy, the god of human being – will not crush the gods of the city, the gods who are Athens’ mortar. Socrates instead provides evidence that the city and philosophy demand the same thing: he must die that the city – Crito’s fatherland – might live. But this death is not one which negatively affects the soul, the thing which Socrates concerns himself with as a human being, as the

greatest human being, as a philosopher: by dying, Socrates returns to his own fatherland, Hades. For what is philosophy but an examination of the unknown?<sup>46</sup>

But by remaining at the station of philosophy, we must also ask whether Socrates is also not the greatest citizen Athens has ever seen, thus rendering him the greatest human being and citizen: does a public defense in which Socrates exalts the good of the soul and the badness of injustice also, besides redeeming the philosophic life, render an unjust Athens better? The answer to this question – whether or not Socrates benefits Athens in his death – is ambiguous, as it seems to expose the evil deeds that a city must partake of in order to survive;<sup>47</sup> it exposes the fact that the city must depend on a morality which recognizes friends and enemies as such – must depend on a morality which helps friends and harms enemies. It is a question which will be answered by Crito, who, as he receives his final exhortation from the Laws, is told to “not regard children or living or anything else as more important than justice.”<sup>48</sup>

Of indispensable importance to an understanding of the Laws’ speech is the fact that it is given by Socrates: the patriotic speech is placed, by the philosopher, in the mouth of another. Socrates’ failed insistence to Crito, that he must stay and die rather than escape, an insistence sustained by philosophic dialectic, forced Socrates to resort to other means of persuasion.<sup>49</sup> Crito fears that, with Socrates’ death, a friend would be lost due to “a certain badness and lack of manliness;”<sup>50</sup> a father would die and leave his sons to chance. Yet in their speech

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<sup>43</sup> *Apology*, 20a4-b6

<sup>44</sup> Cf. *Crito*, 49c10-e3

<sup>45</sup> *Memorabilia*, xx

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<sup>46</sup> Cf. *Apology*, 40e5-b8

<sup>47</sup> Cf. Xenophon, *The Education of Cyrus* (hereafter cited as ‘*EOC*’), translated by Wayne Ambler (Ithaca & London: Cornell University Press, 2001), I.1.6

<sup>48</sup> *Crito*, 53b3-4

<sup>49</sup> *SD*, p. 147

<sup>50</sup> *Crito*, 45e8

the Laws assert that they are *the father par excellence*. However, the Laws also seek to persuade Crito that Socrates must stay in prison: Socratic reason and Athenian piety both command of Crito the same thing. This is the convergence of the old and new gods of the city.

As Athenian piety instructs, justice is not equal between a father and his son:<sup>51</sup> Crito has no more right to kill his ‘father’ than did Euthyphro, who sought to condemn his father for murdering his slave.<sup>52</sup> However, the extent to which the Laws acclaim conventional piety grounded in their relation to the city’s gods is the extent to which Socrates cannot deliver the Laws’ speech himself. Socrates is only allied with the Laws based on their call for Crito’s unconditional obedience; both command an obedience which differs in its authority, but those authorities order the same thing: just as one must obey reason, one must also obey the Laws – even if they lead one to a bloody death. But by moving Crito from ignorance toward conventional piety or law-abidingness, we can also hope that Crito can be moved toward considerations of justice: there is still hope that Crito’s soul may yet be improved.

The nature of my thesis is such that it will attempt to move through the *Crito* in a linear fashion, though the discussion will deviate from the dialogue when appropriate. My work will attempt a thorough interpretation of the *Crito* to consider the components hitherto noted and take up other discussion which organically arises from the pages of the dialogue. The philosophy of Plato necessarily raises thoughts that lead to other thoughts which cannot be ignored. By acknowledging that the discussion will deviate from the dialogue when appropriate, I mean not to further disorient the discussion

(for Plato does that well enough) but to shed light on an anecdote which self-evidently bears on the situation which Crito and Socrates find themselves in.

The *Crito* symbolizes the culmination of a life devoted to philosophy, but it shows that a devotion to philosophy is more than thinking well – it is also acting well. Socrates’ seeming turn from an independent moral agent in the *Apology* to a steward of parochialism in the *Crito* can be explained by the observation that a lack of wisdom does not grant a license to act freely, or contrary to the orders of reason. The unfulfilled requirement of the best ruler represented by Socrates’ philosopher-king of the *Republic*<sup>53</sup> decides the case for the rule of law, because the rule of law acts as the philosopher-king’s best substitute – the meeting-point between the theoretical and the practical worlds. This is why the Laws offer persuasion as a means of recourse if they are found to have judged incorrectly, for a faulty judgment implies bad reasoning.<sup>54</sup> The Laws are open to persuasion because their claims to be just are not simply predicated on age, divine sanction, or social contract theory, but because they do, in fact, aim to be just. In accordance with Socratic philosophy, the Laws imply that the just is that which profits the human soul, which in turn is profited by the rule of reason. The Laws function as the device whereby reason is ordained its dominance in public life. It is as though the justness of the Laws is the measure of the city’s health – the health of the city’s soul. Socrates seems to remake the Laws into the arbiter of a living, public soul, just as reason is the appropriate arbiter of the individual’s soul. Both the Laws and human reason place the passions subordinate to their authority. It could be said that, returning to the *Apology*, those who know

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<sup>51</sup> *Crito*, 50e3-6

<sup>52</sup> Cf. Plato’s *Euthyphro*

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<sup>53</sup> Cf. Chapter 8: Philosopher-Kings

<sup>54</sup> Cf. *Crito*, 51b10

the laws make the youth better by training their passions, just as it was said in the *Memorabilia* that the horseman is he who can make the horse stay where it is ordered to stay and stop it from bucking and kicking.<sup>55</sup> if only Crito can calm down, he may yet be *truly* benefited.

### Sleeplessness and Pain

We learn before anything else that Crito has made his way into the prison before daybreak by bribing the guard, who “ha[d] been done a certain benefaction.”<sup>56</sup> Our introduction to Crito is an introduction to a man willing to bribe<sup>57</sup>, or as Crito puts it, as one who benefacts others: the temptation to judge Crito’s behavior comes only lines into the dialogue. Yet Socrates himself makes no direct reply to Crito’s admitted bribery: Crito could have done worse to the guard. Instead, Socrates asks Crito how long he has been inside the prison. When Crito answers that it has been fairly long, Socrates asks why Crito chose to sit beside him in silence rather than wake him. Crito says that he would do no such thing, nor “willingly be in such sleeplessness and pain.” He apparently envies Socrates’ pleasant sleep, noting that his always “happy” temperament appears so “especially in the present calamity,” “easily and mildly” as he bears it.<sup>58</sup> But Socrates’ sleep is not, as we will see, the kind of sleep in which there is “no perception...a sleep in which the sleeper has no dream at all:” something is indeed on Socrates’ mind. Socrates had before called the kind of sleep which brings no dreams “a wondrous gain,” and wondered whether death would facilitate such ease.<sup>59</sup> Socrates

has not yet mentioned his dream, but it must not have been one that would have caused Crito to believe that Socrates had experienced anything extraordinary.

Rather, Socrates seems to affirm Crito’s observation, telling him that it would be “discordant” for an old man to be “vexed” because he is near death.<sup>60</sup> We might recall that this is not the first time age has been connected to “ease” in Plato’s dialogues, citing Cephalus’ speech in the early lines of the *Republic*. There Cephalus first argued that his “ease” came from the “great deal of peace and freedom”<sup>61</sup> bestowed by age, and furthermore, from his love of conversation and of piety. Engaging Cephalus, Socrates hoped to inquire about how age had affected him, an older man. Socrates said he enjoyed talking with very old people, thinking that “we ought to learn from them.”<sup>62</sup>

What Socrates hoped to find out was whether the road ahead is “rough and hard, or easy and smooth.” Cephalus told Socrates that men unhappy in age “hold an innocent to blame:” age has little to do with the smoothness of the road ahead, which is only easy for those who from their youth act virtuously.<sup>63</sup> As Cephalus considered himself a man content with age, he thus implied, and later openly argued, that his moderate character had improved his burdens: “it’s not just a question of old age, Socrates – [an immoderate] person would find life difficult when he’s young as well.”<sup>64</sup> The wise poet Sophocles, Cephalus said, shares his love of moderation (329d, *Republic*). But what of the “great deal of peace and freedom” that age granted Cephalus, or his conviction that age had released him from “a great many demented masters”?<sup>65</sup>

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<sup>55</sup> *Memorabilia*, III.3.4. Thanks goes out to Ashok Karra for directing me to this.

<sup>56</sup> *Crito*, 43a9-10

<sup>57</sup> Cf. *Memorabilia*, II.9

<sup>58</sup> *Crito*, 43b16-22

<sup>59</sup> *Apology*, 40d1-2

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<sup>60</sup> *Crito*, 43b23-24

<sup>61</sup> *Republic*, 329c8

<sup>62</sup> *Republic*, 328e2

<sup>63</sup> *Republic*, 328e1-329b7

<sup>64</sup> *Republic*, 329d4-7

<sup>65</sup> *Republic*, 329d1



Sophocles spoke of the passions as masters just the way that Cephalus had, the old man said. In the same vein, other poets depicted the natural world as hostile, filled with miseries.<sup>66</sup> Sophocles' disenchantment with nature stems from this poetic vantage point: moderation takes into consideration the stability of community; it recognizes that there are others, that one's own desires must be controlled for the sake of fellow citizens: it is because of nature that contemporary economics is wholly consumed with the problem of scarcity and the distribution of limited resources. Besides his inability to love wisdom and philosophy, the immoderate man will inevitably cause suffering to himself or others; either his desires will not be fulfilled, or his desires will burden those for whom he cares.

Despite Cephalus' so-called "love of conversation," he did not stay for much of it. After faintly altering his line of reasoning, Cephalus explained that his ease rested with wealth granting his ability to perform good duties, to do right. To this Socrates asked just what he meant by "doing right."<sup>67</sup> It seems that the virtue Cephalus spoke of was the same kind of virtue needed to run a business: to do right one must pay debts, especially those owed to the gods. But a moderate man does not wittingly incur debt, worldly or spiritual. If it is true that one's ability to do right rests upon their wealth, then it would follow Socrates had little ability to do right. His lifestyle placed him in "ten-thousand fold poverty"<sup>68</sup> due to his

own piety, his fidelity to the philosophic life. As a result, he was only able to propose that he pay a mina of silver as a fine – a fine which he had accepted because a loss of money "would not harm me."<sup>69</sup> There is a certain danger Socrates brings upon himself by questioning Cephalus: the old man is not alone; he is rather like most Athenians – pious all. A lack of moderation in Cephalus lead him to fear death, and thus, the reception of his just deserts.

The passions of men like Cephalus affect them in such a way that they can only think that to be just is to "avoid the *fear* of leaving this life still owing ritual offerings to a god or some money to someone"<sup>70</sup> (emphasis mine). Moderation serves the philosopher by ministering the human soul, which is not healthy when governed by fear. Fear takes into consideration one's own simply, and sometimes violently.<sup>71</sup> Sophocles' dissatisfaction with nature perhaps misses the possibility of human *logos'* potential for victory over it, as exemplified by another poet, Homer, in his *Odyssey*. Like Odysseus facing the Cyclopes, Socrates does not fear death – a natural thing – something that cannot be said of Cephalus. Still, Socrates seems to at least insinuate that it would be proper to fear death as a young man: moderation perhaps manifests itself differently according to circumstance. Achilles' lack of moderation led him to disdain a fear of death even at the height of his brilliance. By investigating the circumstance that Crito now finds himself in, we might discover the cause of his sleeplessness and pain.

Crito already seems to share much in common with Cephalus. Cephalus under-

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<sup>66</sup> cf. Hesiod's *Works and Days*; Catherine Zuckert, *Reconceiving the Western Tradition: Strauss's Studies in Platonic Political Philosophy in Postmodern Platos* (hereafter cited as '*Postmodern*') (Chicago & London: The University of Chicago Press, 1996), 170: "Human beings are forced to work, Hesiod shows, because nature does not provide for them adequately."

<sup>67</sup> *Republic*, 331c

<sup>68</sup> *Apology*, 23c1

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<sup>69</sup> *Apology*, 38b2

<sup>70</sup> *Republic*, 331b3

<sup>71</sup> Cf. *NR&H*, 127: "The good life is the life that is in accordance with the natural order of a man's being, the life that flows from a well-ordered or healthy soul."

stood moderation to be a virtue that acted as an antidote to the passions, though he sorely lacked it: he was driven by a fear of death, which he in reality tried to subdue with money – in other words, with convention – rather than moderation. Crito too laments the inevitable fact that he will ‘experience death,’ fearing the outcome of the “present calamity,” the impending death of Socrates. And he too resorts to the use of money in order to overcome that fear. But Socrates understands that death will come by way of either nature or the law: even though he faces execution, old age would still take his life should he be freed. When Socrates says that it would be “discordant” for him to be “vexed,” it seems that he, much more so than Cephalus or Crito, understands the physical limits imposed by nature and the repercussions of their denial. Socrates the philosopher is truly free from want, and therefore governed by his *logos*.

Crito’s worry over Socrates’ sentence and imprisonment can only indicate that he fears losing someone dear to him, as he later admits. But Crito’s fear also seems to display an erotic yearning for Socrates’ condition of ease as well as his friendship.<sup>72</sup> It is this erotic longing which causes Crito to watch on for “fairly long” while Socrates sleeps. In fact, it seems to be Crito’s *eros* which Socrates will try to exploit in order to redirect Crito toward a life of thoughtfulness and a regard for justice, as will be seen. As a friend, Socrates will encourage Crito to subscribe to the things that had “long seemed so” to him. Crito’s love for Socrates is well-intended, but another love of Crito’s interferes with it: Crito loves the many and desires to have reputation among them. Socrates will endeavor to instill in Crito a love for justice, meaning also a love for truth. “Philosophy” after all means “love of wisdom.”

