

INTERPRETATION

A Journal of Political Philosophy

Volume 7/2

May, 1978

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QUEENS COLLEGE PRESS

INTERPRETATION

A Journal of Political Philosophy

Volume 7

Issue 2

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INTERPRETATION is a journal devoted to the study of Political Philosophy.
It appears three times a year.

Its editors welcome contributions from all those who take a serious interest in
Political Philosophy regardless of their orientation.

All manuscripts and editorial correspondence should be addressed to the
Editor-in-Chief.

INTERPRETATION

Building G 101 - Queens College - Flushing, N.Y. 11367 - U.S.A.

Subscription Price

For institutions and libraries \$12 - For individuals \$10.

Subscriptions and correspondence in connection therewith should be sent to:
INTERPRETATION, G 101, Queens College, Flushing, New York 11367

QUEENS COLLEGE PRESS, FLUSHING, N.Y. 11367

THE OFFENSE OF SOCRATES:
A RE-READING OF PLATO'S *APOLOGY*

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I

A first reading of Socrates' defense before the court of the Athenian people as handed down by Plato induces an exalted feeling in favor of Socrates.¹ That is my experience and, I think the experience of most students: We hear a philosopher nobly coping with a persecuting populace.

It is a perennial perception. To cite only two of the very numerous testimonials,² one from the last century and other from this: John Stuart Mill, referring to the *Apology* in his essay *On Liberty*, says that the tribunal "condemned the man who probably of all then born had deserved best of mankind, to be put to death as a criminal," and Alfred North Whitehead asserts that Socrates died "for freedom of contemplation, and for freedom of the communication of contemplative experiences." By and large the defenders of Socrates are to be found among those who might reasonably be called liberals, both of the thoughtful and the light-headed kind.

Now a re-reading of the speech can check this first feeling and raise suspicions which subsequent readings confirm. I am taken aback by the intransigence with which Socrates is shown to go on the offensive and to convert his defense before the court of the Heliaea into accusation against the "men of Athens." A small formality sets the tone: he never once accords the court the customary address of "Judges;" he reserves it for those who vote for his acquittal (40a).

What is more, the speech intensifies in provocation toward its end. In that section, delivered after conviction, where Socrates avails himself of the opportunity granted by Athenian law for proposing a penalty to counter that demanded by the prosecution, he first suggests maintenance at the public table for himself, so that he might have more leisure for exhorting the Athenians, next a derisory fine about equivalent to a prisoner's ransom, and only finally, urged by Plato, Crito and other friends, a reluctantly reasonable sum thirty times as great. As a foreseeable consequence eighty juror-judges,

evidently convinced that this Socrates, once convicted, must be executed, now vote for the death penalty (Diogenes Laertius II, 42). And yet later, after judgment, when Socrates is allowed to speak once more, he issues dark threats against the city through its children (39d).

This perspective on the event, resistant to Socrates' cause as it is, also has a lineage of testimony. Its sources vary, for the most part, from respectably conservative through illiberal, even to reactionary—from Jacob Burckhardt who calls Socrates “the gravedigger of the Attic city,” through Nietzsche and Sorel, to the Nazi writer Alfred Rosenberg, who regards his defense as an intimation of the degeneration of Greece. This rough division of views will have a certain bearing on what I have to say.

But the variety and bulk of comment concerning the *Apology* is itself significant. It shows how unlikely it is that I could hope to say anything new or anything binding, the more so since the one discovery which might really startle us—what Socrates did in fact say—is totally beyond our reach, as it was even beyond that of a contemporary like Xenophon. In his own *Apology*, which both counters and complements the Platonic version, he calls all current accounts of Socrates' speech deficient (para. 1) and says that the only aspect on which all agree is its “grandeur of utterance.” So we are thrown back on the consideration and re-consideration of the major version, Plato's—which is undoubtedly what Plato intended.

II

I can see two lesser and one prime reason for undertaking this effort. The first of the weaker reasons lies in the special position which the *Apology* occupies in Plato's Socratic works. It is the only speech among them; the auditors participate only by shouting, and its single interlocutor, the reluctant witness Meletos, is impressed into a dialogue. It is the only work in which the author, who is explicitly absent even at Socrates' death (*Phaedo* 59b), reports himself present, a fact Xenophon omits. I understand these circumstances to indicate that what Socrates said and did here is to be seen as casting its shadow over the other works, including those preceding the trial in dramatic date. I mean not only the dialogues explicitly associated with the *Apology*, namely its prologue, Socrates' conversa-

tion about *piety* with Euthyphro; its complement, about *patriotism*, with Crito; and its consummation, on *death*, with Phaedo and others. Nor am I particularly referring to the works which contain clear allusions to the trial, such as Anytos' threats in the *Meno* (94e) or the prediction of the philosopher's death in the *Republic* (517a). Rather *all* Platonic conversations, even those at which Socrates is absent, are colored by his defense—in just what way is the question to be discussed.

