CHAPTER 3

Socrates and the Examined Life

Jacques-Louis David (1748–1825). *The Death of Socrates.* 1787. Oil on canvas.
Photo credit: World History Archive / Alamy

Plato was an Athenian. He was born around the year 427/28 B.C.E. He was a young man during the waning years of the great war between the Athenians and the Spartans known as the Peloponnesian War. He was born around the same year as the death of the great Athenian statesman Pericles. So he lived at the very end of what has been considered the golden age of

Athens. It was during his teens or early twenties—around the age of a college undergraduate—that he made the acquaintance of Socrates. Plato came from a leading family of Athens. He must have been like one of those young men depicted in many Platonic dialogues who found themselves bewitched and enchanted by this remarkable teacher. He was in his late twenties at the time of Socrates's death in the year 399.[1]

Plato went on to establish something like the first university, named by him the Academy. People came from all over the Greek and Mediterranean world to study there, among them a young man from the north of Greece named Aristotle (more about him later). Plato later engaged in three long and dangerous voyages to Sicily to serve there—unsuccessfully, as it turned out—as an adviser to two Sicilian tyrants, both named Dionysius, after which he withdrew from political life to engage, we suppose, in writing, teaching, and administering his Academy. He died in Athens at the age of about eighty.

Plato was a prolific author who wrote thirty-five works, all in the form of dialogues. These works range from just a few pages to several hundred pages in length. If just one of you were to develop a passion for Plato—I do not mean just a passing enjoyment but a passion that would develop into a lifelong interest—I would consider this course an enormous success.

Plato's *Apology of Socrates* is the best introduction to political philosophy known to me, for two reasons. First, it shows Socrates—the reputed founder of political philosophy—explaining himself and his way of life before a jury of his peers. It is the only Platonic dialogue that shows Socrates speaking in a public forum defending the social utility of philosophy for political life. And second, the *Apology* demonstrates the vulnerability of political philosophy—genuinely free thought—in relation to the city. Philosophy meant for Socrates not simply the name for an academic discipline, as it is often understood today, but the life of free investigation and the active pursuit of truth. The *Apology* put on trial not just a particular individual, Socrates, but the very idea of philosophy. From its origins, philosophy and the city have stood in tension with one another. Socrates was charged by the city of Athens with corrupting the youth and impiety toward the gods—in other words, treason. No other work of which I am aware better illustrates the conflict—the inevitable conflict—between the demands of the life of the mind and the requirements of political life.

For generations the trial of Socrates has stood out as a symbol of the violation of freedom of expression, the case that sets the individual committed to the "examined life" over and against the bigoted and preju-

diced multitude. The clearest statement of this reading is to be found in John Stuart Mill's famous tract *On Liberty* where he writes: "Mankind can hardly be too often reminded that there was once a man named Socrates between whom and the legal authorities of his time there took place a memorable collision."[2] Over and over again Socrates has been described as a "martyr for freedom of speech." He has been compared at different times to Jesus, Galileo, and Sir Thomas More and has been used as a role model for thinkers and political activists from Henry David Thoreau to Gandhi to Martin Luther King Jr.

This reading of the *Apology* as a brief for freedom of expression and a warning against the dangers of censorship and persecution has been enormously influential, but is it in fact the reading that Plato intended? Note that Socrates does not defend himself by reference to the doctrine of unlimited free speech. Rather, he maintains that the "examined life" alone is worth living. Only those engaged in the continual struggle to clarify their thinking and remove all sources of confusion and incoherence can be said to live free and worthwhile lives. "The unexamined life is not worth living," Socrates confidently asserts (38a). Nothing else matters. His seems to be a highly personal, highly individual quest for self-perfection and not a doctrine about the value of free expression as such.