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<sup>72</sup> *Crito*, 44b8

Presently, Crito still worries himself with other things. He is not yet ready to nobly face death as Socrates is. Rather, Crito’s very public-minded concerns orbit around his reputation, which is predicated on a non-philosophic “manliness” and “benefaction.”<sup>73</sup> Though Crito detests the “lack of manliness” those involved in Socrates’ situation have shown, it is not apparent that he possesses philosophic courage. “Manliness” as understood by Crito seems to be not a noble sacrifice, but protecting one’s own interest by defusing the conflict which threatens that interest by any means – even if these means seem cowardly. Nobly facing death constitutes a sort of courage unknown to Crito; it means overcoming fear of the unknown, or sacrificing the comfort of the known or knowable for the hazy afterlife. The noble action philosophy involves precludes the irrationality incited by such fear, for philosophy is nothing but fearlessly moving from one realm to another.<sup>74</sup>

### Socrates’ Ship Comes In

We are still unaware of Crito’s opinion over these matters when he is asked why he *has* arrived so early, besides his anxiety and consequently his desire to watch Socrates sleep. Crito says that he comes with news that the ship from Delos will arrive soon: “[the ship] will come today, and tomorrow it will be necessary, Socrates, for you to end your life.”<sup>75</sup> The voyage of this ship marked tribute to Apollo, the redeemer god who saved the Athenians among Theseus’ convoy headed to their deaths at Crete. In remembrance, an annual mission to Delos was made, and Athens observed this pious occasion by “purifying” the city,

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<sup>73</sup> Cf. *Crito*, 45d9-46a4

<sup>74</sup> *Pl Phil*, p. 775

<sup>75</sup> *Crito*, 43d5-6

enacting no executions.<sup>76</sup> Socrates wonders whether it may “be with good fortune” that the ship arrives if “such is dear to the gods.”<sup>77</sup>

We might note that Crito’s news comes just ten lines after Socrates has said that it would be discordant to be vexed because death is near. It seems strange, then, that Socrates “infers” that his death will arrive later than expected. This inference comes from dream he had, in which a woman approached him, “beautiful and well formed, dressed in white,” saying, “Socrates, on the third day thou would’st arrive in fertile Phthia.”<sup>78</sup> Socrates’ dream is both an allusion to Book IX of the *Iliad*, where Achilles threatens to leave the army at Troy and go back to his fatherland, as well as the “white robed goddess Thetis” conviction that Achilles would “die straight-way after Hektor” rather than live in disgrace.<sup>79</sup> These references combined reveal a tension in the character of Achilles. One represents his courage on behalf of Patroclus; the other, an impulse to abandon the war altogether. The Laws in the *Crito* will later claim that a life of exile as opposed to death would lead only to disgrace.<sup>80</sup> Socrates, like Achilles, believes it best to remain at the station where he is placed. That station is the station of philosophy. However, we must wonder what the reference to Phthia, Achilles’ fatherland, might suggest. Bearing in mind Socrates’ eagerness to philosophize there, it may

allude to Socrates’ arrival at his own fatherland: Hades.<sup>81</sup>

Socrates insists that his divinely inspired dream is “quite manifest.” This stands in contrast to the Delphic oracle, whose divinations were notoriously confusing.<sup>82</sup> Even when Socrates heard of his own oracular vision, that there was no one wiser than he, the philosopher approached it with reticence. Socrates even sought to “investigate”<sup>83</sup> the oracle’s divination, and later, to “refute”<sup>84</sup> it. Upon examining others, Socrates soon began to see that the oracle was correct, however: his investigation affirmed the oracle. We might conclude that human reason is the handmaiden of revelation. Even Crito seems to acknowledge this, jokingly calling but seriously commanding “daimonic Socrates” to “even now obey.”<sup>85</sup> Crito provides two reasons for Socrates’ obeisance: not only would Crito lose a companion that he would “never discover again,” but Socrates’ death would also incite “the many,” who would not believe that assisting his escape was impossible, would not believe that Socrates was unwilling.<sup>86</sup> “The many” would instead jeer Crito, believing that he valued money over his friends, and thus granting him a most “shameful” reputation.<sup>87</sup> Socrates asks

<sup>76</sup> *FTOS*, 100, n. 3; *Phaedo* 58a-c

<sup>77</sup> *Crito*, 43d7. “The gods” are not Socrates personal *daimon*, “the god.” Socrates’ refers here to the gods of the Athenians.

<sup>78</sup> *Crito*. 44b1-3

<sup>79</sup> *FTOS*, 101, n. 5: In the ancient world, Phthia was a region of Thessaly.

<sup>79</sup> *FTOS*, 101, n. 5

<sup>80</sup> *Crito*, 53c

<sup>81</sup> *SIPPP*, 55

<sup>82</sup> cf. Herodotus, *The Histories in The Landmark Herodotus*, edited by Robert B. Strassler, translated by Andrea L. Purvis (New York: Pantheon Books, 2007), 8.51: At Salamis, the oracle at Delphi exhorted the Athenians and their allies to use “wooden walls” to destroy Persia’s military forces; there was debate over what this meant – some interpreted the wooden walls as triremes. Others argued for a war of attrition -- that a wooden barricade must be constructed. Also, cf. *Pl Phil*, 739

<sup>83</sup> *Apology*, 21b9

<sup>84</sup> *Apology*, 21c1

<sup>85</sup> *FTOS*, 101, n.7: “obey” from Gr. *peithesthai*, also “be persuaded;”

<sup>86</sup> *Crito*, 44b

<sup>87</sup> *Crito*, 44c

why “we care in this way” about “the opinion of the many.” He argues that some will see that “things have been done in just the way they were done,”<sup>88</sup> and that these “most decent men” are more worthy to give thought to. Socrates does not respond to Crito’s charge of abandonment, that Socrates is a dear friend. This seems to escape Socrates’ reproach.

Responding to Socrates’ promise that the most decent men would understand their situation, Crito stands firm in his assertion that the opinion of the many is of highest import: “The present situation,” he says, “makes it clear that the many can produce not the smallest of evils but almost the greatest, if someone is slandered among them.”<sup>89</sup> Socrates wishes that they *could* produce the greatest evils, “so that they could also produce the greatest goods!” That would be noble. But the many, Socrates claims, have not the power of rendering one “prudent or imprudent;” the many do “whatever they happen to do by chance.”<sup>90</sup> If some good or evil comes of their actions, it would be owed only to accident: any good or evil done by the many does not teach or edify. So long as Crito reveres the opinion of those who cannot teach, he will always live in fear. Prudence involves casting off fear and considering the best course of action according to reason.

### A Dangerous Slander

In fact, Crito’s argument that the many can commit “not the smallest of evils but almost the greatest *if someone is slandered among them*”<sup>91</sup> (emphasis mine) is crucial to an understanding of the dialogue. We must consider who Crito sup-

poses is being slandered in order to obtain a clear understanding of his character, though the question is indeed open-ended. In the *Apology*, Socrates repeatedly referred to the slanders committed *against him* by the many. This can be demonstrated with one example. Socrates explained in his trial that he “comes to the god’s aid,” “seeking and investigating in accordance with the god” anybody that seems to be wise by his own estimation.<sup>92</sup> As Socrates continued to investigate those whom he thought were wise, there was a group of youth, the “sons of the wealthiest,” who “follow me of their own accord.”<sup>93</sup> Those youth in turn began to “imitate” Socrates, and “examine others,” finding in “great abundance” people who supposed they knew “something” but who truly “know little or nothing.”<sup>94</sup> When the many (if we assume “the many” can be found in “great abundance” rather than the poets, politicians, and artisans, of whom we might assume that there are few) were shown their own ignorance upon being examined by these youth, they became “angry at [Socrates], not at themselves,” and said “Socrates is someone most disgusting” and “corrupts the young.”<sup>95</sup> When the many were asked, “By doing what and teaching what,” they raised the accusations typically brought forth against the old philosophers, such as investigating “the things aloft and under the earth,” “not believing in gods,” and “making the weaker speech the stronger.” Those investigated by the youth influenced by Socrates were not “willing to speak the truth” of their ignorance, their knowledge having been refuted.<sup>96</sup> Instead, those whose ignorance had been exposed continued to “pretend” to know, because they were “ambitious,” “vehement,” and

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<sup>88</sup> *Crito*, 44c7-10

<sup>89</sup> *Crito*, 44d2-4

<sup>90</sup> *Crito*, 44d5-9

<sup>91</sup> *Crito*, 44d2-4

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<sup>92</sup> *Apology*, 23b6-8

<sup>93</sup> *Apology*, 23c3-5

<sup>94</sup> *Apology*, 23c6-9

<sup>95</sup> *Apology*, 23d1

<sup>96</sup> *Apology*, 23d3-10

“many,” having “filled up” everyone’s ears with their conspiracy theories. As Socrates says, they were “*slandering me vehemently for a long time*” (emphasis mine).<sup>97</sup>

The many had become conscious of their ignorance, yet had chosen to ignore it. There are certain virtues required of handling the truth. The many’s response to the youth’s exposure of their ignorance, vehemence and ambition, intimates a disordered soul, where passions are stoked and reason suppressed. For reason would dictate that the many acknowledge their lack of wisdom and venture a pursuit of wisdom. That Socrates’ says the many are not capable of great evil, and thus great good, tempts us to think that the many do not possess whatever is necessary for the pursuit of wisdom.

It is by no means clear that when he later speaks of the “greatest of evils” that the many may inflict “if someone is slandered among them” that Crito is speaking of “slander” as the slander which Socrates claimed to endure. Crito may be angry at Socrates along with the many. One who had accepted their own ignorance – a believer of Socratic philosophy – would consequently believe that *Socrates* has been slandered, and that from this slander arises the danger Socrates faces. However, the non-philosophic man, the man of the many, might think that Socrates, when he investigates and reveals the ignorance of his object, *slanders those who claim to know*. It first seems like a small point. But if Crito subscribes to the latter belief that Socrates has emboldened the youth to slander those among the many and has thus enraged them, we have at least an indication that Crito does not recognize the ignorance of those who claim to know, and wittingly ignores his own ignorance as well as Socrates’ oracular wisdom. If, on the other hand, Crito believes that Socrates has

been slandered by the many, it gives us some hope that Crito will be able to devote himself to Socratic philosophy.

And then there is still the chance that Crito fears he himself will be slandered: if the many will believe that Crito valued money more than friends even though he does not, they would unleash “not the smallest of evils, but almost the greatest” upon Crito specifically. In this case the “almost greatest of evils” would not be death, but a bad reputation, which is, after all, a slander. Credence can be given to the possibility that it is this fear which Crito succumbs to, given that Crito phrases his concern as a hypothetical (“if someone is slandered among them”): this slander is perhaps something which can still be prevented.

The odds that Crito believes either Socrates has been slandered or that Socrates slanders “the many” depend upon what he takes the “almost greatest of evils” to be. If death is the “almost greatest of evils,” we can feasibly assume Crito fears that either Socrates’ slandering of the many or the many’s slandering of Socrates would both end with such a demise. If, however, a most shameful reputation – one which denigrates friendship in favor of money<sup>98</sup> – is the almost greatest of evils, perhaps Crito fears that the many will slander him. But we cannot fully rely on the hypothetical nature of the situation: nobody in question – neither Socrates nor Crito – has yet received evil, unless we consider Socrates’ sentence in itself evil.

There is one further consideration regarding Crito’s estimation of the many’s importance: “almost the greatest of evils” is still not the greatest of evils. Something that is almost the greatest of evils is something to be feared, to be sure. But Crito’s hesitation to call the many’s response to slander *the* greatest evil – a power to kill – dovetails

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<sup>97</sup> *Apology*, 23d7-e3

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<sup>98</sup> *Crito*, 44c1-2

nicely with his next appeal. If Socrates is worried about financially disabling or even placing in harm’s way those he cares for, Crito assures him that it is just for friends to “run this risk, and one still greater than this, if need be.”<sup>99</sup> This argument is one unchanged by circumstance; to run this risk should be done for the sake of justice and nothing else. On the face of it, the risk that should be run could even entail death on the part of Socrates’ friends! Such a reading here would amount to a radical overthrow of Crito’s character as we have assumed him – it would lead us to conclude that Crito does not hold life to be the greatest good, and more importantly, that he does not hold death to be the greatest evil. This point has an effect on Socrates’ mind; it is the first argument that he has not rejected out of hand: Socrates is worried “over the prospect of these things” and “many others.”<sup>100</sup>

These “many other” things Socrates considers indicate that there is something that has not yet been brought up in the dialogue which Crito apparently does not notice: Crito might believe that helping Socrates escape would be an innocent deed; the jurors would have likely let Socrates choose exile, after all. However, not only did Socrates consider exile to be an injustice that he would commit against himself by leaving, but external conditions have changed. Now that Socrates has chosen his fate, it seems that justice calls for something which Crito does not think about.

## Money

Crito next hopes to persuade Socrates further with a highly pragmatic argument. The informers are bought easily, and “wouldn’t need much money;”<sup>101</sup> Crito would put all his finances on the line; there are even foreigners currently in the city specifically to aid in the effort.<sup>102</sup> Socrates should not fear these things, says Crito. Nor should Socrates not accept his help because he would not know what to do with himself if he left.<sup>103</sup> If Socrates would still fret over life in exile, Crito knows places where “they will meet [Socrates] with affection,” because Crito has friends there.<sup>104</sup> The Thessalians would especially look with favor upon Socrates’ removal to their land: “no one throughout Thessaly will cause you pain,” says Crito. In Thessaly Socrates could live without shame because the Thessalians had a lack of respect for laws themselves, and so could excuse a lawbreaker. But Crito does not consider that “the mood of the Thessalians would change as soon as he annoyed any of them” – which Socrates would surely do.<sup>105</sup>

Crito, it seems, carries a tension within him which disdains Socrates abandonment of life, but not his abandonment of Athens. This does seem to mean that Crito greatly fears the death of Socrates. It does not, however, mean that he fears his own death. Crito tries to reconcile this tension by pointing out that Socrates has duties *within* the city: “you seem to me to be attempting a thing that isn’t even just.”<sup>106</sup> Socrates betrays himself, and thus would readily hand his “enemies” their wish. Socrates is leaving the education of his children to “chance,”

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<sup>99</sup> *Crito*, 45a1-3

<sup>100</sup> *Crito*, 45a4-5

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<sup>101</sup> *Crito*, 45a9

<sup>102</sup> *Crito*, 45b3

<sup>103</sup> *Crito*, 45b7-9

<sup>104</sup> *Crito*, 45c2-5

<sup>105</sup> *SIPPP*, 65

<sup>106</sup> *Crito*, 45c4

when he very easily could “nurture and educate them.”<sup>107</sup> The Laws, on the other hand, will argue that Socrates has a duty to them, that he is in fact their “slave” in return for the “nurturing” and “education” that Socrates has received from them.<sup>108</sup> Crito is quiet about or unaware of this duty to the ancestral,<sup>109</sup> but it is the first instance in which Socrates’ speech of the Laws seems to echo Crito’s own argument.<sup>110</sup> Crito claims that Socrates has chosen “the most easygoing course” (!)<sup>111</sup>, and that a “good and manly man” would choose escape, “particularly if one has claimed to care for virtue through his whole life.”<sup>112</sup>

### **Crito’s Morality: Manliness and Benefaction**

The sum of Crito’s argument is that Socrates is not being just by betraying himself and his children chiefly because he is not acting manly. Crito presses Socrates to remedy his so-called unjust actions by choosing “just what a good and manly man would choose.”<sup>113</sup> This association between “manliness” and “justice” is predicated on the belief that justice entails a man preventing his own suffering first and foremost; it is the argument that Callicles advanced in the *Gorgias*.<sup>114</sup> Just as Callicles urged Socrates to come into politics that he might protect himself from harm,<sup>115</sup> Crito is arguing in the same vein, that “the suffering of injustice is not the part of a man, but of a slave, *who*

*indeed had better die than live,”* since when a man suffers injustice “he is unable to help himself or any other about whom he cares”<sup>116</sup> (emphasis mine). This opinion is captured in Crito’s assessment of the events that have so far transpired:

“the whole affair concerning you will seem to have been conducted with a certain lack of manliness on our part: the way the lawsuit was introduced into the law court, even though it was possible for it not to be introduced; the way the judicial contest itself took place; and now this, the ridiculous conclusion of the affair, will seem to have escaped us completely because of a certain badness and lack of manliness on our part, since we didn’t save you, nor did you save yourself, although it was possible and feasible if we had been of even a slight benefit.”<sup>117</sup>

“The way the lawsuit was introduced” falls upon the friends of Socrates (“we didn’t save you”); “the way the judicial contest itself took place” ascribes “badness” and “lack of manliness” to Socrates (who didn’t save himself); the “ridiculous conclusion of the affair” – Socrates unwillingness to leave the prison – threatens to “escape [both parties] completely.”

