

nist), whether or not he is performing the duties attaching to them. Does the standard then estop the community, or, as McClosky would put it, the majority, from denying the traditional political rights to those (e.g., once again, the present-day Communists) who are openly waging war upon the community? McClosky's language allows no room for doubt; it leaves the community impotent *vis-à-vis* its internal enemies.

McClosky, as I have pointed out at the beginning of Section II, is silent as to the sort of thing he supposes a community to be. It would, therefore, be unreasonable to expect his standard to take into account the majority's duty to maintain where it exists, and to restore where it is disappearing, the kind of consensus that, as some of us believe, no community can do without. It would be similarly unreasonable for us to expect from him any advice as to what happens when the majority's duty to maintain consensus conflicts with the negative demands of his standard. Yet for many of us who value, and value deeply, the traditional civil liberties, this is a problem with which any sense-making standard of legitimacy for a democracy must deal.

The elaboration of a sense-making standard by which the legitimacy of community action can be tested is no less important for the majoritarian than for McClosky. He would use the standard for one purpose (i.e., deciding what limitations to place on the majority beforehand), the majoritarians for another (i.e., deciding at what point constituted authority in a democratic community surrenders such claim to obedience as it ever has). Nor, as I see it, is there any reason to suppose that one and the same standard should not suffice for both purposes. But the foregoing considerations should make it clear that McClosky's standard is one that no democratic community could conceivably adopt.

The People Versus Socrates Revisited



The perplexities of the Athenian jury are our own problem.

My topic: Plato's teaching about "freedom" of thought and speech. My target: Liberal teaching about freedom of thought and speech, and the Liberal claim that it traces back somehow to Plato, to, concretely, the *Apology* and the *Crito*. My target, stated in other words: The freedom of thought and speech doctrine of J. S. Mill's *Essay on Liberty*, which let us call the simon-pure doctrine of freedom of thought and speech; and that sentence in Mill's *Essay*, "Mankind cannot be too often reminded that there was once a man named Socrates," etc., where the clear implication is: Keep yourself reminded of Socrates, and what happened to him as a result of limitations imposed upon freedom of thought and speech, and you will accept as a matter of course the thesis of Mill's *Essay*, namely: "... there ought to exist the fullest liberty of professing and discussing, as a matter of ethical conviction, any doctrine, however immoral it may be considered."

My thesis: Mankind should be reminded that there was once a man named Socrates, and another man named Plato who, out of a profound preoccupation with his execution, the events that led up to his execution, and the meaning of his execution, wrote about him; that there is in the *Apology* and the *Crito* a teaching that bears directly upon the problem of freedom of thought and expression; *but* that, as we steep ourselves in that teaching, and make it our own, we become less and less available to the appeal of "open society" doctrines like Mill's and, in our own day, Karl Popper's (who, however, unlike most opponents of the more-or-less-closed society, does *not* claim Socrates and Plato as allies). My own thesis restated: We have for several decades been hearing of the *Apology* and the *Crito* from writers who are themselves committed to Mill's position, who turn to them for reinforcement of the symbol that (as I believe) dominates their own thinking about freedom of thought and speech, and who (whether

deliberately or carelessly let us not try to say) ignore in them such emphases as do not accord with what they are looking for.