But there is also something deeply political about the *Apology.* At the heart of Socrates's quarrel with his accusers is the question—perhaps never stated directly—over who has the right to educate future citizens and statesmen of the city of Athens. Socrates's defense speech, like all Platonic dialogues, is ultimately a speech about education and who has the right to educate the next generation of political leaders. It is ultimately a quarrel over that oldest of all political questions, "Who governs?" or better "Who should govern?" Remember that the city that brought Socrates to trial was not just any city. It was a particular kind of city: it was Athens, and Athens was until only fairly recent times the most famous democracy that ever existed. The speech of Socrates before the jury of Athens is Plato's attempt to put democracy itself on trial. Not only does the *Apology* force Socrates to defend himself and his way of life before the city of Athens, Socrates puts the city of Athens on trial and makes it defend itself before the high court of philosophy. The ensuing debate can be read as a struggle over whether the people, the *demos,* or Socrates, the philosopher-king, should be vested with ultimate political authority.

The Political Context

The trial of Socrates took place in the year 399 B.C.E., which, as some of you may know, followed almost immediately on the heels of the Peloponnesian War. The story of this war was related by the Athenian historian Thucydides, Socrates's great and slightly older contemporary. The war took place between the two greatest powers of the Greek world, the Spartans and the Athenians. The Athens that fought in this war was an Athens at the height of its power. Under the leadership of its first citizen, Pericles, Athens had built the Acropolis, established a mighty naval force, expanded its empire, and created an unprecedented artistic and cultural life. Athens was also something completely unprecedented in the ancient world: a democracy. "Our constitution," Pericles boasted to his audience, "does not copy the laws of neighboring states; we are rather a pattern to others than imitators ourselves."[3]

Even today the expression "Athenian democracy" conveys an ideal of the most complete form of democratic government ever to have existed. "The freedom which we enjoy in our government extends also to our ordinary life," Pericles continues. "At Athens we live exactly as we please." Rather than exercising a jealous surveillance over its citizens, the Athenians live with an unprecedented openness: "We throw open our city to the world and never exclude foreigners from any opportunity of learning or observing even though the eyes of an enemy may profit from our liberality."[4] The Athenians, Pericles maintains, are "the school of Hellas": "We cultivate refinement without extravagance and knowledge without effeminacy; wealth we employ more for use than for show, and place the real disgrace of poverty not in owning to the fact but in declining the struggle against it. Our public men have, besides politics, their private affairs to attend to, and our ordinary citizens, though occupied with the pursuits of industry, are still fair judges of public matters; for unlike any other nation, regarding him who takes no part in these duties not as unambitious but as useless."[5]

The question asked by so many for so long is how could the world's freest and most open society sentence to death a man who spoke freely about his own ignorance and who professed to care for nothing so much as virtue and human excellence?

At the outbreak of the Peloponnesian War Socrates was about forty years old, and we learn from the *Apology* that he fulfilled his military service. The war was fought over an almost thirty-year period and concluded in the year 404 with the defeat of Athens and the installation of a pro-Spartan

oligarchy known as the Thirty Tyrants. Among those implicated in the tyranny was a former associate of Socrates's named Critias and an uncle of Plato's named Charmides (both of whom have Platonic dialogues named after them). According to Aristotle, fifteen hundred people were executed by the Thirty, and many more sympathetic to the democracy were driven into exile.[6] In the year 401 the oligarchs were driven out and a democratic government was reestablished in Athens. Just two years later, three men—Anytus, Meletus, and Lycos—all of whom had fought in the democratic resistance movement against the Thirty—brought charges against Socrates, for corrupting the young and not believing in the gods that the city believes in (24b).

The charges brought against Socrates by these three men did not grow out of thin air. As the old expression has it, "no smoke without fire." Perhaps the question should be rephrased: not why did the Athenians bring Socrates to trial but why did they permit him to carry on his practice of challenging the laws and their authority for as long as they did? Add to this the fact that when Socrates was brought to trial not only had the democracy been recently reestablished but Socrates had many friends, former students as it were, who were implicated in the rule of the Thirty Tyrants. Socrates was certainly not above suspicion. He had himself been a close associate of Alcibiades, the man who engineered the disastrous Sicilian Expedition and ended as a defector to Sparta and later to Persia. Alcibiades was the leading Athenian politician in the generation after Pericles. His complex relation with Socrates is recounted vividly in his drunken speech given in the Platonic dialogue called the *Symposium*. The trial of Socrates thus takes place in the shadow of military defeat, conspiracy, and betrayal.