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<sup>107</sup> *Crito*, 45d1-2

<sup>108</sup> *Crito*, 50e3

<sup>109</sup> Crito seems to reverse the rule of the pious, “obey your father.” For Crito, a father has a duty to his son first.

<sup>110</sup> *SIPPP*, 56

<sup>111</sup> *Crito*, 45d8

<sup>112</sup> *Crito*, 45d9-e1

<sup>113</sup> *Crito*, 45d8-9

<sup>114</sup> *SIPPP*, 56

<sup>115</sup> *Pl Phil*, 531

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<sup>116</sup> Plato, *Gorgias* in *Great Books of the Western World: The Dialogues of Plato*, translated by Benjamin Jowett (The University of Chicago, 1952), 483, p. 271

<sup>117</sup> *Crito*, 45e. Crito’s dissatisfaction shows that he is by no means satisfied with Socrates’ explanation that the *daemon*’s silence led Socrates into the courtroom. “As Xenophon shows,” says Zuckert, “Socrates used his daimonion as an excuse, so he would not have to insult people by explaining the reasons he did not want to concern himself with their affairs. Like Kriton, people who associated regularly with Socrates saw through that ruse” (*Postmodern*, 324).

Crito’s speech here represents a comprehensive account of his true position. The question of whether the court’s verdict was just or unjust is not taken up; it is not yet clear what Crito thinks about the verdict. But the absence of Crito’s opinion about the verdict’s correctness or incorrectness seems to imply that the verdict is a secondary consideration. Crito simply argues that avoiding the lawsuit altogether would have been manly: the only thing that is clear is that the verdict has a bad consequence for Crito and Socrates – that Socrates must die. Perhaps most interesting is that Crito feels the defense itself was not manly. Socrates’ braggadocio does not prevent his own suffering; to the contrary, the *daemon* had always prevented Socrates from making public speeches like his defense partially because such speech would have endangered his life.<sup>118</sup> Crito is not altogether wrong when he admonishes that the many wield a strong power, though it may be blind power. If justice is, as Callicles argues and Crito tacitly concurs, preventing injustice against one’s self, and what is manly is what is just, no party involved in the affair of Socrates has been manly or just: those involved have wittingly brought injustice upon the philosopher and his friends.

It is almost necessitous to define the terms that Crito uses in his speech at length. “Manliness,” “benefaction,” and “justice” as Crito conceives of the terms are quite different from a Socratic exegesis of the same content. First, we will excavate the meaning of “manliness” in Crito’s vocabulary. Plato’s *Laches* contains the seed of the problem of

“courage,” a term very much similar to “manliness,” which might depend on a lack of foresight or knowledge. For this is the condition that *man* finds himself in: a condition of ignorance. Because of this lack of foresight, the courageous act involves risk, involves taking a chance. The man who takes this risk is risking nothing less than his own good for that of others, and therefore his deed is said to be noble. We say that this man has acted nobly, and thus, manly, because he has overcome the unknown things he is faced with. A man in war “calculating prudently” would, knowing that others will come to his aid and knowing the enemy was inferior, have a difficult time gaining a reputation for courage.<sup>119</sup>

“Manliness” as Crito sees it, however, depends on securing one’s own good. Crito knows that money will be taken by the guards, and knows that Socrates’ life can be bought at a cheap price. These facts alone seem to transmogrify what he calls manliness into a kind of willing degradation. However, Crito’s particular ‘virtue,’ if we may call it that, is his wealth. A willingness to give up wealth could be taken as a forfeiture of his own good for the love of another. Crito’s manliness seems similar to courage at least in this respect: that it is done on behalf of an erotic or thumotic impulse. *Eros* would move one to act manly on behalf of friends, such as a Socrates faced with death. *Thumos*, or perhaps what is lower, anger, could cause one to act against an enemy.

Crito’s manliness is differentiated from courage by its willingness to rely upon knowledge of circumstance. This is partly dependent upon what we make of Crito’s argument that “it is just to run this *risk*” or one still greater than what he expects he

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<sup>118</sup> That Socrates gives his defense speech despite its potential danger to his life is quite new: especial attention given to *Apology* 28b-e signifies a shift in Socrates’ character as much as it does a shift in Achilles’ character, which Socrates there describes. Although it is tenuous to suggest that Achilles’ motive was a singular consideration of the just, as Socrates suggests, rather than an immoderate, personal rage (*FTOS*, 79, n. 50).

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<sup>119</sup> Cf. Plato, *Laches*, in *The Roots of Political Philosophy* (hereafter cited as ‘*TROPP*’), ed. Thomas L. Pangle (Ithaca & London: Cornell University Press, 1987), 192d10-193b12.



would need to do to get Socrates out of the jail: if this argument was not merely a temporary position (and if a risk “greater than this” entails a risk as great as Crito’s own life), perhaps manliness can be courageous, but by accident. A “cowardly” act – such as laughably running away from the prison by wearing a leather skin<sup>120</sup> – which saves one’s self and friends Crito would also consider “manly.” The unmanly “way the lawsuit was introduced” implies that Crito could have meddled with the justice system of Athens by means of his advantages and wealth. Crito would, if he could, make metaphorical guerrilla warfare on Socrates’ behalf.

“Benefaction” has been left out of the formulation thus far, though it enters when we consider Crito’s statement: “the situation” escapes Socrates and his friends because of a “certain badness and lack of manliness” on their part; the situation could have been remedied – or even avoided, and Socrates’ life saved – if “we had been of even a slight benefit.” Benefaction and manliness according to Crito almost seem to be one in the same: to benefit another or one’s self is to act manly; to act manly is to benefit another or one’s self. However, “benefaction” must be qualified, for Crito does not truly know (or has been absent-minded regarding) what is good and what is bad: to benefit Socrates is simply to save his life. Crito’s conception of “benefaction” reaffirms his belief that justice is simply preventing harm to one’s self or to one’s own. One prevents the need to harm enemies by bestowing an unexpected benefit upon them: Crito does not quite believe in helping friends and harming enemies, the morality which a city must abide by - especially in times of war. Though Crito may not know what is truly good for his friends, “benefaction” still requires some forethought

about the good of enemies. An interesting dilemma between benefaction and manliness thus rears its head. In the first instance, Crito had bribed a guard, doing him “benefaction” thereby; in the second, Socrates’ friends do not benefit him, Crito claims, because Socrates will not be saved. Both instances offer some degree of personal temporal security: the guard’s wealth is enhanced, but only for the sake of Crito’s entrance; and Socrates could continue to live, could continue his friendship with Crito, if he had been benefited. In either case, Crito does not intend to (bodily) harm enemies: his vast wealth cures that problem.

### Socrates’ Sheepdog

Even while Crito has a kindred spirit, he detests hastening on the wish of an enemy. Xenophon tells us that Socrates heard from Crito that life was hard in Athens for a man who wished to mind his own business, “For as it is,” Crito said, “people bring me into the law courts, not because they have been done injustice by me, but because they hold that I would find it more pleasant to pay money than to have trouble.”<sup>121</sup> By Socrates’ suggestion, Crito obtained Archedemus as a friend; Archedemus was a man who was “quite competent at speaking and taking action” and who “loved the good,”<sup>122</sup> and so could keep “sycophants” at bay. Socrates persuaded Crito to befriend Archedemus with a simple question: “...do you sustain dogs so that they will keep the wolves away from your flocks?” When Crito answered in the affirmative, Socrates replied, “Then wouldn’t you sustain a man, too, who would want and be able to keep away from you those attempting to do you injustice?”

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<sup>120</sup> Cf. *Crito*, 53d5-8

<sup>121</sup> *Memorabilia*, II.9.1

<sup>122</sup> *Memorabilia*, II.9.4

There seems to be a certain vulgarity to this kind of friendship, but it is clear that Crito seems uncomfortable partaking of the meaner actions that public life sometimes entails, even when it personally affects him. The larger point was that Archdemus could have very effectively solicited his services to the “wicked men” and extorted large amounts of money from upright men like Crito. But by allying himself with “gentleman,” Archdemus was able to enjoy a friendship where he “received benefactions from good human beings” and could “bestow them in return.”<sup>123</sup> Crito, when he collected food, oil, wine or wool, gave it to Archdemus. In his friendship with Archdemus, Crito exchanged material things for his security. The things which Crito gave Archdemus are purchased; Crito was divested, in his friendship, of the same thing which the sycophants divested him of. But it seems that the nature of his relationship with Archdemus, where benefits are reciprocated and just, was more worthwhile to him than giving to those who made trouble was. Crito has always been loyal friend, but it seems that he has changed. Is he not now Socrates’ Archdemus?

From this perspective, we can more incisively see why Crito thinks of himself as a manly man. His means are not quite those used by Archdemus, but he intends to silence those who trouble Socrates, who had committed no injustice. And noble action is not completely absent from Crito’s argument at 45c-46a; Crito does see the nurture and education of one’s children as a “hardship,” and thus believes that those duties entail foregoing one’s own benefit. Crito also does not wish to be known as one who would not sacrifice money for friends. However, there is confusion in Crito’s premises. These “hardships” and “sacrifices” seem trivial compared to the sacrifice of a life, the hardship of standing up and

speaking the “whole truth” before a chaotic city. Yet Crito chides Socrates for choosing the most “easygoing” course – for choosing to die and neglecting those he should care for. If it is true that Crito believes Socrates has chosen the most easygoing course, this would force us to consider that Crito believes fear of death is easily surmounted – that dying is easy! – and that to stay alive is a hardship. We note too that Crito does not argue that death will be bad for Socrates himself, but for those dear to him such as friends and family. Socrates’ death disadvantages Crito, who would bear it “most gravely of all.”<sup>124</sup>

### Hobgoblins and Opinions

Socrates tells Crito that his “eagerness is worth much if some correctness be with it.”<sup>125</sup> However, mere “fortune” does not allow Socrates to “yield” to Crito.<sup>126</sup> Socrates will not do this even if the many frightens he and his friends “like children,” “with more hobgoblins than those now present,” “sending against us imprisonments and executions and confiscations of money.”<sup>127</sup> Socrates already does or will endure the first two “hobgoblins” – hobgoblins that are supposedly yet to come – imprisonment and execution. “Money” is something Socrates would have readily given, as he proposed in his defense to pay the court “a mina of silver.”<sup>128</sup> This does not diminish Socrates’ argument, however: Socrates can endure these “hobgoblins” because he is not governed by fear, but rather obeys “nothing else of what is mine than that argument which appears best to me

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<sup>123</sup> *Memorabilia*, II.9.8

<sup>124</sup> *Crito*, 43c7-8

<sup>125</sup> *Crito*, 46b1-2

<sup>126</sup> *Crito*, 46b6-c2

<sup>127</sup> *Crito*, 46c2-5

<sup>128</sup> Cf. *Apology*, 38b. This was considered a puny amount for a fine (*FTOS*, 92, n. 72).

upon reasoning.”<sup>129</sup> Socrates cannot dismiss the things he has been saying all of his life because of misfortune. Rather, he must “venerate” and “honor”<sup>130</sup> his reason-based opinions. We should remember Socrates’ veneration and honor for his reason at 51a8-b3, when the Laws submit that they are more venerable, more holy, and more highly esteemed among gods and among *human beings who are intelligent* – and should thus be revered, given way to, and fawned upon. Reason and the Laws are the only two authorities which command veneration and honor.

Socrates next suggests that they take up “this fine argument [Crito] is making about opinions.”<sup>131</sup> Socrates has already put forth a standard for the opinions which should be obeyed: those that comport with human reason. He asks Crito whether there are some opinions worthy of others, or whether that sentiment was “said pointlessly just for the sake of argument,” like “child’s play and drivel.”<sup>132</sup> Socrates sardonically points out that Crito is not affected by fortune as he is, and that therefore “the present calamity wouldn’t lead [Crito] astray.”<sup>133</sup> Crito’s temper has certainly been affected by the present calamity. Yet Crito affirms that the two should “pay mind to” the “upright” opinions, “those of the prudent.” Crito also agrees that the “villainous” opinions are “those of the imprudent.”<sup>134</sup> Knowledge of the good implies a knowledge of the bad, but it appears that one with knowledge chooses the “upright.” Only an imprudent man would hold an opinion which was villainous and teach villainy to others – ignorance leads to injustice.<sup>135</sup>

While Crito agrees to honor the prudent opinions, he might not know what those opinions are, given his attitude that “there is no longer time to take counsel, but to have taken counsel.”<sup>136</sup> At his court hearing, Socrates argued that if Athens had a law, like other cities did, which forbade convicting those charged with capital crime in one day, he could have persuaded the jury.<sup>137</sup> While it seems that Socrates thoroughly advocates the ignorance of Athens’ jury (of which this imprudent law is only one facet), Sparta is an example of a city with such a law.<sup>138</sup> In Thucydides’ reports, Sparta was characterized by its sluggishness, always conferring the gods of the city before making decisions. If the events of the Peloponnesian War are any indication, Sparta in its victory was the most prudent city, or as it is said in Scripture, “slow to wrath” and thus of “great understanding.”<sup>139</sup> Sparta’s sluggishness was rather a series of measured acts of prudential consideration: “The city, if it is healthy, looks up, not to the laws which it can unmake as it made them, but to the unwritten laws, the divine law, the gods of the city.”<sup>140</sup> A city which seeks to follow divine law not only looks up to the gods, but also confers the wise men of the city – to those who know the laws, or to those who know prophecy – who perhaps have a knowledge of the laws which would have come closer to satisfying Socrates than Meletus had in the *Apology*.<sup>141</sup> With its law, Athens is not able to confer its wiser elements.

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<sup>129</sup> *Crito*, 46b4-6

<sup>130</sup> Cf. *Crito*, 46b8

<sup>131</sup> *Crito*, 46c6-7

<sup>132</sup> *Crito*, 46d3-5

<sup>133</sup> *Crito*, 47a1-2

<sup>134</sup> *Crito*, 47a7-10; cf. *Apology*, 25d6-26a1

<sup>135</sup> Cf. *Apology*, 25d10-26a1

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<sup>136</sup> *Crito*, 46a5

<sup>137</sup> *Apology*, 37a-b

<sup>138</sup> *FTOS*, 91, n. 68

<sup>139</sup> Cf. the Book of Proverbs in The MacArthur Study Bible NKJV, ed. John MacArthur (Nashville Dallas Mexico City Rio de Janeiro Beijing: Word Publishing, 1997), 14:29. All references to books of the Bible come from this source.