What symbol? The symbol, of course, of Socrates the Bearer of the Word standing with unbowed head in the presence of his accusers and judges, who hold the Word in contempt; of the Servant of Truth being punished, murdered rather, for the truth that is in him; that of the Wise Man being sacrificed by fools who, had they but listened to him, would have been rescued from their folly. That symbol, I contend, lies at the root of the simon-pure doctrine, dominates the thinking of exponents of that doctrine, and, in any discussion of the merits of that doctrine, will be brought forward sooner or later as the "clincher" that resolves all freedom of thought and speech issues in favor of the Mill-Popper position. Mill, in a word, has had his way: we are forever being reminded and by men who, like Mill, spend their lives opposing Plato's teaching on all other problems (and do not, by ordinary, light candles at the altars of the ancients) that there was once a man named Socrates and a court named the Assembly, that Plato set down a record of the transaction between them in order to warn all future societies of the danger and wickedness of all such interferences with freedom of expression, and, I repeat, that that settles that. And my thesis, restated once more, becomes: That that symbol, though it can be pieced together out of elements that are indeed to be found in the *Apology* and the *Crito*, is *not* the symbol that emerges from close reading of those two documents. That Plato's own symbol, as it emerges both from the manifest content of the two documents (that is, from what Socrates actually says) and from that which, upon meditation, we find Plato the dramatist to be saying to us by his "handling" of the story, is infinitely more complex, and points us along toward a deeper meaning, oceans apart from the teaching of Mill's *Essay*.

Let us look first at the manifest content of the *Crito*: Socrates puts to his friend Crito, who has arranged for his escape and is urging him to flee, and then answers for him, a number of questions. Should we, in determining our conduct, concern ourselves about what "people," that is, the Many, will say, or only about the opinion of good men? Only about the latter. Is Crito correct in supposing that the Many must be feared because they can do the greatest evil? Certainly not: the Many can *not* do the greatest evil, because they are unable to make a man foolish; nor can they do the greatest good, because they

are unable to make a man wise. By what, then, would a man be guided in determining his conduct? By *reason*—or, to be more precise, by that reason which, upon reflection, seems best. Are we ever entitled, because of the fortune of the moment, to drive a wedge between principle and conduct, or to abandon the rules regarding right and wrong that we have hitherto professed? No indeed. To whom, when we face a problem involving the just and the unjust, or good and evil, do we properly defer? Not to the Many, but to the one man who possesses understanding. Which is to be valued—life itself, life as such, or a good life, a life which is just and honorable? We should prefer a good life. Take the man whose reason tells him a certain course of action is right: should he be deterred from adopting that course of action by, for example, his duty to educate his children, or by what people will say of his friends' failure to rescue him from the consequences of that which he is about to do, or other suchlike considerations? By no means; all such considerations are, clearly, irrelevant to the choice he must make. Does a wrong action become less wrong because the agent is acting in response to wrong, or injustice? Doing wrong is always evil, always dishonorable.

These questions and answers, Socrates must be saying, are logically prior to any question that can be asked concerning the immediate issue—that is, whether he is to avail himself of the opportunity to escape ("Be persuaded by me," Crito pleads with him, "and do as I say."). Why logically prior? Because any answers Socrates can give to the question, "Shall he leave the prison against the will of the Athenians?" will be found to *presuppose* a set of answers to them; which is to say on the level of method, the level, I believe, on which Plato always wants most watching, that we must be clear in our minds about *ethics* before we can attempt anything in the way of a political decision.

Ethical inquiry is *prior* to and *different* from political inquiry—prior to and different from and, in consequence, certain to call for its own techniques and procedures as, in its turn, political inquiry, when we come to it, will involve *its* own techniques and procedures. Ethics, in a word, *before* politics, which is a subsequent inquiry, to be presided over by, to take its point of departure from, but in no circumstances to be confused with, ethics, and itself, in consequence, *ethically neutral though ethically committed*. Political inquiry, to put it a little differently (Plato says it, I think, somewhat more clearly in

the *Republic*, is an intellectual adventure in which man engages when he already holds in his left hand a developed ethical and (we may now add) theological position, and wishes to hold in his right hand the answer to a certain range of questions (e.g., Shall Socrates avail himself of the opportunity to escape?) that are themselves always better stated, and better handled, if stated and handled in an ethically neutral manner. And the latter, I contend, normally involves for Plato the building of a *model*, itself I repeat ethically neutral, which when built enables the man who holds it in his right hand and a corpus of ethical and theological doctrine in his left hand, to dispose of that certain range of questions. Political inquiry, in fine, is an ethically neutral stage of the total inquiry that conduces from the raising of ethical and theological problems to, off at the end, ethically oriented political *decision*.