The Two Accusations

Early on in his defense speech Socrates claims that his current accusers who have brought charges against him are themselves the descendents of an earlier generation of accusers who were responsible for creating an unfavorable prejudice against him. The charges are not new, and Socrates alludes to the fact that many members of the jury will have heard unfavorable opinions about him. He alludes to the earlier accuser as a "comic poet," an unequivocal reference to the comic playwright Aristophanes (18d).

This allusion to Aristophanes is a part of what Socrates will call in the *Republic* "the old quarrel between philosophy and poetry." This quarrel is a staple of Plato's dialogues. It is a central theme of his dialogue the *Symposium*, in which Aristophanes is actually present, and is a key feature of the *Republic*, where Socrates offers a proposal for the censorship and control of poetry if it is to be made compatible with the just city. In fact you cannot properly understand the *Republic* until you understand the poetic backdrop to it and Socrates's long-standing engagement with the poetic tradition.

The core of this quarrel is not just aesthetic but political. It gets to the essence of the question of who is best equipped to educate future citizens and civic leaders—are philosophers or poets the true legislators for mankind? At the time of Socrates, the Greeks already had a centuries-long poetic tradition going back to the time of Homer and Hesiod that set out certain exemplary models of civic virtue and heroic action. The Homeric and Hesiodic epics were to the Greek world what the Bible is—or used to be—to ours, the ultimate authority regarding the ways of the gods, their relation to the human world, and the types of virtue appropriate to men at war. The virtues endorsed by the poetic tradition were the virtues of a warrior culture and warlike peoples. These were the qualities that guided the Greeks for centuries and contributed to their rise to power and greatness and enabled them to achieve a level of artistic, intellectual, and political accomplishment akin to that of Renaissance Florence, Elizabethan England, and Goethe's Weimar.

What is at stake in this quarrel between Socrates and the poets? First, Socrates's manner of teaching is markedly different from that of the poets. "Sing goddess, the wrath of Achilles" is the opening line of the *Iliad*. The poets are oracular. They call on gods and goddesses to inspire them with song, to fill them with inspiration, and to tell stories of people with almost superhuman strength and courage. By contrast, the method of Socrates is conversational or "dialectical." He makes arguments and wants others to engage with him to discover which argument can best withstand the test of rational scrutiny and debate. He makes continual and critical questioning—not the telling of stories or the recitation of verse—the essence of this new civic education.

Second, Homer and the poets sing the virtues of men at war. Socrates wants to replace the warrior citizen with a new type of citizen who has a whole new set of citizen virtues. The new Socratic citizen may have some of the features of the older Homeric warrior but will replace military combat with a new kind of verbal combat in which the person with the best argument will be declared victorious. The famed "Socratic method" of argument is all that remains of the older agonistic culture of struggle and combat. The Socratic citizen-statesman is to be trained in the art of dialectic. We will see

a little later just what the qualities are that Socrates ascribes to this new kind of citizen.

It is as a challenge to the poetic tradition that Socrates asserts himself. The *Apology* presents him as a new kind of hero seeking to replace the older poetic models. Socrates's challenge to the poetic tradition provides the crucial basis for the resentment built up against him by Aristophanes and his early accusers. In fact so seriously was Socrates taken that Aristophanes devoted an entire play called the *Clouds* to debunking and ridiculing Socrates's professions of learning. Aristophanes's play is the clearest example we have of just how seriously Socrates was taken by his greatest contemporaries. Mockery remains one of the sincerest forms of flattery.

The *Clouds* is a play that in some editions is included alongside the *Apology.* Here Aristophanes presents Socrates as the head of a kind of early think tank dubbed the Phrontisterion, literally, the "thinkery," where fathers bring their sons to be indoctrinated into the secrets of Socratic wisdom. In the play Socrates is depicted as hanging over the stage in a basket in order to better gaze at the clouds—symbolizing his indifference to the ordinary affairs that concern his fellow citizens. Socrates is shown not only mocking the gods but also teaching that incest and the beating of one's parents are permissible. To make a long story short, the play concludes with Socrates's think tank being burned to the ground by a disgruntled disciple.