<sup>140</sup> Leo Strauss, *Thucydides’ Peloponnesian War in The City and Man* (Chicago & London: University of Chicago Press, 1978), 153

<sup>141</sup> Cf. *Apology*, 24d14

Wailing and lamenting wins a quick victory; persuading does not, especially when a longstanding bias must be corrected.

If imprudence is a quality bad for both one’s self and others, it may also rightly be considered “villainous,” as Socrates describes it at 47a. If imprudent, Athens’ opinion at the trial is also villainous. The greatest benefactor of the city is lost. But perhaps Socrates’ death will do the city good: Socrates reveals himself before the whole city, and accounts for philosophy. Those who judge in truth<sup>142</sup> will see the good of his practice.<sup>143</sup> Socrates’ death is bad for the city insofar as he was their gadfly and “awakened” them from a deep slumber<sup>144</sup>, but the city might be saved – and Socrates’ death redeemed as a good – if Socrates’ death were to become so memorable that the city could never forget the injustice that it did him. When his sentence was handed down, a man whom Xenophon called “an ardent lover of Socrates and otherwise a naïve fellow” told the philosopher, “But for me, Socrates, the hardest thing to bear is that I see you dying unjustly.” Socrates gently replied, “Dearest Apollodorus, would you have preferred to see me dying justly?”<sup>145</sup> Even the plainest of folk understood the nature of Socrates’ death. Would Apollodorus, a naïve fellow, be counted among those “most decent men” who are “more worthy to give thought to”? We cannot be sure. But perhaps Socrates’ laughter while speaking to Apollodorus taught him something about injustice: it is

better to receive it than commit it. If the story of Apollodorus is not satisfying, we might be able to find out whether Socrates rendered an unjust Athens better through Crito, if he can do what Athens could not and come to respect philosophy – cease to fear its effect upon the city.

### Doctors, Trainers, Horseman, and Farmers

Prudence depends upon knowing what is good and bad for a friend or an enemy, and thus seems to be tied to the particular. Nevertheless, Socrates makes a move away from both the particular and the question of prudence. Socrates instead asks “how such things were spoken of” in the past, whether a man “practicing gymnastics” would listen to everyone’s opinion, “or of one only, who happens to be a doctor or trainer.”<sup>146</sup> Crito agrees that one opinion – of the doctor or trainer – ought to be taken by the gymnast. The consequence of the gymnast dismissing “the one’s” advice, according to Crito? Evil is done, and it is “aimed at his body.”<sup>147</sup>

We see a similar analogy in the *Apology*, where Socrates told the jurors of his exchange with a wealthy Athenian by the name of Callias, who paid more money to the sophists for the education of his sons than any other man in the city. Socrates said that he told Callias that were his two sons born “colts or calves,” an “overseer” could make them “noble and good.”<sup>148</sup> As Callias’ sons were human beings, however, Socrates wondered what “overseer” would be “knowledgeable in such virtue” – the virtue of ‘nobility and goodness’ as it applies to Callias’ sons – “that of human being and

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<sup>142</sup> Cf. *Apology*, 41a1-2

<sup>143</sup> *Apology*, 30a6: “I suppose that *until now* no greater good has arisen for you in the city than my service to the god” (italics mine). If Socrates’ service to the god – philosophizing – had been the greatest good for those in the city, what is it that *now* that usurps Socrates’ service of that honor, but that Socrates defends the philosophic life in a most public forum?

<sup>144</sup> *Apology*, 30e1-31a2

<sup>145</sup> *Memorabilia*, IV.8; p. xxii

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<sup>146</sup> *Crito*, 47b1-3

<sup>147</sup> *Crito*, 47c7

<sup>148</sup> *Apology*, 20a4-10

citizen.”<sup>149</sup> Had he this knowledge himself, Socrates added, he would have been “pluming and priding” himself on it.<sup>150</sup> But Socrates claimed no such knowledge: he regarded Evenus, whom Callias claimed to know this “art,” “blessed.” Evenus’ ‘blessing’ intimates that knowledge of this virtue is not available to unassisted human reason, but must be acquired with divine aid. The “noble and good” seems unattainable, because for something to be both noble and good would mean, to explain it simply, that one sacrifices one’s own good – for one’s own good.

But why is the proper overseer for making Callias’ sons “noble and good” someone who has the virtue of “human being and citizen?” This would seem to intimate a tension in being both a noble and good human being and a noble and good citizen, just as there is a tension in the noble and good. The dual quality of such a virtue seems to rest in the apparent way that the overseer must consider both the private (human being) and public (citizen) virtue of a man. Let us therefore see first how the lower animals are made noble and good. It appears that the knowledge which a man suited for the oversight of a colt or calve has, the knowledge which he uses to make his object “noble and good,” is a lesser knowledge than that which Evenus claims to have: Socrates would not plume and pride himself for knowledge of the obvious, and the fact is that one could be found to oversee a colt or calf.

Most noticeably, Socrates assigns two different overseers to two different animals. The horseman has one particular skill, dedicated to the cultivation of one “noble and good” colt; one skilled in farming has obtained a more comprehensive mastery in his ability to farm, to manage a plurality of

animals like calves which wander in herds. The colt apparently does not need to be a good member of the herd to be “noble and good,” whereas the calf does not require meticulous care as an individual calf in order to attain nobility and goodness. The skill of horsemanship is comprised of the intense care for the colt *qua* colt; in contradistinction, the farmer is aware of and tends to the calf only to the extent that the calf is a part of the farm. These distinct natures are so constituted that one skilled with horses would not be a more but perhaps a less skilled horseman by taking up farming, just as a farmer’s wide-ranging duty does not allow him the time for proper horsemanship.

A man cannot oversee both colts and calves. If the overseer of a colt is analogous to the overseer of a human being, and the overseer of a calf like the overseer of a citizen, then Socrates seeks one overseer who must know two crafts – how to make Callias’ sons both a noble and good human being *and* noble and good citizen. However, one still may be able to be either simply a noble and good citizen or simply a noble and good human being. A noble and good citizen is one loyal to the city; a fine Frenchman would not enlist in the German army. He is tied to his own; his status as a good citizen is not portable, but judged by certain people (other fine Frenchmen) in a certain place (France). The noble and good citizen is always willing to die, to give his body, for his country. Conversely, a good human being might be but is not always regarded in terms of his citizenship: his nobility and goodness as a human being are acknowledged regardless of place and time by those accordingly worthy of such judgment – those who have knowledge of the human soul. It is when one who acts as a good human being compromises their loyalty to the city, or when one’s fidelity to the city exhorts them to and implicates them in such actions that no good human being would

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<sup>149</sup> *Apology*, 20b3-6

<sup>150</sup> *Apology*, 20c1

take, that complexities arise in the virtue of “human being and citizen.” By claiming ignorance of this virtue, Socrates seems to suggest that these two identities are something he does not know how to reconcile: the two ends of human being and citizen might not always have friction but could by circumstance come into a fundamental opposition, such as when one who makes speeches about justice and virtue – a noble good human being – is accused of impiety and corrupting the youth, is accused of being a shameful and bad citizen. Still, it is clear that a man in his best condition is both a noble and good human being and a noble and good citizen.

Socrates is not completely genuine when he claims ignorance of the virtue of human being and citizen: Socrates claimed to have attained such a status at his trial as the city’s gadfly.<sup>151</sup> This status as a noble and good human being and citizen required a reinterpretation of citizenship, however. A good citizen does not question the orders of his city: his task requires no thought; he might as well be asleep. By claiming to awake the city as a gadfly awakes a great horse, Socrates suggests that the noble and good human being *is* a noble and good citizen. When the citizens awake, they will not need anyone to “persuade” and “reproach” them – to expose the wicked assumptions of citizenship. But would this not render the city inoperative?<sup>152</sup>

We have said that the good citizen is he whose body contributes the most to the city as a warrior; the good human being regards his soul as most important. Returning to the *Crito*, we find that Socrates and his friend consider an analogy between the body and the soul. If we can learn the proper

arrangement of the body contra the soul, we can perhaps learn something more about the virtue of human being and citizen. Before we took up Socrates’ discussion with Callias in the *Apology*, Socrates had submitted that one exercising and practicing gymnastics would follow the advice of a doctor or trainer lest he endure evil aimed at the body. So too, one would follow the opinion of the expert “concerning the just and unjust and shameful and noble and good and bad things” in order to “profit” the thing which “becomes better by the just.” One must know the good and bad things, though this seems circumstantial; the doctor’s medicine is good for the sick but may be bad for the healthy: it seems that even the same things can be good or bad. Whether a thing is good or bad depends upon the composition of the individual for whom the goodness or badness of the thing is in question.

Because it is very difficult to know what is best for us regarding the body, the gymnast must pay mind to the expert; he “fears the blame” and would “welcome the praise” only of that expert. But in Socrates’ example, the gymnast actually fears blame and welcomes praise of two experts. The advice given by the doctor on the one hand, and the trainer on the other, can be divided into two types of *knowledge* as well: what to “eat and drink” and how to “train and exercise.” It seems that these two types of knowledge can be divided between the two experts as follows: the doctor might prescribe to the gymnast a diet which “seems fitting” to him, while the gymnast only practices and exercises as seems fitting to the trainer.<sup>153</sup> It is conceivable that each expert could recommend what belongs to the other’s art, but not as well as when the advice comes from its proper authority. This implies, as it did with the horseman and farmer spoken of in the *Apology* at 20b3, that one man can only know one craft in its

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<sup>151</sup> *Apology*, 30e1-31a2

<sup>152</sup> Cf. *SIPPP*, 60: “...is it a pre-requisite of citizenship that one believe in the right of requiting evil with evil? But is then the city not radically unjust?”

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<sup>153</sup> *Crito*, 47b8-10

fullest sense. As with the analogy concerning the proper overseer of Callias' sons, advice is to be taken by two experts invoked by Socrates rather than the one he in fact seeks. The body, complex as it is, requires that the gymnast take the advice of *both* the doctor and trainer if it will not "suffer evil."

Concerning the present question, that of the just and unjust, shameful and noble, good and bad and their opposites, the opinion of the expert is to be regarded. Yet Socrates has already claimed ignorance of the things considered important to living well.<sup>154</sup> Indeed, Socrates acknowledges that, concerning the just and unjust, shameful and noble, and good and bad things, blame from the one should be feared and his opinion obeyed – "if there is such an expert"<sup>155</sup> (emphasis mine). In fact, if this expert exists he is someone "whom we must be ashamed before and *fear more than all the others*"<sup>156</sup> (emphasis mine). There is no welcome of praise and fear of blame for this expert's opinion as with the doctor or trainer, but shame and fear *only* on the part of those following his advice.

### Fearing the Expert

Such shame and fear appropriate to the expert reminds us of Xenophon's Cyrus the Great, who was able "to extend fear of himself to so much of the world that he intimidated all, and no one attempted anything against him; and he was able to implant in all so great a desire of gratifying him that they always thought it proper to be governed by his judgment."<sup>157</sup> Upon observing Cyrus' great political ability, those who wished to understand his success concluded

that "ruling human beings does not belong among those tasks that are impossible, or even among those that are difficult, *if one does it with knowledge*"<sup>158</sup> (emphasis mine). Cyrus seemed like a ruler with knowledge of what was best for the ruled, and thus merited great fear.

Yet in Book I.6 of the *Educaton of Cyrus*, we learn that Cyrus' father Cambyses advised that "human wisdom no more knows how to choose what is best than if someone, casting lots, should do whatever it determines." Cyrus was told that he would need to rely on *prophecy* if he hoped to fulfill the requisites of the best ruler.<sup>159</sup> This echoes Socrates' human wisdom, which claimed only that he knew that he did not know – a claim reinforced by the oracle at Delphi. It echoes as well Socrates' dream at 44a of the *Crito*, where a divine figure appears to Socrates.

Cambyses' exhortation seems to be a warning to Cyrus against entering politics. It was Cyrus' conviction that it was better to be loved than feared, and he in fact had a great ambition to be loved. Neither Cyrus nor Socrates was loved owing to the unconscious ignorance of the many, who in Socrates' case continued to pretend that they knew what they did not.<sup>160</sup> In Cyrus' case, a truly erotic attachment to him could have only emerged if he were truly wise, and even then only if the ruled too were wise enough to acknowledge that he ruled best. Love for the best ruler would require that the ruled were competent in wisdom enough to judge the ruler. As long as some of the ruled disagreed that the best ruler knew what was good for them, fear would have to continue to be the device of politics. In the case that the ruled are ignorant and pretend to know

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<sup>154</sup> *Pl Phil*, 757

<sup>155</sup> *Crito*, 47d1

<sup>156</sup> *Crito*, 47d2-3

<sup>157</sup> *EOC*, I.2.5

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<sup>158</sup> *EOC*, I.1.3

<sup>159</sup> *EOC*, I.6.46

<sup>160</sup> *Apology*, 23d9

things that they do not a ruler cannot persuade.

The purely theoretical philosopher-king who rules with knowledge<sup>161</sup> must be entertained to understand the limits faced by an expert with knowledge of things pertaining to the human soul, such as the expert with knowledge of the just and unjust which Socrates seeks. If Cyrus was wise, his rule was destined to fail so long as his wise opinion was not deferred to by the unwittingly ignorant. Unlike the best ruler, doctors and trainers are readily acknowledged. It could be said that this difference only reflects the knowable nature of the body *contra* the unknowable nature of the “thing which profits by the just,” the soul. We are more likely to recognize that the doctor knows what is best than we are likely to recognize those who know what is best for the soul, because the body is an immediate object of experience. And still, the doctor or trainer is to be feared if his blame is received.

But the difficulty that the expert faces, exposed by the rule of Cyrus who was forced to resort to fear rather than persuasion, does not negate the necessity of a ruler any more than a lack of knowledge negates the necessity of philosophy. The fact of the matter is that political life must always consist of a tension between the ruler and the ruled, just as philosophy cannot transform from a love of wisdom into wisdom proper. Perhaps this is why Socrates found the worst ruler possible. When asked why he had married the most difficult of women past, present, and future, Socrates is said to have replied, “I have acquired her because I want to make use of and associate with human beings, knowing well that if I can endure her, I will keep company with all other human beings with ease.”<sup>162</sup> It is because the expert concerning the just and unjust cannot

be found that we see the action of the *Crito* shift to the invocation of the Laws, who represent the meeting-ground of the theoretical best ruler with the highest limits of practical politics.<sup>ψ</sup> The Laws are the best authority at hand. And we should observe that the Laws seem to command a similar fear from Crito and Socrates.<sup>163</sup>

### “That Which Becomes Better by the Just”

Emphasizing the inequality between the ‘doctor and trainer’ and the ‘knower of the just and unjust,’ Socrates asks whether life is worth living when “that which becomes better by the healthful and is corrupted by the diseaseful” is destroyed; Crito replies that “in no way” is life worth living with a “wretched and corrupted” body.<sup>164</sup> However, Socrates makes a distinction between “living” and “living well.” Life is not worth living with a wretched and corrupted body, but it is even more so the case that life is not worth living “with that thing corrupted which the unjust maims and the

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<sup>ψ</sup> cf. Harry Jaffa, *The End of History Means the End of Freedom*, published on January 17th, 1990 (Claremont Institute Writings: Academic Writings, [www.claremont.org](http://www.claremont.org)): “Strauss we see conceded — nay, insisted — that philosophy rested upon a premise, or presupposition, that was neither self-evident nor (as he argues elsewhere) susceptible of proof. For that reason, philosophy is eternally skeptical of itself and can therefore never expect to transform itself from love of wisdom, or quest for wisdom, into wisdom proper — which Hegel (followed by Kojeve and Fukuyama) claimed to have done. Socrates, we know, conceded that he might be the wisest of men precisely because, knowing that he knew nothing, he did not think he knew what he did not know. This was Socrates’ human wisdom. It is this very wisdom which decides the case for the rule of law in preference to the arbitrary rule of any man or men, however wise they or others may deem them to be.”