Let us, with all that in mind, follow Socrates through the political argument of the *Crito* to the decision *not* to escape, for only so can we fully understand the bearing of that decision, resting as it does equally on the ethical argument and the political argument, upon freedom of thought and speech. Let us, in a word, isolate the *political theory* of the *Crito*, which I see as involving the following steps:

One: No State can subsist in which individuals set aside legal rules. (We are not, be it noted, asking for the moment whether or not the State should subsist, but merely what is necessary to its subsistence.)

Two: One of the rules that must be observed (must not, that is to say, be set aside *if the State is to subsist*) is that according to which sentences must be carried out.

Three: For Socrates to escape would be to set aside the legal rule according to which sentences must be carried out.

Four: For Socrates to escape would be to overturn, to destroy, insofar as he is capable of doing so ("so far as in him lies"), the State.

Five: The citizen of the State owes his existence to the State's marriage laws, under which his parents begot him.

Six: As a matter of record, Socrates has never registered any complaint against *his* State's marriage laws.

Seven: The citizen owes his formation to the State's laws regulating the nurture and education of children.

Eight: As a matter of record, Socrates has registered no complaint

against the laws regulating the nurture and education of children.

Nine: The citizen stands in the same relation to the Laws as the child to the father—not, that is to say, in the relation of an equal to an equal.

Ten: For the citizen to ask whether the Laws are treating him unjustly, and, having answered that question affirmatively, to contemplate doing to the Laws that which they are doing to him, and so destroy the Laws, is to upset the relation that exists, by definition, between them; the child, by definition, does not return the blow he receives from the father.

Eleven: Once the man of understanding grasps the relation between citizen and State, he sees that the citizen will endure in silence when the State punishes him, will follow when the State leads him into battle, and will obey when the State commands him.

Now: let us call that Phase One of the argument, and let us ask in passing, before proceeding to Phase Two, Is Socrates speaking of just any citizen of just any State? Or is he, as we might gather from the stress placed upon the fact that a certain individual named Socrates has never complained about certain particular laws of a particular State, speaking only of Athens, and certain citizens who have related themselves to Athens in a particular way? These are the questions—we shall not try to answer them for the moment—that the critics responsible for current misunderstandings of the *Crito* have always failed to ask, and we shall have to come back to them in due course. Now as to Phase Two:

One: The Laws of Athens say to the citizens as they come of age: You have seen the ways of our city. You know us well. If you do not like us, you may take your goods and go elsewhere.

Two: The citizen who opts to remain in Athens, once the Laws have addressed him in this manner, in the very act of doing so makes a *contract* with the Laws; he commits himself, through that contract, to obey the Laws, not destroy them; and if, later, he runs afoul of Athenian justice and administration, he is estopped from pleading that they are unjust.

Three: Socrates, upon coming of age, opted to remain in Athens; in doing so, he entered into a contract with the Laws of Athens; he is therefore estopped from arguing that Athenian justice and ad-

ministration are unjust; if he were to violate the law that requires sentences to be duly executed, and so destroyed the State so far as in him lay, he would be going back on a contract.

Four:—and here we must attend carefully: The Laws of Athens do not “rudely impose” their commands; *the citizens, including Socrates, are given every opportunity, when they think the Laws to be in error, of “convincing” them.*

Five: Socrates, more than most Athenians, has again and again reaffirmed the contract in question: he never leaves town; he has begotten children in Athens; he has, in the course of his trial, refused a sentence of banishment, electing death in preference to exile; he has, moreover, had seventy leisurely years during which, had he been of a mind to, he might have called the contract into question.

Six: Socrates cannot evade the Laws without going back on his pledged word.