How accurate is Aristophanes's portrait of Socrates? The *Clouds* was written and first performed in 423 when Socrates was in his mid-forties. The Aristophanic Socrates is essentially a natural philosopher—a scientist as we would say today—investigating the things aloft and below the earth (18b). But this seems quite removed from the Socrates who is brought up on charges of corrupting the young and impiety in the *Apology.* In order to respond to Aristophanes's story, Socrates tells a story of his own—provides an intellectual autobiography, as it were—of an incident that occurred long before the trial and that set him on a new and very different path. A friend of his named Charephon (who appears again in the *Gorgias*) asked the oracle at Delphi if there was anyone wiser than Socrates, and the pythia concurred that there was no one wiser. Socrates took this as a challenge. He set out to disprove the oracle's veracity. In order to prove the oracle mistaken he tells of a quest—a lifelong quest—to find someone wiser than himself, in the course of which he interrogated politicians, poets, craftsmen, all people reputed to be knowledgeable. His conversations led him to ask not about natural scientific phenomena but rather the human question, the question, who can teach the virtues of a human being and a citizen (20b)?

This is the famous "Socratic turn"—Socrates's "second sailing" as it is sometimes called. It represents the moment of his turn away from the study of natural phenomena to the investigation of human and political things. The Delphic story, for what it is worth, marks a major turning point in the intellectual biography of Socrates, the move from the younger "pre-Socratic" Socrates, who investigated the basic elements of nature to the more familiar Platonic Socrates, who is the founder of political science, who seeks out the virtues of moral and political life, justice, and the best regime. Socrates's account of this turn leaves many questions unanswered. Why did he turn away from the investigation of natural phenomena to the study of human and political things? The Delphic oracle is interpreted by Socrates to command engaging with others in philosophical conversation. Why does this seem the proper interpretation, and why did he not have such conversations before? It is this Socrates, the Platonic Socrates, who is brought up on charges of corruption and impiety. What is the nature of Socrates's crime? Whom did he corrupt, and what is meant by impiety? To try and answer these questions, let us turn to the nature of the new Socratic citizen.

Socratic Citizenship

The new charges brought against Socrates by Anytus and Meletus are those of impiety and corruption. What exactly do these mean? What is impiety, and why should it be considered a crime? What would impiety have meant to an ancient Athenian? At a minimum impiety suggests disrespect of the gods. Impiety need not connote atheism, although Meletus confuses the two, but it does suggest irreverence, even blasphemy, toward the things that society most deeply cares about. When people today refer to burning the American flag as "desecration," they are speaking the language of impiety. Meletus—whose name actually means "care" in Greek—accuses Socrates of not properly caring about the things that his fellow Athenians care about.

Every society operates within the medium of belief or faith. Our founding document, the Declaration of Independence, declares that all men are created equal, that we are endowed with unalienable rights, and that all legitimate government grows out of the consent of the governed. These beliefs form something like our national creed, what it means to be an American. Yet how many people could give a reasoned account of what makes these beliefs true? Are they true? Most of us, most of the time, hold these as matters of belief, or because we have learned these from childhood, or because they were written by Thomas Jefferson. Piety or faith is, then,

the natural condition of the citizen. Every society, no matter what kind, requires this kind of faith in its ruling principles.

But philosophy cannot rest content with mere belief. Philosophy grows out of the passionate desire—the restless and intransigent desire—to replace opinion with knowledge, to replace belief with true principles. For philosophy, it is not enough to hold a belief on faith; one must be able to give reasons or arguments for one's beliefs. Its goal is to replace faith or belief with reason or truth. Philosophy therefore necessarily stands at odds with faith. This much is axiomatic. The citizen may accept certain beliefs on faith because he or she is attached to a particular political order or regime, or because this or that is what we have been brought up to believe; the philosopher, on the other hand, seeks to judge in terms of true standards, in the light of what is true always and everywhere. As a quest for knowledge, there is a necessary and inevitable tension between philosophy and belief or, put another way, between the philosopher and the city.