III

A second reason for attending to the *Apology* is that it belongs to a group of works which I would hesitate to call a literary genre because of the solemnity of their occasion, but whose subject does form a topic in moral education. They are the accounts of the trials of men who have offended the authorities by thinking or speaking, but *not by doing* anything in the gross sense. For example, two days before his conviction for high treason and less than two weeks before his execution, Helmut von Moltke wrote a letter to his wife reporting on his trial before the National Socialist People's Court. In the letter, which was smuggled out of prison, he said: "We are cleared of every practical action; we are to be hanged because we thought together."³ He goes on to praise the otherwise despicable judge for his clarity of perception in this respect.

Anyone who dies for his deeds also finally dies for his thought. But what distinguishes these deaths for thinking and speaking alone, attended by no provable intention to incite particular action, is the acute form they give to the question concerning the work of thought in the world.

IV

First among these comparable accounts stand those of the trial of Jesus. There is, in fact, a very long tradition setting Socrates' and Jesus' ordeals side by side; it is done, to name a small selection, in the writings of Origen, Calvin, Rousseau, Hegel and Ghandi.⁴

The apparent similarities begin with the very fact that there are varying accounts of what was said and done. As for the defendants themselves, both are the objects of popular passion channelled by a

group of implacable opponents, led respectively by Anytos for the re-established democracy and Caiaphas for the Sanhedrin. Both are attended by a band of adherents, friends or disciples, to whom they are suspected of imparting secret teachings, and both deny the charge. Both are intransigent in their refusal to defend themselves effectively. Both show a shocking unwillingness to evade death, and for both, their deaths only confirm their influence. A most striking parallel, furthermore, is the chief explicit charge, irreverence in Socrates' and blasphemy in Jesus' case.

It is at this point also, however, that the utter incommensurability of the two cases begins to appear. Jesus "holds his peace" before the Sanhedrin and answers Pilate with "never a word" (*Matthew* 26,63; 27,14; a divergent account lets him answer with counter-questions and evasions). His silence arises from his situation. He is suspected of claiming the power and being of the Messiah. That claim is undeniably blasphemy if it is false. But the Jewish court has already prejudged its falsity, and since Jesus has certainly asserted the claim in secret (16,15-20), his only course is to obscure its assertion publicly. Again, when the Jewish authorities represent him to the Roman governor as seditious because he has assumed for himself a new sovereignty, Jesus follows a similar course; he admits and at the same time denies this assumption by putting it in the mouth of the governor—"Thou sayest it" (27,11), and by denying that his rule is political—"My kingdom is not of this world" (*John* 36).

So far there might still be a parallel between him and Socrates, for both withhold themselves from the court; both present themselves as less than they are. But there is this all-important difference: The writers of the Gospels believed, after all, that Jesus' claim was true; that the defendant at this trial was, acknowledged or not, God.

So while both cases are the consequence of an irruption into the community of powerful claims incompatible with its authority, they are quite incomparable in a way very revealing for the *Apology*. For Jesus, as the long-awaited Christ, is represented as fulfilling in his life and death a prophecy and a mission, while Socrates, who specifically denies having even super-human *wisdom* (20e), is a man, and a man unheralded and unordained. Therefore, while the Passion is an inevitable consummation, Socrates' end is no part of a prefigured unique drama but a deliberate, human deed. It is consonant with this difference that Socrates *speaks* where Jesus is silent, and speaks

boldly, if selectively, to his city, in *this* world. The *Apology* is part of a thoroughly political event.

V

There is, however, another trial which is more permissibly comparable. Sir Thomas More, “our noble, new Christian Socrates,” as his biographer Harpsfield calls him, was brought before the King’s Bench, indicted on a statute which made it treason to deny, or, in the court’s interpretation, to refuse to affirm, the King as Supreme Head of the Church of England.

Socrates’ and More’s conduct are similar in these points: Both have an opportunity for evading their trials as well as their sentences, Socrates by voluntary silence or exile, More by offering to “revoke and reform” his “wilful obstinate opinion.” Both defend themselves before the court and both speak again, more bluntly and intransigently, after having been pronounced guilty, both revealing that they consider the real cause to be other than the stated indictment, but also that they are in spirit, at least, guilty as charged. Finally, both explain their conduct by reference to other-worldly considerations, More to “the hazarding of my soul to perpetual damnation,” Socrates to his welcome among the heroes in Hades.

But: More makes a wily, subtle defense, standing on the letter of the law in claiming his right to silence, and revealing only after the verdict his implacable opposition to the king’s heterodoxy. He says:

ye must understand that, in things touching conscience, every true and good subject is more bound to have respect to his said conscience and to his soul than to any other thing in all the world besides, namely, when his conscience is in such a sort as mine is, that is to say, when the person giveth no occasion of slander, of tumult and sedition against his prince, as it is with me; for I assure you that I have not hitherto to this hour disclosed and opened my conscience and mind to any person living in all the world.⁵

More, then, as a statesman and a lawyer defends himself with all legal care, while as a subject and a Christian he, as did Jesus, preserves inviolate his inmost thoughts. But Socrates, a private man who has never held office and has, he claims, no experience of courts (17d), handles his defense very cavalierly, while as a citizen and a philosopher he, unlike his Christian counterpart, has no notion of

privacies of conscience. The comparison therefore throws into relief his freedom in the *Apology*. His resolve derives from no hidden recesses of conviction, but from a ground which by its very nature is common and in need of communication.