<sup>163</sup> Cf. *Crito*, 51b1-7

<sup>164</sup> *Crito*, 47e5

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<sup>161</sup> Cf. *Republic*, Book VIII

<sup>162</sup> *Memorabilia*, xx



just profits.”<sup>165</sup> Whatever this “thing” is, “it’s not correct” for Crito to say that “we must give thought to the opinion of the many concerning things just and noble and good and their opposites.”<sup>166</sup>

For though one might object and point out that “the many are able to kill us,” the argument still seems to Socrates “like it did before:” “not living but living well is to be regarded as most important.”<sup>167</sup> Regarding the opinion of *the many* concerning the just and unjust things means that one would regard the body as most important: deference is given to the many only because of their power to kill the body. But does Crito know anything about the constitution of man other than his body? By “studiously avoiding” the word ‘soul’ and resorting to longwinded phrases such as “that which profits by the just,” Socrates seems to highlight Crito’s, if not his own, ignorance of the soul.<sup>168</sup> Socrates must begin with the expert who has knowledge of the body because the body must be our starting point in deciding the case for fearing the opinion of the expert rather than the many, especially regarding the just and unjust. If Crito can see that one ought not to regard the many when it comes to his body, perhaps he will acknowledge the same of the soul. The case for the doctor and trainer is easy to make: our knowledge obtains in the physical world, the world of the body, rather than the metaphysical world, the world of the soul.<sup>169</sup>

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<sup>165</sup> *Crito*, 47e6-10

<sup>166</sup> *Crito*, 48a8-11

<sup>167</sup> *Crito*, 48b6

<sup>168</sup> *SIPPP*, 58

<sup>169</sup> Cf. Harry Jaffa, Dear Professor Drury, in *Political Theory*, Vol. 15 No. 3 (Aug., 1987), p. 324: “Strauss’s preoccupation with the problem of Socrates in his later years reflects the conviction that the reconstruction of classical political philosophy requires a reliance upon the moral distinctions as the key to the metaphysical distinctions. Political philosophy – meaning thereby first of all moral philosophy – must

We know that the body has a good and a bad state, know that the body is either “diseaseful” or “healthful.” We also know that reason discerns between these two states, and the doctor or trainer renders a diseaseful body healthful by reasoning about what is best for the body. If the physical world at all reflects the metaphysical world, then the soul is also distinguished in terms of good and bad, and we are invited to consider whether reason distinguishes the soul’s state as well. Socrates’ concern for “that thing which profits by the just and is maimed by the unjust” insinuates that he who knows justice and injustice can know the state of the soul. By asking whether the “other things” (the just and unjust) are also “*like this*” (the body),<sup>170</sup> Socrates implies that the understanding of the metaphysical knowledge directly imitates a doctor or trainer’s knowledge of the body – a practical knowledge.

While the soul is perhaps unknowable, “living well” and its opposite serve as the distinction between a good and bad soul as the soul manifests itself in experience. Socrates argues that living well and nobly and justly are the same.<sup>171</sup> Living well can be therefore measured by good or bad deeds. It is assumed that reason is the key to distinguishing between the good and bad deeds because reason is particular to the human soul.<sup>172</sup> As the thing which makes a human one of his kind, reason is therefore best at deciding what is best for a human as one of that kind. Living well means privileging deeds which exalt the soul – the seat of reason, the seat of humanity – before deeds which minister to the body, which beings which simply live, beings with bodies, have.

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become the key to philosophy itself. We have access to theoretical wisdom only by taking the moral distinctions with full seriousness.”

<sup>170</sup> *Crito*, 47c8

<sup>171</sup> *Crito*, 48b8-9

<sup>172</sup> *NR&H*, 127

Implied in living a good life is also that one might have to do things which are bad for the body, such as dying a noble death.

But why sacrifice the things we know – the body – for something that nothing is known about? Because it is possible that neither *Crito* nor Socrates have a proper knowledge of the soul, Socrates finds it necessary to create a hierarchy placing the good of the soul above the good of the body while not explicitly naming the soul.<sup>173</sup> In Book I of the *Republic*, Socrates similarly “undertakes to convince Glaucon and Adeimantus that justice is intrinsically good almost immediately after he has said that he knows nothing about it.”<sup>174</sup> In an ignorant state, Socrates insinuates, one is more apt to search for the good. Socrates’ acknowledgment that he knows nothing about justice calls him to investigate justice most seriously; one who supposes that they know that justice is not good in itself would not seek to defend the just in the most serious fashion.

### A New Authority

By taking up the analogy concerning the gymnast presented in the *Crito* after considering Socrates’ investigation of Callias, we have gained insight into how a man’s relation to his body and “that thing which becomes better by the just” looks, always bearing in mind that a man is properly both a human being and a citizen. While it appears that Socrates has created a hierarchy placing the soul above the body and accordingly the opinion of the expert above the opinion of the many, this does not mean that Socrates also exalts man’s end as human being above his end as citizen. The absence of the expert’s opinion paves the

way for a new kind of nonexpert opinion, one of the highest authority. This new expert, the Laws of Athens, has an authority grounded both in its immortal, divine sanctioning as well as in its reasonableness. Therefore, Socrates has recourse to an authority whose opinion both serves as “the way next to best”<sup>175</sup> in tending to the soul and who is an authority most public-spirited. The key to reconciling the ends of human being and citizen, it seems, is finding a new source of authority regarding good citizenship outside the opinion of the many. The degree to which the Laws distance themselves from the many is the degree to which one can be a good citizen without holding the body more honorable than the soul.

Though it may seem very difficult to imagine Socrates persuading *Crito* to regard the soul and justice as most important, Socrates can at least emphasize to *Crito* the crowning importance of these things, even if Socrates teaches *Crito* through another teacher. The culmination of this argument leaves only one consideration: “whether it is just for [Socrates] to try to get out” even though “the Athenians are not permitting [him] to go, or not just.”<sup>176</sup> We notice that this does not seem to confer the opinion of the expert. Rather, Socrates and *Crito* will decide whether their actions are just together. Despite the absence of the expert we know what he has knowledge of and that is the just and unjust. By only considering whether it is just to leave, Socrates considers precisely what the expert would consider. And Socrates also confers the same authority conferred by the expert: his dictum is that he “obey nothing of what is mine than that which appears best to me upon reasoning.”<sup>177</sup>

*Crito*’s concerns over “money, and reputation and nurture of children” are to be

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<sup>173</sup> Cf. *Crito*, 47e1-48a4

<sup>174</sup> Harry Jaffa, *The Journal of Politics*, Vol. 22, No. 2 (May, 1960), p. 259

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<sup>175</sup> *SIPPP*, 58

<sup>176</sup> *Crito*, 48b-c

<sup>177</sup> *Crito*, 46b4-5

set aside, as are the considerations of the many: are they not Crito's concerns as well?<sup>178</sup> If Crito seems very much like a man of the *deme*, it is because he has revealed his concerns to be those of the *deme*. There is one grievance that Socrates has not thus far assuaged, however. Crito had actually argued not only that Socrates must nurture his children, but also had the duty to educate them. We wonder whether this duty is dropped intentionally or not. The Laws will pick up the duty of educating Socrates sons: their source of authority comes from their nurture and education of each citizen,<sup>179</sup> and their education teaches something very specific. Socrates, more than any man, might be aware of this inconvenience. The education of the Laws will be discussed at length later.

After asserting that the many act mindlessly, Socrates asks a slightly different question. Before he had asked whether it was just to leave while the Athenians were unwilling. Now, Socrates asks Crito whether they "will do injustice" by "paying money and gratitude to those who will lead [Socrates] out."<sup>180</sup> That Socrates and Crito would give "gratitude" to the many in order to the escape was not part of Crito's plan. Socrates implies that in their escape the two either would or must satisfy the many by bestowing upon them with graciousness a reputation which they believe they deserve, thus showing reputation to be the many's truest concern: mere money would not satisfy, and Crito would be let off if he were a poor man. On top of that, Socrates has included Crito as part of the would-be culpable party, whereas he had mentioned only himself lines earlier.<sup>181</sup> Socrates even implicates the Athenians in the matter,

asking whether *all* would do injustice if the two escaped – "those of us who are leading out as well as those of us who are being led out."<sup>182</sup> Yet Crito still seems unsure: He says, "You seem to me to speak nobly...but see what we are to do" – it will take more to convince him.<sup>183</sup>

Socrates says that he will "obey" Crito if he is able to "contradict" Socrates' argument. In so doing, Socrates hopes to reconcile the Athenians will with Crito's will,<sup>184</sup> while still remembering the *logoi* that have been assented to, asking if they are to reject the old arguments "like children" and "pour them away in these few days."<sup>185</sup> Socrates wants Crito to persuade with reason ("contradict [my argument] and I will obey you"<sup>186</sup>) rather than appeal to passion, though he still plays on Crito's passion – still strikes a passionate nerve of Crito's, hearkening back to his anxieties over reputation. Crito surely would not like to be seen as child-like.<sup>187</sup> Furthermore, it is not certain that Socrates can be persuaded, as he seems to have tacitly left no option for Crito; Socrates has only said that he is obliged to persuade Crito before he acts in the way he knows he will act.

Next, Socrates' argument from Book I of *Republic* is revisited. He asks whether injustice ought to be done voluntarily, or if it "sometimes ought to be done and other times not," or, as Socrates used to argue, if injustice "is in no way good or noble."<sup>188</sup> The question is not whether it would harm the Athenians, but whether voluntarily doing

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<sup>178</sup> *Crito*, 48c3-4

<sup>179</sup> *Crito*, 51b18

<sup>180</sup> *Crito*, 48c-d

<sup>181</sup> Cf. *Crito*, 48b11-13

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<sup>182</sup> *Crito*, 48d2-3

<sup>183</sup> *Crito*, 48d; note credited to Ashok Karra, "An Introduction to the Politics of Philosophy" (hereafter cited as '*ITPOP*'), ([www.ashokkarra.com](http://www.ashokkarra.com)).

<sup>184</sup> *SIPPP*, 59

<sup>185</sup> *Crito*, 48e

<sup>186</sup> *Crito*, 48e1-2

<sup>187</sup> *Pl Phil*, 757

<sup>188</sup> *Crito*, 49a6

injustice would “be bad and shameful...for the one who does injustice.”<sup>189</sup> Socrates concludes that it is not right to return injustice for injustice.<sup>190</sup> Crito with poise affirms that it would be shameful to do injustice, but when asked whether it is permissible to do injustice in return for having received injustice, he only mutters, “Apparently not.”<sup>191</sup> It is only when Socrates reminds Crito that the many argue in such a way that Crito gives an unequivocal response.<sup>192</sup> What an Athenian, he!

In this section of the dialogue, notice must be given to the subtle shift in Socrates’ argument. At 49c, Socrates asks not whether injustice can be returned for injustice, but rather questions whether “evil” can be returned for “evil,” bringing attention to those who have this particular conviction – the many. It is “never correct,” Socrates says, to do injustice, or to do injustice in return, not even to “defend” one’s self by doing “evil” in return for evil.<sup>193</sup> He further argues that “surely there is no difference between *human beings* doing evil and doing injustice” (emphasis mine). Might the Laws have their own kind of justice, a kind of justice which permits them to do evil, but is offended by the reception of evil?

### A Certain Few: A Misunderstanding

At this point, Socrates wants to make sure that Crito has committed to his *logoi*, acknowledging that these things “will only seem so to a certain few.”<sup>194</sup> The two friends must, Socrates insists, “share this beginning.” The many who do not hold this particular opinion about evil and injustice

will *never* agree: “they will have contempt” when they think of the other’s belief; there is no “common counsel” between those who hold different opinions of the matter.<sup>195</sup> “For to me,” Socrates tells Crito, “it has long seemed so and still does now,” yet, “if it has seemed some other way” to Crito, Socrates asks him to “speak and teach;” if, conversely, Crito “abides by the things from before,” Socrates asks him to “hear what comes after this.”<sup>196</sup>

From this genesis the two proceed, as Crito indeed abides by Socrates’ starting point. Socrates begins this common counsel by asking whether just agreements ought to be held up, or whether one ought to evade someone they have entered into a just agreement with by deception.<sup>197</sup> Socrates question addresses whether Crito will evade not merely “someone,” but Socrates himself (“And do we abide by the things we agreed to – if they are just – or not?”<sup>198</sup>) by deception, if we can say that Crito has made a “just agreement” with Socrates by assenting to Socrates’ *logoi*. The Laws provide the answer to this question by claiming that Socrates has entered a just agreement and so must abide by it, but it seems to apply as well to whatever conclusions the two interlocutors make.