From this point of view, was Socrates guilty of impiety? On the face of it, the charge seems justified. Socrates does not care about the same things that his fellow citizens care about or he does not care about them in the same way. His opening words to the jury—"I am simply foreign to the manner of speech here" (17d)—is a statement expressing his lack of care or his disaffection from the ways and concerns of the Athenians. Yet it certainly does not seem correct to say that Socrates does not care at all. He claims to care deeply, perhaps more deeply, than any of those around him. Among the things he cares deeply about is his calling to "do nothing but persuade you, both younger and older, not to care for bodies and money, but how your soul will be in the best possible condition" (30b).

This concern with the state of the soul, both his own and those around him, Socrates tells the jury, has led him not only to impoverish himself and neglect his family but also to turn away from the business of public life, from the things of concern to the city, to the pursuit of private life. Here are his actual words:

> This is what opposes my political activity, and its opposition seems to me altogether noble. For know well, men of Athens, if I had long ago attempted to be politically active, I would long ago have perished, and I would have benefited neither you nor myself. Now do not be vexed with me when I speak the truth. For there is no human being who will preserve his life if he genuinely opposes either you or any other multitude and prevents many unjust and unlawful things from happening in the city. Rather, if someone who really fights for the just is going to preserve himself even for a short time, it is necessary for him to lead a private rather than a public life. (31d–e)

How are we to understand this very peculiar Socratic claim that the pursuit of justice requires one to turn away from public to private life? What is this new and strange kind of Socratic citizen?

The Great Abstainer

Socrates's insistence that he has led a private life cannot strictly be true. His investigations carried out on behalf of the Delphic oracle have been undertaken in public. He interrogates politicians, poets, and other public figures. What Socrates means when he claims to have led a purely private life is that he appeals only to his listeners' powers of reason and self-examination. Not only does he counsel radical independence from all traditional sources of authority, he encourages what might be called a *principled abstinence* from political life. Only by abstaining from participation in the collective actions of the city can the new Socratic citizen avoid complicity in injustice. His motto seems to be: "Just say no."[7]

Socrates gives two examples of his principled abstinence to the jury. The first concerns his refusal to join in the judgment to condemn and execute the ten Athenian generals who had failed to collect the bodies of the men lost in a battle. Here he refuses to engage in any ascriptions of collective guilt.[8] Second, he reminds the jury of his refusal to follow the order to arrest Leon of Salamis, who he knew would be executed without a trial (32c). Both of these were actual historical events, attested by other authors, and either of which could have cost Socrates his life. In both cases, Socrates makes his own individual moral integrity a litmus test for whether to engage or disengage from political life. "I was the sort of man," he reminds the jury, "who never conceded anything to anyone contrary to what is just" (33a).

The question is whether this kind of principled disobedience to the law—something like Thoreau's model of civil disobedience—vindicates or indicts Socrates of the charge of corruption and impiety. Can a citizen put his own conscience above the law? What would a community of Socratic citizens look like? Can we pick and choose which laws to obey or which authority to follow? Socrates is so concerned with his moral integrity that

he says he will not dirty his hands with the Assembly or the courts. What kind of citizen is it who teaches abstinence from—maybe even rejection of—political life?

Socrates tries to avoid these charges by showing that his policy of abstinence actually carries a social benefit to Athens. In a famous passage from the *Apology* he defines himself as a gadfly who improves the quality of the city:

> So I, men of Athens, am now far from making a defense speech on my own behalf. I do it rather on your behalf, so that you do not do something wrong concerning the gift of the god to you by voting to condemn me. For if you kill me, you will not easily discover another of my sort, who—even if it is rather ridiculous to say—has simply been set upon the city by the god, as though upon a great and well-born horse who is rather sluggish because of his great size and needs to be awakened by some gadfly. Just so, in fact, the god seems to me to have set me upon the city as someone of this sort: I awaken and persuade and reproach each one of you, and I do not stop settling down everywhere upon you the whole day. (30d–e)

Socrates suggests here that he is providing a public benefit in his role as social critic. It is not for his behalf but for his fellow citizens that he does what he does. You may not like me, he tells the jury, but I am good for you. Furthermore, he claims in quasi-religious language that he has no choice in the matter. He is a "gift of the god" and is merely following what has been commanded. "Men of Athens," he says, "I will obey the god rather than you; and as long as I breathe and am able to, I will certainly not stop philosophizing" (29d).