There, in skeletonized and (as I see it) ethically neutral form is the political theory argument of the *Crito*. It does not, be it noted, tell Socrates what he ought to do—can tell him what to do only if, back in that corpus of ethical and theological doctrine that he holds in his left hand, there be a rule as to whether or not a man is obliged to keep his pledged word. Let there be such a rule (“Thou shalt not violate a contract”); let it be made to “preside over” the political theory argument, and the decision not to escape follows as a matter of course: the political theory argument has merely clarified the alternatives between which a choice must be made; and the choice can never be better: however “good” the “will” of the chooser, than the process by which the alternatives are clarified. To which let me hasten to add: The argument does touch on what we today call the freedom of speech issue, and in such fashion as to make it likely that, off at the end, we shall find a teaching here about freedom of speech. We must not, however, leap to any conclusion as to what that teaching is; and our next task must be to examine carefully the sentence that makes it part of the argument. It reads as follows:

thirdly, because he has made a covenant with us [that is, with the Laws of Athens] that he will duly obey our commands; and he neither obeys them *nor convinces us that our commands are unjust*; and we do not rudely impose them, but give him the

alternative of [either] obeying *or convincing us*—that is what we offer, and he does neither.

What, now, are we to make of that sentence? No more but also no less, I think, than the following: It is an ethically neutral “empirical” description of a state of affairs in a particular city named Athens. It specifies the *extent* to which “freedom of speech” obtains in Athens. It is, finally, integral to the argument—in the sense that, when we attempt to visualize the model Socrates has constructed, the model in terms of which, against the background of his ethics, Socrates is to decide not to escape, we must, if we are to be faithful to the text, include it as one of the model’s *characteristics*. And the model, in consequence, takes the following shape:

We have an indeterminate number of “citizens” in a “State” that possesses “Laws”, and the citizens stand over against the Laws in certain relations, which it is the purpose of the model to depict. There is, first, the relation of A who has been engendered by B to B who has engendered him (the citizens are engendered by the Laws, and the Laws engender the citizens). There is, second, the relation of A who has been formed or educated by B to B who has formed and educated him (the citizens are formed and educated by the Laws, and the Laws form and educate the citizens). There is, third, the relation between A who has entered into a contract with B and B who is the other party to the contract (the citizens, in the first instance upon reaching maturity and opting to remain within the city, and every day thereafter by remaining, have contracted with the Laws to obey them, and the Laws have contracted with them to exact obedience from all citizens). And, fourth, there is the relation between A who is under contract to obey B *but* is in position to renege with B, to complain when he regards B’s commands as unjust, to “convince” B if he have arguments capable of convincing B, and B who is under contract not, in this sense, to “impose” his commands “rudely”, to listen when A complains, to expose himself to being “convinced” (the citizens are allowed to complain and try to convince, the Laws offer them always a choice between obeying *tout court* and trying to “convince,” though with the understanding that, once having failed to “convince”, the citizens are to obey).

That is the model, the full specification of Socrates’ relatedness to the Laws, which renders unavoidable, given Socrates’ ethics, the

decision not to escape. The teaching of the *Crito*, taking the ethics and the political theory together, is not then (as we often hear) that all citizens are obligated to obey all States, but that given a certain kind of State, specified in the model, there is on the citizens' part a crystal-clear obligation to obey. One of the *minima* for that kind of state is, we now perceive, a certain "amount" of freedom of speech. By no stretch of the imagination, however, that amount of freedom of speech that is called for by the simon-pure doctrine; nor let any Liberal critic attempt to bring off any such argument as the following: Socrates is in fact *indicating* the Laws of Athens for having deprived him of the promised freedom to try to convince them. He was in the process of convincing them when he was brought to trial. The trial and the sentence have had the effect of silencing him. The freedom to convince appropriate to the model is therefore being denied to Socrates, and that is the point we are intended to grasp. Let not any Liberal critic, I say, try to bring off that argument, for the following reasons:

1) In order to bring it off, one would have to place an inordinate burden on the word "convince" in the passage I have quoted. Offering citizens the "alternative of obeying or convincing" is not the same thing as offering each citizen all the time he might like for the attempt to convince; and the most that can possibly be got out of the passage, evidently, is that each citizen is entitled to a "hearing"—to put forward his case fully, and be listened to, on at least one occasion. (Socrates, be it remembered, himself reminds us, for the rest, the fact that he has been pursuing the same line of argument, and been listened to, through several decades. Nor is it possible to point to any textual basis whatever for a supposed claim on Socrates' part that the Laws have not kept their promise to give him a hearing.)