VI

The most vivid reason, finally, for re-studying the *Apology* is the desire to come to some answer to the question: Was Socrates rightly convicted and rightly condemned to death? It is a question of several aspects.

First, why did the Heliastic court convict Socrates and in addition accept the prosecution's view that this was a capital case? It is essential here to recall that Socrates himself not only considers irreverence and corruption of the young definable offenses and agrees with the authorities that such charges could lie, but that, as the *Crito* shows, he is in deepest accord with the Solonic fundamental law from which they arise.⁶

Now in the absence of the case for the prosecution, this first question can only be resolved by examining Socrates' defense, which I want to do later. That task is, however, complicated by the fact that Socrates turns his defense into an *offense*, into an accusation against his accusers and his fellow citizens. For it would be ludicrous to attempt to examine the substance of his attack, which would mean trying to determine whether it is more true of the Athenians that they are sluggish in self-examination than of, say, Thebans, Spartans, or Americans. Indeed, it might be argued that charges which are universally true of all humankind are, when pointedly levelled at one particular community, pernicious; hence his very attack might become evidence to the jury of his bad faith.

A second aspect of the question concerning Socrates' conviction is this. Shortly after Socrates' execution a backlash seems to have occurred. Meletos may have been condemned to death and Anytos to exile.⁷ Socrates the persecuted philosopher was vindicated in the repentant city. How then ought a Heliastic juror have voted, had he been able to foresee subsequent events, particularly the most immediate result, that a convicted Socrates would cooperate with his accusers by moving to force the court to inflict the death penalty?

But the most important aspect is the one framed in contemporary

terms: How should I be disposed in analogous present-day situations? For in spite of the fact that such cases can no longer arise with the judicial directness of the ancient city, the Socratic issue is always present when persons of more mobile intellect, more extensive education and more leisure than the people at large come into collision with the religious beliefs and moral traditions of those whom they are intent on serving.*

VII

To begin with, then, I must examine the sufficiency of Socrates' defense.

Xenophon takes Socrates' "grandness of utterance," a feature present in all previous accounts of the speech, as his point of departure. This tone must, he says, appear as "rather mindless" unless it can be shown that Socrates was in fact deliberately inviting death as an escape from the decay of old age (6). Here is the classic statement in the tradition of propounding self-euthanasia as an explanation of Socrates' strange conduct in court. For it is evident that Socrates' defense is a deliberate failure.

Now Plato attempts to forestall Xenophon's explanation of this striking fact in the dialogue of Socrates' last day, the *Phaedo*. There Socrates himself argues that suicide is simply impermissible, no matter how desirable death might seem (62a). To regard Socrates as manipulating the Athenians into killing him and to confuse his welcoming acceptance of death with suicide is to trivialize the events of that day in court. Only the fact that Socrates invited conviction stands.

VIII

Let me then present a critical rehearsal of Socrates' speech, stated in the least well-disposed terms.

Socrates begins by accusing his accusers of lying when they warn

*An immediate occasion for this essay was the textbook controversy of 1974 in Kanawha County, West Virginia. It arose from a clash between the parents whose moral and religious sensibilities were offended by some of the books assigned to their children in the public schools, and the educators in whose judgment such reading was necessary for the childrens' intellectual development.

the court that he is a skilled and formidable speaker. Unaccustomed as he is to public speaking he is not formidable, "unless they call him formidable who speaks the truth" (17b). This truth he will present, and indeed in the subsequent speech, "alien to the diction" of a crowd though he may be, he is complete master of the situation. He even contrives for a stretch to introduce his own dialectic mode into the proceeding, as he interrogates Meletos, a co-accuser, who is by law obliged to submit to examination. Anytos, his senior opponent, he wisely omits to call.

He attacks this inadequate young man, who, as Socrates puts it, goes running to accuse him "to the city as to his mother" (*Euthyphro* 2c), with an *ad hominem* argument: Meletos himself does not care about the substance of the accusation. But what weight in law can that have, supposing it were so? In any case, Socrates does not allow Meletos to answer his question—Who, then does make the young better?—in the only way Meletos and those behind him *can* answer it, namely by asserting that the laws, but most of all the citizens, improve the young (24-25). For in the *Meno* (92e) he had already disallowed Anytos' answer that it is the respectable citizens of the city, its gentlemen, who transmit excellence from generation to generation. Now Socrates wants Meletos to tell the court which particular person, such as a horse trainer, exercises the youth of Athens into excellence. But, of course, this is precisely what Meletos' backers resist—the notion that their children's formation should be in the hands of such experts.