What are we to make of the religious language in which Socrates envelopes this idea of citizenship? Is he sincere, or is he being ironical? He is, after all, on trial for his life. Would he not try to rebut the charge by describing his refusal to cease philosophizing in the kind of religious language that would resonate with the jury? Socrates could be speaking ironically here—and also provocatively—in describing himself as a gift of the god. In a sense, what could be more ludicrous?

But Socrates also seems to take his divine calling very seriously. It was only when the Delphic oracle replied to Charephon that no one was wiser than Socrates that he undertook his "second sailing," his turn toward problems of moral virtue and justice. He repeatedly maintains that the path he has taken was not of his own choosing but the result of divine command. It is precisely his devotion to the god that has led him to neglect worldly affairs and the well-being of his family, as well as suffer the abuse and prejudice directed against him. He presents himself as a man of unparalleled piety and devotion who will risk death rather than quit the post commanded by the god.

Do we believe Socrates? Is he being sincere? What is this peculiar piety that he claims to practice? In replying to the jury's verdict and request that he simply cease from public philosophizing, he explains himself as follows: "It is hardest of all to persuade some of you about this. For if I say that this is to disobey the god and because of this it is impossible to keep quiet, you will not be persuaded by me on the ground that I am being ironic. And on the other hand, if I say that this even happens to be a very great good for a human being—to make speeches every day about virtue . . . and that the unexamined life is not worth living for a human being, you will be persuaded by me still less" (37e–38a).

Socrates recognizes here that he is on the horns of a dilemma. On the one hand, his reference to a divine mission will be taken by members of his audience to be ironical. On the other, he recognizes that trying to persuade people on rational grounds that only the examined life is worthwhile will be exceedingly difficult. So what is a Socratic citizen to do?

Should Socrates Be Tolerated?

The question asked by the *Apology* is how far freedom of speech—speech that may verge into civic impiety—can or should be tolerated. It has been an assumption of readers of Plato over the years that there ought to exist the fullest liberty or freedom of thought and discussion and that Plato demonstrates the clearest argument against the attempt to stifle or prevent free inquiry. But is this right? Is this Plato's teaching?

The *Apology* presents the most intransigent case for the philosopher as a radical critic or questioner. Socrates demands not this or that change in the Athenian polity but nothing less than a drastic, even revolutionary, change in Athenian civic life. He tells his co-citizens that their lives are "not worth living." Even when presented with the option to cease his constant criticism, he refuses on the ground that he is acting under a divine command and cannot do otherwise. Is Plato asking us to regard Socrates as a man of principle, standing up for what he believes in the face of death, or

as a revolutionary agitator who cannot and should not be tolerated by society whose basic laws and values he will not accept? One is inclined to say both.

The answer to this question is provided in the *Crito,* the companion piece to the *Apology.* The *Crito* gets far less attention than the *Apology* in part, I suspect, because it presents the city's case against Socrates. If the *Apology* presents the philosopher's case against the city, the *Crito* presents the city's case against the philosopher. Here Socrates makes the case against himself, and makes it far better than his own accusers did in the *Apology.* The speech between Socrates and the Laws that forms the central action of the dialogue presents the case that Meletus and Socrates's accusers should have brought against him. While the *Apology* denigrates the political life as requiring complicity in injustice, the *Crito* makes the case for the dignity or majesty of the laws that sustain the city. While the *Apology* defends a position of principled abstinence from politics, the *Crito* makes the most complete and far-reaching case for obligation and obedience to the law ever made.

The two dialogues differ both in content and in dramatic context. Consider some of the following: the *Apology* is a speech given before a large and largely anonymous audience of more than five hundred persons; the *Crito* is a conversation between Socrates and a single individual. The *Apology* takes place in the court of Athens, the most public of settings, while the *Crito* occurs within the darkness and confinement of a prison cell. The *Apology* presents Socrates defending himself and his way of life as a "gift of the god" that most truly benefits the city, while in the *Crito* we see him bow down to the authority of the laws that he had previously rejected. And finally, if the *Apology* presents Socrates as the first martyr for philosophy, the *Crito* shows Socrates's trial and sentence as a case of justice delivered. These contrasts clearly force us to ask what Plato is doing. What is his point in presenting two such sharply contrasting points of view?