2) In order to bring it off we should have to overburden the word "convince" in a second sense, namely: The talking that got Socrates into trouble did *not* have for its purpose the "convincing" of the Laws concerning the alleged injustice or wrongness of some particular command or commands; nor does Socrates at any point suggest or imply anything of the kind. On the contrary: he emphasizes that he has made no complaint, over the decades, either about the Laws or—if this be something different—Athenian justice and administration. And the most the Laws are committed to under the contract as stated, is to the hearing of pleas that their commands are unjust.

In a word: the most that can be squeezed out of the *Crito*, as the basis for a commitment to the simon-pure doctrine, is this: the Laws do offer the citizen an opportunity to obey or convince them, and this does constitute a further point in favor of obeying them, as also a further reason for loving Athens. Which is to say: that "amount" of freedom of speech which will enable the Laws to say, "We do not rudely impose ourselves; rather, we give each citizen a reasonable opportunity to convince us of any alleged injustice on our part"—that amount of freedom of speech, but by no means necessarily any greater amount, is one (but only one) of the goods the good society values, as maintenance of the right of emigration is another. And, in the context of any ethic that requires the performance of contracts, the State that vouchsafes to its citizens that amount of freedom of speech has a better claim to obedience than it would have if it denied them that amount. Nor does it follow that the greater the freedom the better the claim to obedience; that also would be to overburden the text.

We conclude: The *Crito* teaches that the good State, the State that deserves to be obeyed, places a high valuation upon a certain "amount" of freedom of speech. A high valuation, however, is not the same thing as a supreme valuation, which is what Mill demands. And, in any case, the "amount" of freedom of speech in question is evidently meagre by comparison with that required by the simon-pure doctrine. It involves a capacity on the part of the citizen not by any means to think and say whatever he pleases but rather merely to be heard—not necessarily *ad nauseam*, however, or with any prior guarantee that the State will not punish him for believing that which he says while being heard. For the State of the *Crito*, the State for which Socrates claims obedience off at the end, is, clearly, a State that strikes back at the dissident if, after hearing him, it decides that his dissidence is of such character or degree as to warrant punishment. It is, in a word, a State which, like our own when it takes action against the Communists, claims for itself the capacity to put its citizens on notice that they can embrace and communicate certain doctrines only at their own very considerable risk.

Let us return now to that symbol of the Bearer of the Word defying the Assembly, to my assertion that it "lies at the root" of the kind of thinking that produces the simon-pure doctrine of freedom of thought and speech, and to my further assertion that the genuine

symbol, as it emerges from the drama given us by Plato, by no means lends itself to the uses to which the spurious one is forever being put by Liberal doctrinaires. First, however, a word about the latter:

The Liberal proclaims Truth to be his highest value. Press him, however, about his commitment to Truth, and you will find that it is a commitment not to Truth as, say, Milton would have understood that term, but rather to Truth as a shorthand expression for what the Liberal supposes to be the process by which Truth is arrived at, and to a certain view of the history of that process. The moment never comes, according to the Liberal, when man can pause in his search for Truth and say with any confidence: "This truth I know to be *valid*, and beyond possible revision in the light of the new discoveries of tomorrow or the day after." At most, for the Liberal, man progresses a little from time to time in what we may call an *asymptotic approach* to Truth; and the Liberal's mind is haunted with those situations in the past in which, as he believes, man failed to progress in that sense because an individual capable of achieving a nearer approach to Truth was martyred by a multitude. Push him a little harder, and you will discover that he can hardly conceive of a situation in which it is the other way 'round—that is, in which the multitude was "right" in this special sense of the word "right", and the martyred individual "wrong." In the Liberal's history book, in a word, it is always Socrates and the Assembly, always Socrates who is "right" and the persecuting multitude that is wrong. Always, therefore, Socrates must be *saved*, retrospectively and prospectively, from the Assembly, which *ex hypothesi* brooks no disagreement with its "truths", and forever thirsts for the blood of those who presume to disagree with it. If Socrates is *not* saved, the next move forward in the asymptotic approach to Truth must await some happier occasion when he will be saved, when the Assembly is somehow prevented from spilling his blood, so that—and this is the main point—Socrates can *go on talking*. Snatching Socrates out of the jaws of the Assembly becomes, in consequence, *the* historical imperative for all who would love and serve the Truth. Nay, more: the problem "How order society?" reduces itself to the problem "How save Socrates—*any* Socrates—from the Assembly, that is, *any* Assembly?" and that, in turn, to the problem, "How make sure that no individual who wishes to say things certain to displease his neighbors will be silenced or, worse still, first be permitted to speak and then be punished for having dared to