Socrates asks if the two will not “do evil to some,” even to those “whom it should least be done to”<sup>199</sup> by leaving “without persuading the city.”<sup>200</sup> It first appears that Socrates is saying that he and Crito would do evil to the many. If it is true that the many must first be persuaded, and furthermore if Crito is anything like the many, this is a tall order! The possibility that Socrates and Crito would commit an act of injustice seems to hinge upon Socrates’ and

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<sup>189</sup> *Crito*, 48b5-6

<sup>190</sup> cf. *Apology*, 25d-e

<sup>191</sup> *Crito*, 49c1

<sup>192</sup> *Crito*, 49b10-c6

<sup>193</sup> *Crito* 49d7-10

<sup>194</sup> *Crito*, 49d2

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<sup>195</sup> *Crito*, 49d3

<sup>196</sup> *Crito*, 49e2-3

<sup>197</sup> *Crito*, 49e7-8

<sup>198</sup> *Crito*, 50a3-4

<sup>199</sup> Cf. *Crito*, 54c5-6

<sup>200</sup> *Crito*, 50a1-2

Crito's entrance into a just agreement with the many – or some other public entity which has not yet been considered. The nature of this agreement is unclear, because it would seem that Socrates and the many oppose each other on the fundamental question of whether it is right to return injustice for injustice. Crito certainly does not see what Socrates means by it, unable to understand, as he admits. But why is Crito unable to understand? Crito does not believe that Socrates will harm anybody in the city by leaving, i.e., by breaking a just agreement. According to Crito, those whom evil should least be done to – Crito's own – would not endure evil. Socrates' escape is an act of benefaction. Benefaction, according to Crito, does no harm to either party involved – the benefactor or the benefited. But Socrates questions this assumption by bringing in another player: he asks Crito to imagine if “the laws and the community of the city should come and stand before us who are about to run away,” asking them of their intent.<sup>201</sup>

Due to Crito's lack of understanding, Socrates is forced to drop his dialectic method and to place the rest of his speech in the mouth of the Laws. Crito is no philosopher, but the divide in political life is not between those who philosophize and those who do not: it is between those who believe it is just to return injustice for injustice and those who do not.<sup>202</sup> The Laws' speech is a speech which Socrates could not give as his own. However, the kind of citizenship the Laws demand entails the kind of life that Socrates' philosophy demands. In order to establish themselves as the substitute of the expert, the Laws establish a patriarchal and divine authority, but most noticeably they also distance themselves from the many, pointing out that *human beings* have com-

mitted injustice against Socrates.<sup>203</sup> In this way, the Laws can speak as a most public entity while still reconciling themselves with a good human being who has no regard for the many. The Laws represent manifestations of human reason in political life, and for this reason the ignorant judges did not judge correctly.<sup>204</sup> The Laws, as the substitute for the expert, can claim the place of “that argument which appears best to me [i.e., to Socrates] upon reasoning.”<sup>205</sup>

### The Speech of the Laws, Part I

As Socrates asks Crito to imagine that the Laws have come before them asking what they intend to do, we note that the “laws” and the “community” speak as one entity, asking Socrates whether he would not destroy “us laws and the whole city, as far as it lies in you” by running away.<sup>206</sup> Socrates, a private man, would not make it possible for the “judgments” of the city to have any strength if “rendered ineffective” or “*corrupted*”<sup>207</sup> (emphasis mine). With these words, the reader may immediately recall Socrates' first charge, “corruption of the youth.” At 43d8, we remember that Socrates had tried to calm a Crito who told of the ship's arrival by soliciting the gods of the city – those who might hold “dear” the event of Socrates' death: the white-robed woman that appeared before Socrates in his dream is the goddess Thetis. Her appearance in the dialogue marks an allusion to the *Iliad*, but it is no small point that she is divine. Her command that Socrates “would'st arrive in fertile Phthia” is certainly dear to her.<sup>208</sup> any

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<sup>203</sup> *Crito*, 54c1-2.

<sup>204</sup> Cf. *Apology*, 25d12-b2

<sup>205</sup> *Crito*, 46b4-6

<sup>206</sup> *Crito*, 50a7-b2

<sup>207</sup> *Crito* 50b4-5

<sup>208</sup> For more on what is “dear to the gods,” cf. Plato's *Euthyphro*.

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<sup>201</sup> *Crito*, 50a7-10

<sup>202</sup> SIPPP, 59

transgression of this command amounts to a kind of impiety if she means that Socrates would arrive in his fatherland. If Socrates’ impiously denies Thetis’ command and “corrupts” the Laws, it is explicitly argued, there will be none who will believe that Socrates is also not a “corrupter of young and mindless human beings” – those who were *also* said to be corrupted by his impious teaching and investigation.<sup>209</sup> Corruption and impiety were connected charges in the law-court and they are also connected here. But this requires a strong proof that the Laws truly have divine sanction.

Returning to the present context and the question of the Laws’ judgments, we see that Socrates suggests that an orator might defend the Laws, saying “many things” on behalf of the particular law that “judgments” must be respected. However, it seems that Crito has some recourse: Socrates asks whether the two are to state their grievance concerning bad judgments. Did not the city do them an “injustice,” and did it not judge incorrectly? It is with this hope that Crito discloses his second divine oath, “Yes, this, by Zeus, Socrates!”<sup>210</sup> Crito’s oath raises the question of piety, for the Laws demand what the gods would: the gods require an unquestioning obligation; the Laws demand in response to Crito’s and Socrates’ feasible objection to the faulty trial that the two not even consider the soundness or faultiness of judgments. Socrates has, the Laws say, entered a contract to “do this,” and to “abide by whatever judgments the city reaches in trials.”<sup>211</sup> This is overtly *not* an explanation of the city’s and the Law’s perfectly divine character, however. Rather, it hearkens back to Socrates’ question about whether one ought to evade by deception those they have made a just agreement with.

To be sure, Socrates’ speech on behalf of the Laws makes it clear that this is simply a covenant which is not negotiable. Socrates and Crito should not even merely “wonder” at the Laws’ statement – and above all, Socrates should not wonder but instead answer, “accustomed” as he especially is to the enterprise of questioning and answering. And yet the Laws continue with a seeming equivocation, as if their point does not yet suffice: have not the Laws “begotten” Socrates, and married his parents?<sup>212</sup> The Laws feel sure that those specific laws concerning marriage are “noble;” Socrates replies that he would not “blame” the marriage laws for being ignoble. The Laws, who in fact hold more authority than a father, as it is said, also can claim to have “nurtured” and “educated” Socrates. The Laws give especial attention to the fact that Socrates has also been educated by them (“in which you too were educated”<sup>213</sup>), perhaps sensing the inadequacy of this elementary education, and thus drawing attention to the question of whether the laws “directed” Socrates’ father “nobly” in their command that he educate his son by way of “*music*” and “*gymnastic*,” which Socrates’ education most obviously surpasses.

It is only proper to return to Socrates’ earlier analogy concerning the gymnast, starting at 47b. There, we might find out something about a man schooled in Athens. The Laws tacitly claim to educate, through music and gymnastic, in a way consonant with the doctor or trainer (excluding the Laws’ training in music – perhaps). One who does not get a public education will suffer evils directed at the body; one who does receive a public education will have his body rendered better, perhaps best. The citizen is taught to practice, exercise, eat, and drink according to the dictates of his

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<sup>209</sup> *Crito*, 53c2-3

<sup>210</sup> *Crito*, 50c3

<sup>211</sup> *Crito*, 50c4-6

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<sup>212</sup> *Crito*, 50d1-4

<sup>213</sup> *Crito*, 50d6-7

education in gymnastics, if we assume that he is learning his gymnastics according to the expert's teaching. The trainer makes an already healthy body better; the doctor restores a diseased body to health. The former takes us beyond necessity into the world of excellence; the latter allays sickness and fear, even fear of death. The education Socrates has received from the Laws, if he has been educated properly, is not so different than that which the Persian boys received in Book I of Xenophon's *Education of Cyrus*, the goal of which was moderation.<sup>214</sup> If we recall the opening lines of the *Crito*, we also recall that it is moderation which Crito seems to lack.

Included in the Persian education was the issue of proper eating and proper exercising, as I.2.8 of the *Education of Cyrus* demonstrates. Contenance in food in drink was there deemed best for the boys. Contenance teaches one to be pleased with little; contenance teaches one to not desire too much. By teaching the young citizen-gymnast what to eat and drink, the Laws' education in gymnastics teaches contenance in food and drink, or moderation, thereby. If the Laws' education seeks to moderate by recommending the gymnast food and drink, or more precisely by recommending contenance in food and drink, then the trainer teaches the gymnast how to use his body in a most excellent way. It seems that the gymnast's education does more than simply moderate the gymnast, but improves him as well by training and exercising him. The

corresponding part of the Persian education was learning "how to shoot a bow and throw a spear;" both examples indicate that this kind of education has the capacity of creating one fit for war.

There is a great tension in an education which moderates ("eat and drink") in order to create a just political regime where citizens do not bicker over finite resources on the one hand and a seeming preparation for acquisition through war ("train and exercise") on the other. And even then, less dependence on necessity, i.e., contenance in food and drink (or a need for little sleep), helps one to gain an advantage over more dependent enemies who must eat, drink and sleep more often. The city needs its citizens to act justly toward each other, but still needs to raise soldiers against foreign cities: it is an education which teaches one the means by which they can help friends and harm enemies. However, it is not an education which teaches one to help friends and harm enemies *explicitly*.<sup>215</sup> It turned out in the *Education of Cyrus* that a wise man once taught "justice" to the Persian boys – to lie and tell the truth, to deceive and not to deceive, to slander and not to slander, and to take advantage and not. Furthermore, this "teacher of boys" "defined which of these one must do to friends and which to enemies," only to find that the more gifted among them "did not abstain from trying to take advantage even of their friends"<sup>216</sup> (by benefitting enemies, Crito seems to have picked up on this trick). From then on, it was thought better to teach the Persians boys "just as we teach *servants* in their conduct towards us" (emphasis mine) to become "tamer" citizens by learning to tell the truth and not to take advantage only. It does not seem coincidental, then, that both Socrates and his "forbears" are

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<sup>214</sup> Cf. *EOC*, I.2.8: "They also teach the boys moderation. It contributes greatly to their learning moderation that they see also their elders spending the whole day moderately. They teach them also to obey the rulers. It contributes greatly to this too that they see their elders strictly obeying their rulers. *They also teach contenance in food and drink...In addition to these things, they learn how to shoot a bow and to throw a spear*" (emphasis mine).

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<sup>215</sup> Cf. *EOC*, I.6.28

<sup>216</sup> *EOC*, I.6.31-32

claimed by the Laws to be their “offspring and slave” – as a son must obey his father, so the citizen must obey the Laws. Because, recalling the education of the Persians boys, the Laws now find it unwise to teach justice as they had in former times but rather to teach music and gymnastic without any moral education. The moral education which the Laws now resort to is grounded in an authority which does not countenance any moral questioning, for a slave does not question his master.

Furthermore, the paternal authority which the Laws claim does not require a divine perfection and yet at the same time does not damage any divine endorsement; deference to one’s parents is not done because one’s parents are infallible, but because one would do well to take their counsel. The Laws have no need to claim to be the expert *per se* on the just and unjust things. If it is allowed that we turn to the Bible, a similar exegesis is there given in the Ten Commandments for a respect of the ancestral: “Honor your father and your mother, *that your days may be long upon the land which the Lord your God is giving you*”<sup>217</sup> (emphasis mine). A reverence for the ancestral recognizes that the further back in history one goes the closer one comes to the first things, to the gods. But this reverence for the ancestral also recognizes the family as the beating-heart of the orderly community, in this instance the *polis*.<sup>218</sup> Philosophy requires a piety of its own. Lawlessness does not serve the philosophic life because abiding by law requires thought while lawlessness means that one is a law unto themselves. Restraining the passions is the reason for law. Submitting to one’s parents is part of the law of Moses because even while parents might not be experts or know best, disorder is averted. A life

devoted to thought or God is difficult in a chaotic world because in that world passion and self-interest reign supreme. Both a devotion to reason and to God entail forgetting one’s passion and living by an external, absolute standard.

Homage to one’s parents is in its fullest essence homage to the gods, as is made clear by the twelfth commandment. Piety serves philosophy in an ancillary way; philosophy questions piety. Euthyphro’s dilemma bears on Socrates’ and Crito’s understanding of Athenian piety, for the first concern of Athenian piety is to respect one’s father. He did not recognize as the Laws do that a master owns the body of his slave.<sup>219</sup> The health of the community, attainable only by deference to one’s progenitors, to one’s master, seems important insofar as it provides the kind of setting harmonious with worship.<sup>220</sup> As the Laws are greater granters of the “noble” things given to men than one’s parents are, the citizen’s obligation to the Laws is accordingly increased. The Laws strongly insist that due to their divine sanction, justice is not an equal thing for them and for Socrates. The Laws have effectively created the landscape in which a mother and father could carry on their duty:<sup>221</sup> “obey your father” is a less vital rule than “obey your fatherland,” for the former is only realized by virtue of respect for the latter. The Laws ask if, when they, “believing it to be just” seek to “destroy” Socrates, Socrates can try to reciprocate the deed of injury to Athens with the conviction that he is acting justly by performing it – Socrates, who for so long has “in truth cared

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<sup>217</sup> *Exodus*, 20:12

<sup>218</sup> Consider Pheidippides lack of respect for his father Strepsiades in Aristophanes’ *The Clouds*.

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<sup>219</sup> Cf. *Euthyphro* 4a1-9 in *FTOS*

<sup>220</sup> The question raised by the *Crito* concerning Socrates’ philosophy seems to ask whether the political or the philosophic ranks higher in importance: Socrates is perhaps trying to reconcile his philosophy with the city, but he also silently points to the need for the calm of political life to minister to the philosophic life.

<sup>221</sup> *Crito*, 50e9



for virtue.”<sup>222</sup> The Laws (wisely) do not impugn Socrates for returning evil for evil, but rather assert that piety is the most important civic virtue.

If there was any doubt, the status of the Laws is one which must be “venerated,” and is “holy.” As mentioned earlier, the only other authority which Socrates “venerates” is his old arguments – arguments grounded in reason.<sup>223</sup> There may be another point to Socrates’ veneration of both “that which appears best to me upon reasoning” and the commands of the Laws. It seems that we can reconcile the one with the other, that the commands of the Laws *are*, in the case of deciding whether Socrates should flee, that which appears best to Socrates upon reasoning. Reason does seem to be the handmaiden of revelation. The greatest instance of this relationship in the *Crito* is Socrates’ dream in which Thetis appears – Thetis, the divine spokeswoman of the Laws. Socrates was able to determine as best he could the *aporetic* meaning of the Delphic oracle’s pronouncement through the use of his *logos*. What could it be that makes Thetis’ decree “quite manifest” to Socrates, then, but human reason? We note that both “gods” and “human beings who are *intelligent*” esteem the Laws “highly.”<sup>224</sup> This seems to indicate that both the gods and “intelligent” human beings regard the Laws from the same vantage-point. Intelligence distinguishes the human being who esteems the Laws just as the gods do from those human beings who do not esteem the Laws: “human beings who are intelligent” perhaps implies human beings with knowledge, but at the least implies either human beings engaged in a life of thinking, of seeking wisdom. Perhaps Socrates’ *daemon*, a “god or child

of a god,”<sup>225</sup> has led him to investigate his dream in the *Crito*: would an injury against the Laws also amount to an injury against a “beautiful and well formed woman dressed in white”?<sup>226</sup>

Several features of the argument Socrates advances on behalf of the Laws should be brought to attention at this point. The first is the way in which the Laws present themselves as an entity: first, the Laws call themselves “us laws and the whole city” at 50b2. At 51a3, this designation changes to “the fatherland and the laws,” and changes still more at 51a8 to simply “fatherland.” It should be noted that “fatherland” is purposefully different than “laws and the whole city,” and perhaps more elevated, more abstract. “Fatherland” seems to be separate from government, entailing the physical place of Athens, the trees and the rocks: “fatherland” is an entity provided by necessity, while both the “Laws and the city” and “Laws” are made by convention. But it is possibly not enough to say that “fatherland” is given by necessity: the fatherland predates the gods, who are born out of the earth.<sup>227</sup> The city, which appears most clearly to be of human origin, is the first to be dropped in the speech of the Laws. Yet even the Laws themselves are silently dropped from the dialogue. There seems to be a purposeful shift in this rhetorical device, an intentional ascent from the human to the most literal first things, the eternal. Just as Socrates and Crito concluded in their concerns for the body and soul that the eternal soul should be regarded much more so honorable than the mortal body, the Laws have reinvented themselves as the eternal fatherland to be regarded as higher than the mortal father.<sup>228</sup> It is only on this

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<sup>222</sup> *Crito*, 51a1-2

<sup>223</sup> Cf. *Crito*, 46b8

<sup>224</sup> *Crito*, 51b1-2

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<sup>225</sup> *Apology*, 27d1

<sup>226</sup> *Crito*, 44b1; cf. *ITPOP*.