The *Crito* is named for a friend and disciple of Socrates's who at the outset of the work is sitting as a watchful guardian. He urges Socrates to allow him to help him escape. The jailers have been bribed, and escape would be easy. Rather than try to convince Crito directly, Socrates creates a dialogue—a dialogue within the larger dialogue—between himself and the Laws where he puts forward the case against escape (50a–d). The argument runs roughly as follows: no state can exist without rules; the first rule, as it were, is that citizens are not free to set aside the rules, to choose which ones to obey and disobey; to engage in civil disobedience of any kind is to call into question not this or that rule but the very nature of law; to question or disobey the law is tantamount to destroying the authority of the state. The breaking of so much as a single law would constitute the essence of anarchy.

But Socrates goes further. The citizen owes his or her very existence to the laws. The laws "begat" the citizen, brought him or her into being (50d–e). They exercise paternal or tutelary authority over us insofar as we are made by the communities of which we are a part. We owe to the law a reverence or piety of the kind that we owe to the oldest things, the ancestors, the founding fathers, as we would say. Socrates seems to accept entirely the authority of the law. He does not offer arguments for noncompliance or dissent as he did in the *Apology.* Where is Socrates the apostle of civil disobedience? He accepts the covenant that every citizen has with the laws that binds him to absolute obedience. The question is, why does Socrates exhibit such proud defiance and independence of the laws in the *Apology* and such total, even mouselike, acquiescence to the laws in the *Crito*?

Plato's answer to this dilemma might be something like the following: the *Apology* and the *Crito* represent a tension—in fact a conflict—between two more or less permanent and irreconcilable moral codes. The one represented by Socrates regards reason—the sovereign reason of the individual—as the highest authority. It is precisely the philosopher's reliance on his or her own reason that frees him or her from the dangerous authority of the state and safeguards the individual from complicity in the injustice and evil that are a necessary part of political life. The other moral code is represented by the speech of the Laws in the *Crito,* where it is the law or *nomos* of the community—its oldest and deepest customs and institutions—that are obligatory. The one point of view takes the philosophic life, the examined life, to be the life most worth living; the other takes the political life, the life of the citizen engaged in the business of deliberating, legislating, making war and peace as the highest calling. These two constitute fundamentally irreconcilable alternatives, two different callings, and any attempt to reconcile or synthesize the two can only lead to doing an injustice to each. Plato's point seems to be that each of us must choose one or the other of the two contenders for the most serious and worthwhile life.

And yet this may not be Plato's last word. After all, why does Socrates choose to stay and drink the hemlock? Why not allow Crito to help him escape and go to Crete, where he can enjoy his old age (which is precisely what we see him doing in Plato's *Laws*)? Are the reasons Socrates gives Crito for refusing to escape—the reasons he puts in the mouth of the Laws of Athens—his true reasons, or are these merely a fiction he invents for the

sake of relieving his friend of the responsibility he evidently feels for being unable to help Socrates?

In refusing Crito's offer of help Socrates once again demonstrates his superiority to the laws of Athens, first by defying the city to put him to death and then by expressing indifference to death until the very end. Socrates very much remains a law unto himself while at the same time providing Crito (and those like him) an example of rational and dignified obedience to the laws. The death of Socrates is not a tragedy. Far from it. His death at the age of seventy was intended by him as an act of philosophical martyrdom that would allow future philosophy to be favorably regarded as a source of courage and justice. In one of his letters Plato refers to his attempt to render Socrates "young and beautiful," that is, he consciously set out to idealize Socrates, presenting a picture of a man fearless before death, refusing to participate in any act of injustice, and dispensing wisdom to all those who will listen. We do not know the "real" Socrates; all we can go by is Plato's—and Aristophanes's—sketches of him. Plato's Socrates is necessarily poles apart from Aristophanes's depiction of him as a kind of sophist who makes the weaker argument the stronger. Plato's dialogues are in the broadest sense of the term his answer to the charge of Aristophanes.