think that which he has said?" What Liberal doctrinaires propose is, in a word, a state of affairs in which all individuals can go on talking, indefinitely and with impunity, no matter how deeply convinced their neighbors may be that they ought to be silenced, or punished.

The position is, evidently, not without its difficulties: If the approach to Truth is indeed asymptotic at best, if indeed the moment never comes at which any particular truth can be asserted as valid, it would seem to follow that there are no Bearers of the Word. It would appear to follow, too, that the retrospective judgment, "Socrates was 'right' and the Assembly 'wrong,'" is meaningless. Let us, however, not press such points. The difficulties disappear when we remind ourselves that there is for the Liberal one exception to the proposition that Truth always keeps one jump ahead of its pursuers, namely, the axiom "All questions are open questions," and that the Socrates of Liberal mythology is precisely an exponent of that axiom. In a word: All questions are open questions save the question whether all questions are open questions, which is—and always has been—a closed question; Socrates *believed* that; and sense can therefore be made of the assertion "Socrates was right and the Assembly, which believed that some questions are closed questions, was wrong." And my next task is to direct the reader's attention to what I have called the genuine symbol, as it emerges from the drama given us by Plato, and to do this by bringing together those emphases that the creators of the spurious symbol have ignored. Namely:

1) The Socrates of the *Apology* deliberately drives a wedge between himself and those who believe that Truth always keeps a jump ahead of us. His accusers, he says, "have scarcely spoken the Truth at all;" from *him*, he hastens to add, the Athenians "shall hear the whole truth." Precisely what is wrong, he insists, is that the Assemblymen have permitted purveyors of falsehoods to take possession of their minds; and precisely the grounds on which he demands to be heard and refuses to be silenced are that he has *exposed* the purveyors of falsehoods: "Their pretence of knowledge has been detected—*which is the truth!*"

2) Socrates thinks of himself as a man with numerous enemies, which is perhaps consistent with the spurious symbol; but these enemies are, early on at least, not so much the rank-and-file of his neighbors as the powerful and the influential. "I went," he relates, "to one who had the reputation of wisdom," and "I tried to explain to him

that he . . . was not really wise; and the consequence was that he hated me, and his enmity was shared by several who were present and heard me." Socrates does not, however, mend his ways, as another man might have done with a view to avoiding a future clash in the bosom of his society: "Then I went to one man after another, becoming conscious of the enmity which I provoked, and it distressed and alarmed me."

3) Socrates well understands, again from an early moment, the process that will lead finally to his own execution—understands it, refuses to lift a finger in order to arrest it, becomes therefore the conscious creator of the state of affairs that leads to his death. (In Rousseau's phrase, he wills his own punishment not merely there at the end, when his neighbors attempt to force him to be free, but early days as well; that is, he wills the resentment that leads to the forcing.) "I made bitter enemies, and this will be my destruction if I am destroyed. . . . [The] envy and detraction of the world, which has been the death of many good men, and will probably be the death of many more; there is no danger of my being the last of them." Or again: ". . . [Do] not be offended at my telling you the truth, for the truth is that no man who opposes you or any other crowd, and tries to prevent the unjust and illegal acts which are done in the state, will save his life."