<sup>227</sup> Cf. Hesiod, *Theogony*, translated by Evelyn-White (1914), II. 116-138

<sup>228</sup> *SIPPP*, 62

foundation that any pious claims over the citizen can be made. Insofar as this hierarchy of the fatherland’s superiority over the father resembles the soul’s superiority over the body, we might ask “whether or not the soul is more venerable than the fatherland.”<sup>229</sup>

It is this question which we will try to take up. The Laws claimed to be tied to the fatherland, thus placing themselves above the father Socrates.<sup>230</sup> This is not an unproblematic proposition, however. The fatherland unoccupied with human things – the fatherland without the city itself – is analogous to the body without a soul. The soul stands above the fatherland because though it is eternal, the fatherland cannot justify itself based on human reason. The fatherland can claim a citizen’s body because it has brought the citizen’s body into being, but the fatherland has not brought the eternal soul into being. It was earlier argued that to esteem the soul as something higher than the body, one must esteem reasonable opinions. Just as the body is “more paltry” than the soul, so too the fatherland is “more paltry” than the Laws themselves, for the Laws are reasonable.<sup>231</sup> The Laws claim that as fatherland, they are “more honorable,” “venerable,” “holy,” and “highly esteemed,” but it must be the imperfect Laws of Athens which give Socrates and Crito the option of persuading them.<sup>232</sup> The fatherland and Laws as advanced in Socrates speech are not two different entities; it seems that the Laws

simply use the fatherland to work up affection for them which they could not when unaided.

We have a sense of the fatherland’s unreasonableness. In a certain sense, the fatherland reveals itself to be most harsh. The direst of circumstances, when the fatherland is “angry with you,” call for the citizen to “revere” and “give way” and “fawn upon” it.<sup>233</sup> These conditions include that the citizen must “persuade” or “do whatever it bids,” and “suffer anything” whether this means that he will be “beaten” or “bound.” The wager is raised as it is ordered that when the fatherland “leads you into war to be wounded or killed, this must be done.”<sup>234</sup> It seems as though the Laws’ demand becomes more severe as the obligation becomes nobler. Attached to the command that one go to war (as well as the command to “go” other places, such as court and, more vaguely, “everywhere”) on behalf of the city is the claim that to do so is just.<sup>235</sup> If doing the bidding of the fatherland is not just, one must “persuade it what the just is by nature.”<sup>236</sup>

### Caring for Knowledge

The Laws are passive agents and must have human actors carry out their will, just as the fatherland must call upon the soldier to fight for it. But in order to carry out the will of the Laws one must first *know* their will. That was the topic of Socrates’ cross-examination of Meletus. As with Callias, Socrates there reintroduced another analogy concerning horsemanship, whereby he demonstrated that “one certain one” or “very few” skilled with horses “make [the youth] better” while “the many” *corrupt*

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<sup>229</sup> *SIPPP*, 62

<sup>230</sup> *Crito*, 45c6-d8

<sup>231</sup> Cf. *Deuteronomy* 4:5-6: “Surely I have taught you statutes and judgments, just as the Lord my God commanded me, that you should act according to them in the land which you go to possess. Therefore be careful to observe them; for this is your wisdom and your understanding in the sight of the peoples who will hear all these statutes and say, ‘Surely this great nation is a wise and understanding people.’”

<sup>232</sup> *Crito*, 51b9-10

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<sup>233</sup> *Crito*, 51b2-3

<sup>234</sup> *Crito*, 51b3-6

<sup>235</sup> *Crito*, 51b7

<sup>236</sup> *Crito*, 51b10; cf. *EOC*, I.4.16-17

them.<sup>237</sup> The corruption of the youth by the many dovetails with Socrates' next argument, namely that one would only render those they live with worse out of ignorance.<sup>238</sup> In searching for a worthy authority on the matter, Meletus' second answer to the question of *who* knows what makes the youth better was "the judges," men like himself (Meletus had first misunderstood the question, answering that the laws make the youth better). We note in passing that Crito's name means "judge" or "discern."<sup>239</sup> Socrates had not indicted the Laws themselves: it is knowledge of the Laws which one must know "first of all" in order to "educate"<sup>240</sup> the youth in order to make them better. "First of all" does not mean "most importantly," however. We must ask ourselves whether it is only knowledge of the laws which makes the youth "noble and good," recalling that the noble and good virtue of the youth is that of "human being and citizen." A knower of the laws might be able to make the youth good citizens; at first glance, it seems a different knowledge is required to make a good human being. We can take Socrates' statement that one must know "first of all" the laws to mean this much: it looks as though a youth must be made a good citizen before he is made a good human being. If knowledge of the Laws seems relatively accessible, we need only ask how it is that the judges come to their verdict: do the judges really expect Socrates to go on "wailing and lamenting, and doing many other things unworthy" of him, in order to win their empathy?<sup>241</sup> Have the judges ever cared for the Laws – and thus for the youth – at all?

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<sup>237</sup> *Apology*, 25b2-5

<sup>238</sup> *Apology*, 25d10-26a1

<sup>239</sup> *FTOS*, 99, n. 2

<sup>240</sup> *Apology*, 23e4-5

<sup>241</sup> *Apology*, 38d9-e1; *SD*, p. 29

## *Eros and Daggers*

Socrates accused Meletus of not "caring" for the youth, and as evidence of the latter's apathy Socrates pointed out that Meletus had "never yet gave any thought to the young."<sup>242</sup> Even so, it is not given that *eros* inevitably leads to knowledge: Crito's very problem is that his erotic care for Socrates wants reason. Crito "cares" for things he should not care for, such as his reputation. He cares to be judged by the ignorant many.<sup>243</sup> Socrates' love of wisdom, therefore, must be a moderate love. Because of Crito's erotic nature, Socrates can attempt to direct Crito's care toward the Laws, who in turn exhort Crito to care for justice: if one thing could be said of Crito, it is that he is concerned with meriting the affection of everybody in Athens, including Socrates. But he cannot reconcile these two loves – he cannot reconcile his love for Socrates with his love for the many. Conceivably, Socrates' entire endeavor is to redirect Crito's care towards something nobler while keeping in mind the way that *eros* naturally manifests itself in Crito's character.

This task may or may not be easy. Earlier, we noted that Socrates never directly objected to Crito's attitude that "surely it is just for us to save you and run this risk,"<sup>244</sup> or a risk even greater. This was the noblest of Crito's arguments. This argument did not regard the many, but it was also the argument which most closely resembled his son's deeds. We noted that a "greater risk than this" could entail death. This erotic spark within Crito, which we can assume Socrates sees, may grow into a

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<sup>242</sup> *Apology*, 25c1-3

<sup>243</sup> The question seems to be whether Crito can come to care for justice in the same way that he cares for reputation. Cf. *Crito*, 44c7-8: "But why do we *care* in this way, blessed Crito, about the opinion of the many?" (emphasis mine)

<sup>244</sup> *Crito*, 45a1-2

regard for justice before anything else if properly cultivated. *Crito* may not be speaking in slogans when he exhorts Socrates to justice, though the present calamity does hold sway over his faculties. *Crito* might not always mean what he says. Reputation relies much upon *seeming* to do the just thing, and there is a wide gulf between seeming just and being just. While *Crito* is, on the face of it, unprepared to make this leap, we might remember a story recounted elsewhere about his son Critobolus, who was willing to make a similar leap – a leap into daggers done out of erotic passion.

In that story, Socrates asked Xenophon whether he had held Critobolus to be moderate rather than rash, to which Xenophon replied that he had. “Well, hold now that [Critobolus] is hotheaded and heedless in the extreme. He would even make somersaults into daggers and leap into fire,” said Socrates.<sup>245</sup> Xenophon learned from Socrates that Critobolus had dared to kiss the son of Alcibiades, though Xenophon admitted that he too would have acquiesced: “But if [kissing Alcibiades’ son] is the reckless deed...in my opinion, I too, would endure this risk.”<sup>246</sup> Socrates, calling Xenophon “wretched,” asked him whether kissing someone beautiful would make him a “slave rather than free,” someone willing to “spend a lot for harmful pleasures,” someone “in great want of leisure for attending to anything noble and good,” and someone “compelled to take seriously what even a madman would not take seriously.”<sup>247</sup> Socrates called Critobolus’ “wound” a “sting,” as if it had affected his body in the way that a spider sting affects the body when it ‘kisses.’<sup>248</sup>

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<sup>245</sup> *Memorabilia*, I.3.9

<sup>246</sup> *Memorabilia*, I.3.10. We note that Xenophon’s admission that he too would “endure this risk” sounds much like *Crito*’s chest-thumping claim that “surely it is just for us to run this risk and one still greater if need be.” (*Crito*, 45a1-2)

<sup>247</sup> *Memorabilia*, I.3.11

<sup>248</sup> *Memorabilia*, I.3.12-13

The attitude of *Crito*’s son (as well as the attitude of Xenophon) is not unlike his father’s attitude. All are willing to run a certain risk; Critobolus did and Xenophon would risk going mad to kiss the beautiful, while *Crito* would risk “something even greater” than the risk of losing money for Socrates’ safety. We might even say that *Crito* cares deeply about Socrates’ safety, perhaps even more than he cares about his reputation. Socrates cares about that which appears best upon reasoning and justice. The *Crito* is, therefore, a dialogue between two men who care deeply for very different things. These affections lead them to extreme (and incompatible) views of what should be done. *Crito* could not ascend from a care for public opinion nor a care for his friend to a care for justice because he thinks that to do so would be to abandon his friendship. *Crito* does not yet know how to “care” for Socrates in the way that Socrates understands the term: he does not know how to care for Socrates’ soul. It is by learning to care for a public kind of opinion manifested in a public soul that this public kind of man can learn something about souls, and, we hope, come to care about the human soul.

### Submission as Care

If the many truly knew the Laws, they would understand as Socrates seems to that the obligation by the citizen to the Laws seems to be the same in all cases: complete submission. Socrates’ human reason demands the same kind of assent. This is why the Laws point out that subverting the Laws destroys the city, of which the Laws are the soul. If the Laws are the public soul, what does that say about the unlawful, the outlaw? And furthermore, what does that say about the outlaw’s regard for his own soul? Particular legal cases among citizens adjudicated by citizens entail differing ideas

of what is lawful or just, as in Socrates' case where earlier Crito urged Socrates that the two should tell the city that it did not pass judgment correctly. Questions of right and wrong necessarily bring forth grievances from one party when the Laws are concerned; the Laws prevent the aggrieved from acting out in passion, but force them to reasonably justify their grievances. If the answer to the question "what is justice?" were ever fully apparent, the court-room would not be necessary.<sup>249</sup>

If Socrates' verdict caused a volatile public reaction where opinions over the law and the just differed, it turns out that war-making in the Athenian tradition had perhaps the most volatile history of all affairs concerning right and wrong, as in Themistokles' dark hour before the battle at Salamis. There the Athenian officer almost came to physical blows over the wisest course of action against the Persians with his rival Eurybiades, finally pleading, "Strike me, but at least hear me out!"<sup>250</sup> Themistokles' demand required that Eurybiades appeal to prudence rather than passion. And even then Themistokles, one of Athens' greatest generals, was later publicly audited for his conduct in that war. The example of Themistokles is an example of the superiority of reason over passion. His audit after that combat reflects the fact that politics is a disordered enterprise. Because the wisest course of action is not self-evident to all, because the cosmos is not fully intelligible, force is sometimes required to persuade.<sup>251</sup>

## The Speech of the Laws, Part II

The Laws do seem to use force to reign in Crito. They command submission based upon their paternal status, which is not a reason-based appeal but an appeal to piety. What is reasonable in the Laws' argument (partly due to Socrates' proper relation to them as a slave, as their offspring) is their grievance that what Socrates is doing is "not just."<sup>252</sup> The Laws would then perhaps say that any Athenian who reaches adulthood and sees "the affairs in the city and us laws" can leave with his "own things" if the Laws "do not satisfy him." The Laws add that they would not be "an obstacle" to the citizen who wished to depart, but to the citizen who "stays here and sees the way that we reach judgments and otherwise manage the city," the Laws say that he has "agreed with us in deed to do whatever we bid."<sup>253</sup> He who denies that he must obey, after having consented by staying in the city, does "injustice" in two ways: he does not obey those who "begat" and "nurtured" him, and he "neither obeys nor persuades" if the Laws "do something ignobly" although the Laws give him an "alternative" and "do not order him crudely."<sup>254</sup> The Laws power is not *entirely* predicated on sheer force. The citizen is half-slave and half-free.<sup>255</sup> Because Socrates had the option to leave the city, the Laws can be evaluated as just or unjust, for by staying of his own volition Socrates must have a reason to stay. Socrates' agreement to stay in the city is, according to the Laws, grounded in an evaluation of their goodness. But all of one's things are not always portable; very conceivably there could be reason to stay in the city for something other than the Laws. The Laws observation that

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<sup>249</sup> Cf. Plato, Alcibiades I, in *TROPP*, 111a1-b10

<sup>250</sup> Cf. Plutarch's *Themistokles*, 11.3. Note credited to Victor Davis Hanson, *Carnage and Culture: Landmark Battles in the Rise of Western Power* (New York: Doubleday, 2001), 54

<sup>251</sup> *Postmodern*, 178

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<sup>252</sup> *Crito*, 51b17-51d1

<sup>253</sup> *Crito*, 51d2-51e4

<sup>254</sup> *Crito*, 51e4-52a3

<sup>255</sup> *SIPPP*, 63

Socrates “chose instead neither Lacedaemon nor Crete” even though *they* have good laws seems to point to this fact. Socrates prefers his townsmen because they are closer in kin<sup>256</sup>: the Laws are good insofar as they unite citizens.

The Laws repeat that Socrates above all is most “liable” if he does what he has in mind, presumably because of his commitment to justice and virtue.<sup>257</sup> But if Socrates should ask “Because of what,” the Laws would perhaps “accost” him “justly,” because “more than anyone among the Athenians I happen to have agreed to this agreement,” for he would not have “exceeded all the other Athenians in staying at home” unless the city “satisfied” him as much.<sup>258</sup> The Laws admit that Socrates has left the city; once, he traveled out to “see the sights” at the Isthmus and otherwise stayed unless in service to the military. “See the sights” also translates as “for contemplation.” Socrates’ contemplation, save once, took place entirely inside the city. This seems to bear on Socrates’ concern for himself as a human being. Even the contemplative life can be carried out in the city. Removal from political life is not necessary for the man who wants to be a good human being, for the man who wants to devote his life to thought. The city “satisfies” Socrates not only as an Athenian citizen, but also as a human being.