Socrates and Us

What is there for us today to learn from the trial of Socrates? Most of us will find ourselves instinctively taking the side of Socrates against the city of Athens. We will accept Plato's depiction of Socrates as a just man sentenced to death by an intolerant and ignorant crowd. We will blame the Athenians for not being sufficiently democratic. We will overlook a number of inconvenient facts, namely, Socrates's hostility to democracy, his claim that the lives of his fellow citizens are not worth living, and his claim that his way of life has been commanded by a deity that no one else has ever heard or seen. None of these will make any difference—and yet they all should.

Given Socrates's claims, ask yourselves, what should a responsible body of citizens have done? One answer might be to extend greater toleration to civil dissidents like Socrates, individuals of heterodox beliefs but with views that may stimulate others to question and think for themselves. But is this to do Socrates justice? The one thing Plato does not argue is that Socrates should be tolerated. To tolerate his teaching is to trivialize it; it is to render it harmless. The Athenians pay Socrates the tribute of taking him seriously,

which is exactly why he is on trial. The Athenians refuse to tolerate Socrates precisely because they know he is not harmless, that he poses a challenge—a fundamental challenge—to their way of life that they believe to be noble and worthwhile. Socrates is not harmless because of his ability to attract followers, a few today, a few more tomorrow. To tolerate Socrates would be to say to him that we care so little for our way of life that we are willing to let you challenge and impugn it every day.

The trial of Socrates forces us to consider the limits of toleration. What views, if any, do we find intolerable? Is a healthy society one that is open to every point of view? To be sure, freedom of speech is a cherished good, but is it the supreme good that should trump all others? Or does toleration reach a point when it ceases to be toleration and becomes instead a kind of soft nihilism that can extend liberty to everything precisely because it takes nothing seriously? Is this really tolerance, or is it a form of decadence that has simply grown tired of the search for truth and true standards of judgment? There is the danger that endless toleration can lead to intellectual passivity and the uncritical acceptance of all points of view, however squalid, base, or insane.

This leaves us with a perplexity: Is the lesson of the *Apology* and the *Crito* about the dangers of persecution and intolerance, or is it about the limits of toleration? Would a healthy society have acquitted Socrates, or was justice done? Plato deliberately leaves these questions unanswered. Why? Because he wants us to think about them for ourselves. My own view is that the Athenians did not do an injustice to Socrates. Far from it. They gave him that which he most truly desired, namely, the chance to die for his beliefs and to serve as the first martyr for philosophy.

The entire philosophical tradition has lived under the long shadow cast by the trial of Socrates. It set in motion the problem that every philosopher after him has had to confront: how to manage the slippery slope between the search for truth and the best regime, on the one hand, and loyalty to the laws and rules of the very imperfect societies in which we all live and act, on the other. The tension between philosophy and society is a permanent fact of life and a precondition for philosophy itself. Ancient societies recognized no intrinsic right to philosophize, and even in modern times the absolute right of freedom of inquiry has been the exception rather than the rule. For this reason philosophers have almost everywhere developed strategies of evasion and concealment precisely to avoid persecution. This persecution has ranged from outright suppression of thought and opinion to

the gentler forms of shunning and social ostracism. Consider how even today the expression of views deemed to be "politically incorrect" can result in attempts to isolate and shame the offender.

Beginning with Plato, philosophers developed strategies of dissimulation, evasion, and concealment to protect their true views from public condemnation and possible persecution. To avoid suffering the fate of Socrates, philosophers began to promulgate two teachings, one *public,* intended for their audience at large, the other *private,* intended for other philosophers and students of philosophy. This dual strategy or "double truth" as it came to be called was a means of avoiding persecution but also of displaying public responsibility, to show that philosophy could be a trustworthy ally of society. Such strategies of concealment have been used at all times but especially during periods of censorship and persecution when philosophy has been endangered from sources of intolerance, though whenever the teachings of philosophy are at odds with the requirements of social order. Until such time as the gap between the real and the ideal has been bridged, the trial of Socrates will remain an object lesson for the future of philosophy.

CHAPTER 4

Plato on Justice and the Human Good

Marble bust of Plato, 428–348 B.C.E. Photo credit: The Art Archive / Capitoline Museums, Rome / Collection Dagli Orti / Art Resource, NY