As a part of Socrates' wider attack on the good faith of his accusers he substitutes a charge of his own devising for the true formal indictment. In bringing his charge, he claims, Meletos trusted to an "old slander" (19a, 28b), a long-standing hatred in the city against him, which Socrates associates with Aristophanes' comedy, *The Clouds*. But there are difficulties. Not only does he himself later refer to the high esteem in which he is held in the city, where "the opinion prevails that Socrates is something more than most men" (35a), but the relation of Aristophanes to Socrates in the *Symposium* and Plato's veneration for the playwright make it hard to maintain that Socrates' friends ordinarily saw that old comedy as working over nearly a quarter of a century toward his undoing.

IX

Socrates, then, makes up a suppositious new indictment based on the *Clouds* (112, 117) which runs: "Socrates does wrong and meddles, searching into the things below the earth and into celestial things and making the worse reasoning the stronger and teaching others these very things" (19b).

By means of this re-formulation he pretends that the real charge of irreverence—which he himself recognizes as such in the *Euthyphro* (5c)—is directed at his supposed researches into the nature of heavenly bodies and similar matters. These he had, indeed, given up long ago, when still in his youth, for reasons set out in the *Phaedo* (96b). Of such matters, he plausibly argues, he no longer knows anything, nor do they any longer concern him. And yet, in that very dialogue he gives a vivid topology of the things above and below the earth (198e ff.), as he does in the *Republic* and in other conversations. Can he really in good faith argue that he has no interest in eschatology, when he makes up novel stories and private myths about the upper and lower realms—the very enterprise that disturbs the Athenians?

His chief defense, however, against the "old slander"—which is at bottom nothing but the imputation of sophistry—rests on a tale he tells (20e). Chaerephon, his crony in the *Clouds*, had perpetrated a coup in Delphi: He had gotten Apollo's oracle to declare that no man was wiser than Socrates. Whereupon Socrates modestly undertakes to prove the god mistaken, but, to his own regret, fails! He calls this undertaking "giving the god's business the highest priority" (21e), and regards its mention as a sufficient defense against the old charge (24b).

X

The correct indictment, as Socrates cites it, is: "that Socrates does wrong, corrupting the young and not respecting the gods whom the city respects, but other, new half-divinities" (24b).

Here is how Socrates meets the actual charge of irreverence, when he finally reaches it. The wording of its first point, if the meaning of the verb (*nomizein*) is translated very carefully, is that Socrates "does not regard the gods in the customary way." Against this point

Socrates has no defense—he himself admits its truth to Euthyphro. For he tells him that he, Socrates, cannot accept the traditional stories of the gods, that is, the common myths of the Greeks; this, he adds, is the reason for his prosecution (*Euthyphro*, 6a). In cross-examining Meletos, however, he traps him into thoughtlessly agreeing with an altered formulation, namely that Socrates “does not regard the gods as existing” (*nomizein einai*, 26c, d). Now he can defend himself, and he produces an argument as logical as it is ludicrous. Using the indictment itself, he argues that he who is accused of introducing new half-divinities cannot be charged with not believing in the full gods who must be their parents, any more than someone who acknowledges the existence of mules can be supposed not to believe in their parents, namely horses and asses (27c). So much for irreverence.

There remains the charge concerning the introduction of new divinities. Socrates makes it clear in the *Euthyphro* (3b) and again in the *Apology* (31d) that he understands the accusers to be thinking of his notorious *daimonion*, the “half-divine thing” within him, and that they regard him as a “maker of gods” on account of it. Nonetheless Socrates not only makes no effort to allay their apprehensions, but he even dwells more aggressively on his “divine sign” here in court than anywhere else.

XI

How next does Socrates defend himself against the corruption charge? His version of it in terms of the “old slander” is that Socrates is a “clever one,” the unique indigenous sophist, and ex-cogitator who dispenses dangerous wisdom to a clique from within a cogitorium. Of course, as everyone in and out of the dialogues knows, Socrates actually has no establishment of his own, so the comic claim needs no refutation. Its serious counterpart in the real accusation, on the other hand, is that he has esoteric teachings. Socrates calls this charge a lie and asserts that no one has ever heard anything from him in private that all were not welcome to hear (33b). Had I been in that court-room I would simply have refused to believe him. Nothing is clearer than that Socrates does not say everything to everybody.

Furthermore, Socrates knows perfectly well that his accusers are

not very precise in their knowledge of this intrusive travelling tribe of professionals. In the *Meno* Anytos wanders into the conversation expressing a horror of these people, but readily confesses that he has never even met one. Socrates is in no position to ridicule him for that lack of experience. For in the *Republic* he himself argues that it might be useful for a physician to have experienced disease in his own body, but that it is in no way good for someone who is to govern the soul by means of the soul to be experienced in corruption (409a). A magistrate like Anytos might well claim that it is a staunch caution that keeps him from seeking acquaintance with those whom his sound sense makes him despise.