The Laws add that Socrates did not “make any other journey, as other human beings do,” seeking neither another city nor its laws. Socrates did not merely submit his approval in a negative sense by not doing something (i.e., by not leaving): he also expressly agreed to be governed by the Laws by having children in the city.<sup>259</sup> At the trial Socrates could have “proposed

exile” as his penalty: he could have done then while the Athenians were willing what he is doing now while they are unwilling.<sup>260</sup> But Socrates was then “pluming” himself on “not being vexed” about death, “choosing” it before exile. He is not “ashamed” of those speeches now, as he considers running away, not “heeding” the Laws. Is not Socrates considering “just what the paltriest slave would do,” by eschewing the “contracts” and “agreements” that he is obligated to? Socrates even considers this as he did not agree to serve the Laws “under necessity” and was “*not deceived*.”<sup>261</sup> There is no reasonable argument for Socrates to leave: when the Laws say that Socrates is doing just what the paltriest slave would do, they mean that Socrates is doing just what the man who is *slave to his passions* would do. After all, Socrates inhabited Athens for seventy years, but seemingly the city was both “satisfactory” and the agreements *did not appear to be unjust*. By learning to respect the agreements he has made with the city, Socrates is teaching Crito to take the first, smaller step toward a larger one of a commitment to the dictates of reason. This section of the Laws’ speech echoes Socrates’ philosophic premise before the Laws stepped in – the statement which Crito did not understand.<sup>262</sup> It is conceivable that by teaching Crito to obey the dictates of the reasonable city, Socrates also sows in Crito a reverence for the just agreements two friends engaged in dialectic make. These “agreements” reflect the agreements that Socrates spoke of at 50a.

The Laws next ask who a city would satisfy without laws, candidly directing us to the fact that Thessaly, Crito’s suggested place of exile, is known for its lawlessness. Socrates could not endure a land without the rule of law because a lawless land would not

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<sup>256</sup> *Apology*, 30a5

<sup>257</sup> *Crito*, 52a4-6

<sup>258</sup> *Crito*, 52a7-b4

<sup>259</sup> *Crito*, 52b4-c3

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<sup>260</sup> *Crito*, 52c6-7

<sup>261</sup> *Crito*, 52e2

<sup>262</sup> *Crito*, 49e10-50a6

endure philosophy. There is no sense of restraint in Thessaly. When the Thessalians become angry, they are not checked by a power set over them: the politics of Thessaly is a politics of passion. It is still necessary for the philosopher to seek good laws because laws are part of any good community. Absent a wise ruler or reasonable laws, one can only expect a ruler of the worst sort. Athens, *because* of the rule of law, was able to endure Socrates as gadfly for a very long time – seventy years. Socrates’ speech on behalf of the Laws, then, is a bow of gratitude to the city, which was not simply unjust. Thessaly is not a fitting place for a citizen, either. Socrates, when his companion told him that he intended to live an entirely unpolitical life so as to avoid both ruling and being ruled, is said to have replied, “If the path avoids human beings as well, you might have a point.”<sup>263</sup> A man without a city is a “mutilated human being,”<sup>264</sup> for as Aristotle said to begin his *Politics*, men are by nature political animals. This sentiment reflects Socrates’ conviction that it is not enough to be a human being; a man is also a citizen.

The next segment of the Laws argument is catered directly to Crito’s main concern: benefiting friends. If Socrates “commits any of these wrongs,” the Laws say, he would not be able to produce any good for himself or his companions, who would conceivably face exile or lose their “substance” themselves. Crito might not ‘benefit’ Socrates by letting him die in the base sense that his body would die, but Socrates would not, by leaving, be of benefit to his friends. This does not quite answer Crito’s assertion that it “is just to run this risk,” especially if by “risk” Crito means possible exile or loss of “substance.” Perhaps this is why the Laws push this line of

reasoning one step further: Socrates the lawbreaker would come to any city he approached as an enemy to “their political regime.” Those who care for their cities, i.e., *good citizens*, would “look askance” at the philosopher.<sup>265</sup> Socrates’ reputation would suffer as well.

Next, the Laws make a strange shift in tone. Socrates would be seen as more than a “corrupter” of laws: he would “confirm the judges in their opinion.”<sup>266</sup> The Laws here seem to unequivocally distance themselves from those who execute the law. The corrupter of Laws would be, they say, also a corrupter of “young and mindless human beings.” This strange connection supposes that the impiety of a lawbreaker is clearly much more severe than the impiety of one who corrupts the youth, if it be granted, as has earlier been argued, that the charges against Socrates were linked. If corruption involves some sort of impiety, the notion that Socrates would affirm the judges in their opinion by corrupting the Laws means that impiety is a quite public concern. It means that the Laws of the city are akin to the gods of the city.

The *Crito* is not a dialogue which simply exonerates Socrates as a good Athenian. Rather, Socrates hopes to, by persuading Crito, both make Crito a better citizen and make known that he is a good citizen proper. This is made clear by the Laws, who ask if Socrates would “flee” the “*cities*” (emphasis mine) with “good laws and the most decorous men.” Plato here invokes the plural of city, and we begin to wonder if Socrates ought to, in the Laws estimation, merely have affection for Athens *qua* Athens. The passage suggests that Socrates, if he attempts to flee, would not only leave a city with good laws, but have the inability to settle anywhere with good

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<sup>263</sup> *Memorabilia*, p. xx

<sup>264</sup> Cf. *NR&H*, 151

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<sup>265</sup> *Crito*, 53a8-b7

<sup>266</sup> *Crito*, 53b7-8

laws, thus consigning himself to a life of perpetual homelessness. An important question is raised: if Socrates would commit injustice against fellow citizens, there seems to be nothing that would stop him from committing injustice against foreigners. A city seems to have, or ought to have, more toleration for its own. Socrates directly addresses this problem in the *Apology*, asking whether “you who are my fellow citizens were not able to bear my ways of spending time and my speeches,” and sought to “be released from them” would not indicate that others also would not tolerate Socrates, and more readily.<sup>267</sup>

A Socrates without a city would be a Socrates whose life was not worth living. A city is required of political philosophy because Socrates realizes that life is radically political: what Socrates examines are the speeches of fellow citizens. The Laws realize Socrates’ reliance upon them, perhaps. But asking Socrates if he will flee those places with the “most decorous men,” the Laws seem to echo Socrates’ desire to philosophize in Hades, which might entail the opportunity to philosophize with men of the *highest* decorum, such as Orpheus, Musaeus, Hesiod, and Homer.<sup>268</sup> Choosing exile, Socrates would not be welcomed back to the earthly cities, whose laws and decorous men would think him a corrupter. But in committing the “injury” of choosing escape though the Athenians are unwilling, Socrates also opens himself up to retribution from the judges in Hades, who don’t “claim to be judges,” as “those here” in Athens do, but are “judges in truth:” they will know of his conduct should he escape, and surely, as Socrates does, understand it to be unjust.<sup>269</sup> Because these judges in truth see Socrates’ conduct in life, Socrates is given an excuse to live by an absolute standard in life though

he will not always be judged by that standard. Philosophy is pious insofar as it takes the existence of truth on faith: by learning to have faith in the Laws, *Crito* learns a valuable lesson about living by a standard which resides outside of him.

Acting unjustly would also undermine Socrates’ purpose: an unjust man who holds justice and virtue in highest esteem could not be taken seriously. How could Socrates “give speeches” about these things – the just and truth – if he leaves with *Crito*?<sup>270</sup> This does seem to assume that speeches on justice and virtue are also speeches which extol the Laws. While it is plausible that the lawful and the just can easily disagree, we note that Socrates had defended himself against the charges laid against him in the *Apology* – in that case, lawbreaking was not unimportant: Socrates did not at his trial claim that he broke the law because it was unjust. Rather, Socrates found it necessary only to say that he would always philosophize.<sup>271</sup> Unless one believes that Socrates corrupted the youth and did not believe in the city’s gods, Socrates is a law-abiding man. His entire intention in the *Apology* was to prove philosophy was an activity which could exist in the city lawfully. It should be noted that the Laws include among Socrates’ speeches on the things of most worth to human beings not only justice and virtue but also “customs and laws.”<sup>272</sup> This sentiment appears in the *Apology* when Socrates says that he must proceed in whatever way is dear to ‘the god,’ but a defense speech must be made.<sup>273</sup> Even so, this feint by the Laws is not designed to persuade Socrates, but *Crito*. This fact is reinforced with the appeal to reputation that the Laws make in the following lines, asking, “And do you not

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<sup>267</sup> *Apology*, 37c8-d4; cf. SD, 24

<sup>268</sup> *Apology*, 41a6

<sup>269</sup> *Apology*, 41a1-2

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<sup>270</sup> *Crito*, 53c5-8

<sup>271</sup> *Apology*, 29d5

<sup>272</sup> *Crito*, 53c7-8

<sup>273</sup> *Apology*, 19a6-8



suppose the affair of Socrates will appear unseemly?” To this the Laws answer themselves, replying, “One must suppose so.”<sup>274</sup>

Consequent to this, the Laws ask if Socrates will “depart from these places and come to the guest-friends of Crito in Thessaly.”<sup>275</sup> As earlier noted, Thessaly has much “disorder” and “lack of restraint.” What the Laws suggest next may derive from their earlier argument that Socrates would seem “ridiculous” if he tries to leave: “perhaps [the Thessalians] would be pleased to hear from you how laughably you ran away from the prison by covering yourself with some disguise...”<sup>276</sup> Only a lawless society would approve of Socrates’ actions, meaning most of all that only a society of disorder and lack of restraint would approve of Socrates’ actions. This is not simply a lawless society: it is a city without philosophy. Philosophy involves order and restraint because such items are necessary for reason to rule the soul – as well as the city.

### Crito’s Conversion

Crito is someone willing to bribe and break the law to get that which he believes to be his just desert. Furthermore, Crito has made friends with these unseemly folks in Thessaly! Clearly, Crito must be made to see the Laws differently if we can reasonably expect him to reign in his own personal “disorder” and “lack of restraint.” The best way of doing this, as Socrates has made clear throughout his whole life, is to make everyday speeches about justice and virtue, and to philosophize with and investigate others. Though Crito did not understand the culmination of Socrates’ philosophic exhortation, it is not that Crito is unable to speak to

the philosopher as a nonphilosopher. *The* tension in political life is between those who believe that injustice can be returned for injustice and those who do not.<sup>277</sup> The Laws serve to remedy this lack of understanding by teaching Crito that one ought not deceive those who they have entered just agreements with. This is not simply because abiding by contracts is necessary of a citizen, which is also true. One must also abide by the conclusions of reason in order to be a good human being. Abiding by just agreements is the point which philosophy and the city can agree on. If this problem is remedied, Crito’s remaining problem is that he does not understand that those who should least of all endure injustice in fact would.<sup>278</sup> Envisioning the Laws as a soulful entity which can be injured is the first step which must be taken to help Crito realize his error. If Crito accepts the principle that doing injustice harms the doer of injustice, those who Crito most cares about – his own – would be harmed. Crito’s affection for fatherhood articulates this care most evidently. The Laws’ pious teachings also comport with Crito’s disposition. Crito the father recognizes the pious teaching of the Laws in reverse, however. He believes that a father owes a duty to his sons, but does not seem to recognize the duty that sons have to their father. For this reason, the Laws not only teach that they are the greatest father, but that Socrates’ sons will be well taken care of. Furthermore, his acts of beneficence reveal his kindred spirit: before harming enemies, Crito first hopes to pacify them by gentler means. A spirit of this sort truly does disdain injustice; it is rather Crito’s unconscious ignorance of the injustice he would commit which must be overcome.

Finally, the Laws ask Socrates to “not regard children or living or anything

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<sup>274</sup> *Crito*, 53c8-d2

<sup>275</sup> *Crito*, 53d3-4

<sup>276</sup> *Crito*, 53d4-7

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<sup>277</sup> *SIPPP*, 59

<sup>278</sup> Cf. *Crito*, 54c2-6

else as more important than justice.”<sup>279</sup> This could be taken as simply another public exhortation, but is justice not also Socrates’ chief devotion? This subtle shift, if taken to an extreme, would move Crito (to whom the command is truly directed) *not* away from the public-minded but at the same time toward the philosophic. It would move him toward a public-minded philosophy. Justice is that which profits the soul, but justice is also that which profits the city, the soulful city. The Laws ask whether Socrates would leave “so shamefully doing injustice in return and doing evil in return, transgressing your own agreements with us.”<sup>280</sup> These are not the same Laws which called Socrates their “offspring and slave.” Socrates has almost imperceptibly changed the nature of the Laws’ speech. The Laws, after asking Socrates to regard justice as most important, continue to recite Socrates’ true arguments. There is no difference between what the Laws say at this point in their speech (54b3-d2) and what Socrates had proposed himself at lines 49c1-50a4.

The final section of Socrates’ speech of the Laws does not forget that Crito is a man who cares for his own. He must be shown that Socrates’ escape would injure himself and his friends in order to be converted into a better man. But is this really so unphilosophic? Socrates himself has a peculiar affection for the Athenians simply because they are his fellow citizens. The political philosopher cares to live among upright citizens because good philosophy arises where good men are to be found. By countenancing anything else, Socrates would be simply a parody of himself worthy of an Aristophanic comedy, for he truly would have need to seclude himself in the Thinkery were that the case.

Socrates now speaks to his Crito as a “dear comrade.” He tells him that “these

things are what I *seem* to hear, just as the Corybantes seem to hear the flutes, and this echo of these speeches is booming within me and makes me unable to hear the others”<sup>281</sup> (emphasis mine). At the end of the dialogue Socrates comes into a state similar to that which Crito found him in at the beginning: Socrates can no more heed Crito now than he could while dreaming.<sup>282</sup> The frenzy of the flutes completes the Laws’ education of “music and gymnastics” by directing the routine of the gymnast. Music subordinates and directs the passions to their proper place, just as it cured the Corybantes of their anxiety.<sup>283</sup> The echo of the Laws’ speeches is “booming within” Socrates, and he is “unable to hear the others.” It is not clear what the “other” speeches Socrates mentions refer to, but most presumably they are those that Crito tried to persuade him with: Socrates tells Crito, who has nothing left to say, that the two should “act in this way, since in this way the god\* is leading.”<sup>284</sup> The god of philosophy may not be heard, but in any case it has no need to speak: the god does not restrain Socrates from acting now as it once did,<sup>285</sup> but only leaves it up to Socrates to follow it home – appearing hardly distinguishable from the mother of Achilles, Thetis.

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<sup>281</sup> *Crito*, 54d3-6

<sup>282</sup> *SIPPP*, 54

<sup>283</sup> *FTOS*, 114, n. 29.

<sup>3</sup> Alcibiades was a most immoderate as well as a most unmusical man. Xenophon observed that he would rather die than live like Socrates (*Memorabilia*, I.2.16). While Xenophon admits that Socrates should have taught Alcibiades to be moderate before he taught him political affairs (I.2.17), we learn in Plato’s *Alcibiades I* that Alcibiades could not even name the art which cithara playing pertained to (Alc. I in *TROPP*, 108b-c). In the character of Alcibiades, we see that music cures immoderation just as it is the musical speeches of the Laws which move Crito toward a more moderate, loving disposition.

\* Socrates’ *daimon*.

<sup>284</sup> *Crito*, 54e1-2

<sup>285</sup> Cf. *Apology*, 31c4-d5

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<sup>279</sup> *Crito*, 54b3-4

<sup>280</sup> *Crito*, 54c2-4