4) Far from denying the charge that he has influenced the young men of the city, Socrates pleads himself guilty to it, and concedes that they have become bearers of the word he bears: ". . . young men of the richer classes, who have most leisure, come about me of their own accord; they like to have the pretenders examined, and they often imitate me, and proceed to examine others." And, *mirabile dictu*, "then those who are examined by them are angry with me."

5) Socrates, better perhaps than any other commentator we have except Dr. Johnson, understands why societies cannot adopt, with respect to the propagation of opinions that it deems immoral, the policy that, centuries later, Mill is to enjoin upon them: "The good," he says, "do their neighbors good, and the evil do them evil." Or again: "If a man with whom I have to live is corrupted. . . . I am very likely to be harmed by him."

6) Insofar as the issue at stake between Socrates and the Assembly concerns Truth, it concerns *religious* Truth not the jump-ahead-of-the-pursuer "scientific" truth of the Galileos (nor, I might add in

passing, is there any phenomenon of our day that wants more meditating about than the pains taken by our professors of philosophy to explain away the religious passages in the Dialogues of Plato). "[I]f you say to me," he tells the Assembly, "if you say to me, Socrates, . . . you shall be let off, but upon one condition, that you are not to inquire and speculate in this way any more, and that if you are caught doing so again, you shall die—if this was the condition on which you let me go, I should reply: Men of Athens, I have the warmest affection for you; but I shall obey God rather than you, and while I have life and strength I shall never cease from the practice and teaching of philosophy." Nor, let us notice, is he willing for the issue between himself and the jurors to disappear from sight, to be "smoothed over": "[A]re you not ashamed of devoting yourself to acquiring the greatest amount of money and reputation, and caring so little about wisdom and truth and the greatest improvement of the soul, which you never regard at all? . . . [This] I shall do to everyone, . . . citizen and alien. But especially to the citizens, inasmuch as they are my brethren. For know that this is the command of God; and I believe that no greater good has ever happened in the State than my service to God. For I do nothing but go about persuading you all . . . not to take thought for your person or properties, but first and chiefly to care about the greatest improvement of the soul. . . . This is my teaching, and if this is a doctrine which corrupts the youth, I am a mischievous person." There are, in other words, teachers and teachers: some teachers are "mischievous"; and the question "What teachers are mischievous?" is (*pace* accepted opinion in our own day concerning academic "freedom") neither silly nor improper.

7) Socrates is no more willing to soften the issue at stake between himself and the Assembly that he is to "smooth things over"; what he demands of the Athenians is not the correction of this or that particular wrong or injustice, but a drastic change in their entire way of life—a change, moreover, that cannot become a matter of "negotiation" or "compromise," because it is commanded by God. The Athenians must not "sin against God by condemning me, who am his gift to you . . . I . . . am a sort of gadfly . . . which God has attached to the State, and all day long and in all places am always fastening upon you, accusing and persuading and reproaching you." And again: "When I say that I am given to you by God, the proof of my mission is this: if I had been like other men, I should not have neglected all my own

concerns . . . during all these years, and have been doing yours . . . [that is], exhorting you to regard virtue." Still again: ". . . [This] duty of cross-examining other men has been imposed upon me by God, and has been signified to me by oracles, visions, and in every way in which the will of divine power was ever intimated to anyone. This is true, Athenians, and easy to test."