Since, therefore, the description of the sophists' competence is left to Socrates, he chooses to present them as people who "might be wise with a greater than human wisdom" (20e). That is, *they* are the ones who are expert in the things above and below, while Socrates has the reputation only of "a certain wisdom," which is "perhaps human wisdom." At this point the Athenians make a disturbance, for they know that this Socratic wisdom, this "unwilling wisdom" (*Euthyphro*, 11e), has but one content: the knowledge of Socrates' own ignorance and the determined exposition of the ignorance of everyone else in the city (21d).

Part of the charge of sophistry is the charge of "teaching." Teaching is not in the terms of the actual indictment, but Socrates imports it and tricks Meletos into amending the wording to include it (26b). Why? Because he intends, in making the point that his activity is not teaching, to bring out these three circumstances: that he takes no money, that he conveys no subject-matter, and that he accepts no responsibility (33b).

But if he takes no money, that only means that he is uncontrollable—he cannot be engaged or dismissed, as a parent might hire or fire a professional. And if he takes no responsibility for the careers of his young associates, why, that is usually called irresponsibility. But if he conveys no positive matter to these young men, that is the very worst of all, in the light of what he shows them instead. For with disingenuous innocence he himself gives a vivid description of what is conveyed to them in his company: He goes about engaging public men, poets and craftsmen in conversations which are really examinations, in the course of which it emerges that they do not, in truth, know what they are doing, although they think they know it well

enough—while the young men stand by and watch and smile; for, as he says charmingly: “*it is not unpleasant*” (33c). Afterwards, he reports, they range through the city imitating him, presumably like those skeptical puppies who have inopportunately gotten hold of dialectic, whom he himself describes in the *Republic* (529b). This is what Socrates calls “not being anyone’s teacher,” and this is how he makes himself palatable to his fellow-citizens!

He completes his defense against the corruption charge by pointing to the fact that no one who either considers himself to have been corrupted or is a parent of a corrupted child is then and there coming forward to complain (34b). But then, of course, aside from the unlikelihood that a parent would proclaim his child’s corruption in public, the whole town knew that the chief accuser Anytos considered himself to be just such a parent. Xenophon records this circumstance (*Apology* 29).

XII

This then is Socrates’ defense as Plato permits us to construe it in the mind of a Heliastic juror. There is undoubtedly something deliberately self-incriminating about it.

Socrates does not even scruple to use phrases to the court which intimate in his own terms the equivocal nature of his own activity. I am referring to the phrases which in the *Republic* give the working definition of right or justice, namely “to do one’s own business,” and of wrongdoing, namely “to be busy at many things” (433a), to meddle, “to do everything,” the latter being Socrates’ favorite description of the sophists’ activity (596c). Yet for Socrates in Athens the two apparently coincide—he claims that in his private interrogations he is both “doing his own business” (33a) which happens to be going about meddling in theirs (31c), and that in doing theirs he is also doing the god’s (33c).

So he intimates something possibly pernicious, while he never takes cognizance of the real fears of his judges. Those fears concern the substance of the city, which is compounded of traditions, particularly the deep old myths about its gods and the established respect for the wisdom of its citizens, of whose collapse Socrates’ scrutiny makes a spectacle for the young. So also, because he never acknowledges that he in fact teaches, he evades rendering a candid

and comforting account of the essential loyalty of his intentions, such as even a very unconforming citizen-teacher would feel obligated to give to apprehensive parents; he never says that he and they in the end care for the *same* city.

It is necessary here to recall that Socrates' indictment was judicially correct. Under these circumstances it seems to me that even a decent juror, realizing in the course of the speech that both charges had the same root, which the defense had in no way reached, might feel compelled to convict, while, as a man of foresight, he would pray that it would not come to execution.

XIII

Indeed a case can be made for the convicting Athenians. Hegel, for instance, who of course takes a very comprehensive view of the affair, is their brisk defender, and some of the points that follow are, in fact, made in the *History of Philosophy* (Vol. II, "The Fate of Socrates"). But what is of more interest is that they all come from the dialogues themselves.

First, the common view that this was a political trial, the attack of the rabid returned democracy against a man with aristocratic views and associates, will not hold up. Socrates himself recounts at his trial how he had been in difficulties under various regimes, certainly under the oligarchical Thirty who included his own interlocutors Critias and Charmides (32e). Furthermore, the chief accuser Anytos was a *moderate* democrat, a "seemingly and well-conducted man" of respectable reputation by Socrates' own account in the *Meno* (90b).

In fact the very description of Socrates as an anti-democrat is not very convincing. Read without prejudice, the vignette of the democratic regime in the *Republic*, a dialogue itself set in the democratic stronghold of Athens' harbor, shows, for all its outrageousness, one vital redeeming feature: This regime is, Socrates says, a perfect supermarket of constitutions, and anyone who wishes to erect a city, "as we are now doing," should go there (557d, cf. *Statesman* 303a). Socrates' activity is at home in a democracy, not to speak of the fact that the Athenians regard Socrates as instigating that very forwardness in the young which he describes as endemic to democracies (*Republic*, 563a).

Now the Athenians have, in fact, as Socrates himself observes in

the *Crito* (52e), borne with him for seventy years, in spite of the supposed "great hatred" against him (28a). Even his two incursions into politics, for which, as he tells the court, he might "perhaps" have died (32d), passed off safely. So that the man who tells the Athenians that they will kill anyone who publicly opposes them (31e), has himself been allowed to live a long life of semi-public resistance.

Even this late conclusion need never have come. If they had managed better, Crito sadly observes, the case need never have come to court (45e). Nor need Socrates have died, for voluntary exile was possible, as the Laws remind him when he makes them speak (52e). Even in that court and in spite of Socrates' intransigence, 220—nearly half—of the five hundred (or 501) jurors either thought the accusation insufficiently proved, or were moved by a strong sense of Socrates' excellence, or agreed with him that the city could profit by his existence, or considered that the city would be better served by forbearance. These 220 refused to find him guilty. Their number surprises Socrates, who has evidently not done justice to the well-disposed condition of some Athenians (36a).

Again, once the verdict is in, Socrates is allowed to speak freely, as is the civilized Athenian custom, and to re-affirm his partnership in the city by participating in the formulation of his sentence. Socrates abuses this occasion in order to reiterate his view of the incompetence of the Heliastic court. Moreover, once sentenced and in prison, the city of Athens allows him daily conversation with his friends and accords him a bloodless death among them. Not so in Jerusalem, London or Berlin!

Indeed his freedom to speak before the large public of the court-room or to the intimate circle of friends in prison is complete. The formal issue of a mere right to free speech, contrary to Whitehead, is of no concern to Socrates or to the Athenians; *both* care only about the substantial question of whether Socrates' speech does damage.

In this light even Anytos's harsh recommendation that the case must either not come before the court at all or come as a capital case (29c) can at least be taken to evince a state of mind the opposite of trivial, a state of mind Plato must respect. For in the *Statesman*, a dialogue dramatically contemporary with the trial (*Theatetus* 210d), the stranger to whom Socrates has turned over the conversation says

that, in the absence of true statesmanship, the laws and the ancestral customs must rule. Since, then, no one is to be wiser than they, if anyone is seen to be searching into the crafts which have been legally established, and waxing wise about them, he can be indicted on a charge of corrupting the young and made to suffer “the most extreme penalties” (299b).

In sum the very seriousness with which they take Socrates’ non-political activity gives the Athenians a claim to our respect, whose *modus vivendi* it is to regard philosophers light-heartedly. To be sure, it is not good to interrupt a speaker, but their clamor is brief and controllable—and it comes correctly, at crucial points. Here in effect the attention of a whole city has been gained by one man, a philosopher. Of what other people can that be said?

XIV

Clearly this Socrates, who confronts and affronts such a city in this way, is Socrates in a very oblique aspect. This aspect of just that described by Kierkegaard in a passage from *The Concept of Irony*:⁸

Thus we see clearly how the position of Socrates with respect to the state is thoroughly negative, how he wholly fails to fit into it, but we see it even more clearly at the moment when, indicted for his way of life, he surely must have become conscious of his disproportion to the state. Yet undismayed he carried through his position, with his sword above his head. His speech is not the powerful pathos of enthusiasm . . . but instead we have an irony carried through to its last limit.

By irony Kierkegaard means not what Socrates means when he uses the term with respect to himself, namely his dissimulation, his pretense of knowing less than he does, but a kind of self-levitation by which one is raised above all positive knowledge. Such a zestful abstention from content does, in a way, characterize the Socrates of the *Apology*. At any rate, Socrates with his sword above his head is a man of *negation*, and these are his features:

XV

First and foremost there is that uncanny nay-sayer within him which he calls his *daimonion*, and which plays a larger role in this

than any other certainly genuine dialogue. He describes it (31d) as a sort of inner voice which has been with him from childhood; that is to say, it is innate but not in need of "recollection," of being searched out by thought. This "half-divine" and even "divine something," never aids thought and never urges action. It speaks only to warn him *not* to do a deed.

To what realm of being this notorious *daimonion* belongs is unfathomable. But the role it has in Socrates' life is not beyond conception. Enthusiasm means literally the state of having a divinity within (cf. *entheos*): The *daimonion* is Socrates' *negative* enthusiasm, a permanently implanted restraining power. Socrates is no enthusiast, because the exaltations of thought are not due to a special agency, though he does need a special negative faculty. For it is his chief teaching that excellence is knowledge (e.g. *Protagoras* 360e ff.), and that deeds of excellence are the direct consequence of knowledge. But then, by the inverse proposition, wrong deeds stem from ignorance and are always in some deep sense inadvertent; no one does bad things in full consciousness. Consequently, since they are by their very nature beyond the context of reason, they require an uncanny power for their prevention. The *daimonion* is Socrates' ability to avoid wrong, his *negative* excellence.

In particular the *daimonion* makes Socrates refrain from engaging in politics (31d) because that would have been tantamount, he says, to a futile, premature sort of self-destruction. Nonetheless, he describes himself in the *Gorgias* (521d) as being the only man in Athens who does truly engage in politics. That is to say, he has devised for himself a mode of being privately public (or the reverse); by his description it is a way of "conferring in private the greatest benefit on each citizen" (36c). This mission which he has devised for himself he will not give up even if he "is to die many times over" (33c). This is Socrates' *negative* politics: to deny that the public realm is the truly political realm and to assert his inner *logos* intransigently in the service of the city. It is in this respect that Socrates most differs from Thomas More. For More unwillingly but dutifully accepts high public office, and yet asserts to his death the right to open his mind to no one but his God. It is, in capsule, the distinction in matters political between a philosopher, who cares for Being in its commonness, and a Christian who worships a Person in intimacy.

XVI

Last and most important, when Socrates formulates what is to be within this speech “the greatest good for man” it is in altogether negative terms: “The *unexamined* life is *not* livable for a man” (38a); what people at present care for is nothing much (30a); the truly worthwhile work is that of examining, testing, refuting, exposing impartially both oneself and others. In this one respect at least he finds himself wise: He knows he knows *nothing* (21d); his fellow citizens, on the other hand, *fail* totally under examination—and it is precisely Socrates’ offense that he publishes these failures. He claims, however, without irony, that to fall silent would be disobedience to the god (37e).

To put it another way: The *first* culmination of Socrates’ non-didactic teaching is usually his notorious *aporia*, literally “waylessness,” a profitable perplexity or embarrassment, induced in the learner for his own sake (e.g., *Meno* 84). Insofar as Socrates represents his activity as a public service, however, his interlocutor is embarrassed not for his own sake but as an object-lesson, nor does the conversation continue to positive learning; in this setting Socrates is indeed a *negative* teacher.

Here, then, the philosophic activity is presented as an entirely negative effort, without an end or a substance—significantly the substantive *philosophia* is never used, but only the verb *philosophhein*, “to carry on the effort for wisdom.” But most particularly, at the literal center of the speech (29b), and again at its end, Socrates asserts his ultimate negative wisdom: his knowledge of his ignorance concerning Hades, the realm of death.

XVII

To offset clearly the negative Socrates in the dock, whose defense he appears to record, Plato writes a second defense for Socrates in prison. The conversations of the *Crito* and the *Phaedo* are the deliberately positive complements to the oratory of the *Apology*.

In the beginning of the *Crito* Socrates awakes from a deep blank sleep, just like that so longingly described at the end of the *Apology*, to a conversation in which he accepts his condemnation as he never would before the court, namely as duly proceeding from the laws he

has very willingly lived under all his life (53a). In a tone the very opposite of that in the *Apology* he has the laws upbraid him: "do you think the right thing is the same for you and for us, so that whatever we undertake to do to you, you think it is right to do the same back to us?" (50e).

This other, positive Socrates is even more strongly delineated in the *Phaedo*, the dialogue on death which contains his second and, he hopes, more successful defense (69e). On this his last day he is not a harsh and offensive rhetorician, but a charming and attentive listener, as the narrator makes a point of noting (89a). Here he speaks not as a relentless interrogator but as one who is prepared, if his interlocutor wishes it, to "talk it through in tales" (*diamythologeîn*, 70b). Here he does not present himself as proudly ignorant, but is presented as the one and only knower (76b); nor does he pretend to be without a teaching, but he rather appears as one who—the recipient of Phaedo's account interrupts to remark—makes philosophical matters astonishingly clear (102a). Here all the great Socratic notions are recapitulated: his supposition of the *eide*, the invisible "looks" or forms; the myth of recollection; the true good beyond the merely human good of refutation in the *Apology*. In this conversation Socrates frequently refers to *philosophia*, and presents it as the inquiry into the realm of death, the "invisible Hades" (*Aides aeides*) which is also the place of the invisible *eide* (80d), the place of being (76d). Here he is not ignorant of death but well-studied in it, and the death the city confers on him is not an absconding into sleep-like nothingness but an "immigration" to the realm of being (40c, 117c), a felicitous alternative to exile.

So, then, there can be no doubt that before the court Socrates deliberately curtails and withholds himself.

XVIII

Then the question becomes: Why? Why does Socrates deliberately offend the court, why does he go on the offensive against the Athenians, why does he use his defense to document his offense against the city?

Since Socrates actually lived and actually came before the Heliaea, there must be some aspects of Plato's *Defense* which derive from the actual circumstances. Once a defendant, Socrates became a *resister*,

the defender of philosophy from the city's attack. He must have thought that this public occasion was a moment to display spirit, to confirm the lifelong business of words in deed, to be what Achilles, to whom he compares himself, was in war, a hero for philosophy (28c).

Again, in part his conduct must have been an accommodation to the conditions of the occasion, namely the short time he has for speaking and the great crowd to whom he must address himself. Twice he mentions the lack of time for quiet persuasion (19a, 37b). This lack of leisure and of intimacy is not a peripheral matter—nothing Socrates thinks can be expeditiously conveyed by public deliverance; it must always be slowly engendered in leisurely direct conversation with its accompanying inner dialogue (see *Theaetetus* 172d). Socrates' positive wisdom stated concisely in public would appear simply bizarre.

The negative and the positive Socrates are the obverse of each other. Refutation, the breaking up of an accepted opinion, goes over into the search for a truth. But in public, whether Socrates has been summoned to court or has been accosted by a man who is not a friend, the transformation will not take place—the conversation is curtailed. The *Apology* leaves aside the widest and deepest questions concerning the *right* relation between the political community and the care of souls, but it implies this much: When philosophy comes upon the city it comes as a *threat*.

XIX

Accordingly it is possible to surmise *why* Plato put on record for times to come so detailed and emphatic a statement of the resistant Socrates.

A startling moment in the *Apology* throws light on this matter. For the first and last time Plato himself irrupts into his own work (38a). Socrates hears him raise his voice to suggest a sober and sensible money penalty, to subvert as it were, Socrates' own proud and derisory proposals. The suggestion is very much like a rebuke, and Socrates accepts it. It is as if in this work, in which Plato does not so much speak through Socrates but represents himself as spoken to by him, Plato is recording something he had heard in court which must cast its shadow over the other dialogues, and so over the whole

philosophical tradition. He has heard that *Socrates' activity is publicly indefensible.*

XX

Let me conjecture. The dialogues proper, the life, that is, not the letter of the Socratic conversations, would by and large pass into oblivion, as the positive content of Socrates' wisdom, its deep suppositions and encompassing myths would be shrivelled into conformity with his successors' more strenuous systems. One such successor would soon appear in Athens—Aristotle.

On the other hand, Socrates' speech, his defense delivered before the largest public of his life, would continue to be at work across the millenia. Its heroic intransigence, which had once driven the court to extremes against him, would serve thereafter to re-establish him. Hence it would be the Socrates of refutations who would prevail. In a softened popular coloring this is the Socrates of Cicero's well-known description:

Socrates was the first who called philosophy down from the heavens, settled her in the cities and even introduced her into private houses and compelled her to ask questions about life and moral matters and things good and bad. (*Tusculan Disputations*, V, iv, 10)

But the so-called "Socratic method" would also make harsher reappearances, as "radical doubt," as "enlightenment," as "critique," as the "re-examination of all values" or as the general encouragement of a questioning disposition. In each of these modes, philosophy would penetrate the pretences to credit of yet another communal way. Without supposing that Plato could have foreseen all these developments, it is yet possible to imagine that he had intimations, that he was apprehensive about the facile vindication of Socrates' way as he was about the learned ossification of his thought. To prevent the latter—or rather to provide a permanent possibility of revival—he wrote numerous Socratic conversations. To forestall the former—or rather to put perennial obstacles in its way—he wrote one Socratic speech. This oration, proud and noble in accordance with the event, was so written as to reveal on re-examination that Socrates had appeared to Plato to have committed an undeniable offense against the city and that he had seen his teacher, once at least, as

truly dangerous. The speech would serve as a warning to future friends—and as an enticement.

To append a modern application: In our polity Socrates' offense is not a capital crime, nor are his modern successors of his stature. Furthermore in a court of law an American citizen juror would be guided and restrained by the Constitution and its interpretations and laws. The judicial issue is therefore much less excruciating—what is more urgent is to form some general opinions about such situations. And here the *Apology* makes a clear comment, which, stated most cautiously, is: The side resisting enlightenment also has something vital to defend and should be addressed.

There is yet one more thought. Socrates himself would, I am persuaded, live out his life among us doing no harm and receiving none. The great question then to be considered is: Ought such immunity to be a source of high satisfaction or of deep misgiving?

¹ *Plato's Euthyphro, Apology of Socrates and Crito*, edited with notes by John Burnet (Oxford: Clarendon Press, 1924). References to the dialogues are by Stephanus page. I would like here to draw attention to a very fine treatment, not yet published, by Thomas G. West of the University of Dallas, entitled *Plato's Defense of Socrates*.

² *The Socratic Enigma, A Collection of Testimonies Through Twenty-Four Centuries*. Herbert Spielberg, ed. (Indianapolis: Bobbs-Merrill, The Library of Liberal Arts, 1964), pp. 99, 112, 243, 262, 203, 278.

³ Helmut James von Moltke, *Briefe* (Berlin: Henssel Verlag, 1971), p. 63.

⁴ *Socratic Enigma, op. cit.*, pp. 43, 66, 187, 228, 285; Hegel, *Philosophy of Religion*, Part Three, C II 3.

⁵ William Roper and Nicholas Harpsfield, *Lives of Saint Thomas More* (London: Everyman Library, 1963), p. 157.

⁶ Burnet, *op. cit.*, p. 103.

⁷ *The Meno of Plato*, E. Seymer Thompson, ed. (Cambridge, 1961), p. xxiv.

⁸ Søren Kierkegaard, *The Concept of Irony, With Constant Reference to Socrates* (London, 1966), p. 221. Cf. *Socratic Enigma, op. cit.*, p. 291.