8) The Assembly does *not* think of itself as knowing all the answers: It listens patiently to Socrates as he pleads his case, finally decides his fate by a vote of 280 to 220. "Had thirty votes gone over to the other side," Socrates points out, "I should have been acquitted." In countering Meletus' proposal for a death sentence, Socrates "imprudently" and "arrogantly" (the adverbs are from Richard Livingstone, who writes out of deep animus against the Assembly) suggests that he be voted a reward—maintenance at the Prytaneum no less. The Assembly might fairly have been expected to strike back at him for his "imprudence" and "arrogance", but the most Livingstone can permit himself to say is that "it was naturally annoyed, and the verdict of death was brought in by an increased majority." In the interval between the two votes, moreover, Socrates insists even more sharply than before upon the distance that separates him from his accusers, and from the minds his accusers have captured: ". . . [If] I tell you that [to hold my tongue] would be disobedience to God, and therefore that I cannot hold my tongue, you will not believe that I am serious; and if I say again that daily to discourse about virtue . . . is the greatest good of man, and that the unexamined life [that is, the life led by the jurors] is not worth living, you are still less likely to believe me."

9) Far from being just any individual refusing to be silenced by just any multitude, Plato's Socrates is "right" because the Word he bears is *true*, and is true because it is a *divine gift*. Plato's Assembly, similarly, is "wrong" because it rejects the Word, not because it refuses to declare all questions open questions. Socrates, indeed, is calling upon it to declare closed a whole series of questions that, by condemning him, it elected to leave open. Why? Because, as our excerpts show, the truth of which Socrates is the Bearer is *revealed truth*, and its acceptance as revealed truth would have placed it beyond challenge.

10) The drama Plato unfolds for us is, as it seems to me, projected upon two levels, and these must be sharply distinguished if we are

to comprehend the teaching he is urging upon us. We have, first, the compassionately told story of the failure of a divine mission—in which, I submit, the point being insisted upon by the dramatist is the sheer inevitability of the failure. Socrates possesses the truth of the soul, and *must* try to communicate it to his neighbors. His neighbors reject it, but at no point does Plato imply that they were capable of doing other than rejecting it, or that the chasm that divides them from Socrates could conceivably have been bridged. It is, to an astonishing degree, the same story as that of the Gospels, with the same teaching (whether we have it from the lips of the teacher or from those of the narrator is, evidently, a matter of indifference), "Forgive them, . . . for they know not what they do." And precisely what stamps the spurious symbol as spurious is that it is the creation and the tool of men who have *not* forgiven the Athenians. (Plato, who cannot know that the chasm between teacher and neighbor can be bridged by the Atonement, must—unlike the narrators of the Gospels—leave it at that.)

As for the second level of which I speak—the literature concerning the *Apology* seems to me, in general, to have overlooked the first and misunderstood the second—our dramatist is posing for us, as I read him, a problem of an entirely different character, namely: What, abstracting from our own knowledge of the divine character of Socrates' mission, was the issue at stake between Socrates and the Assembly as that issue must have appeared to the Assembly itself, and what does *political theory* have to learn from the Assembly's handling of that issue? Here, as in the *Crito*, Plato gives us a model, a paradigm of a constantly recurrent political decision that, if societies are to make it wisely, must be grasped on the level of ethically neutral political theory. And the model's *characteristics* are these:

1) Socrates, in the eyes of the Assemblymen, is a *revolutionary agitator*—not by any means the first they have ever had to deal with, and not by any means the last they will have to deal with. Socrates calls upon them to abandon their way of life, to cease concerning themselves with such trivialities as bread-winning and glory, and devote themselves to discourse about virtue.

2) Socrates rests his demand for a revolutionary change in the Athenians' way of life upon the most offensive grounds he could possibly have chosen: their present way of life is "not worth living."

3) Socrates, by way of driving home the worthlessness and pointlessness of the Athenians' way of life, strikes out at them on their most sensitive point, namely, their confidence in the men they most respect and admire: he seeks out these men and, with other Athenians looking on, proves—to his own satisfaction anyhow—that they possess neither of the two qualities the Athenians attribute to them, namely, wisdom and virtue.

4) Socrates surrounds himself with a group of young men who "imitate" him. How many? The Athenians cannot be sure. How do the young men imitate him? Precisely by insisting that the minds of the Athenians have been "captured" by "false teachers."

5) Socrates insists that he *has* to be a revolutionary agitator. There is an "inner voice" that leads him on. He is, as we have noted, acting under divine command, and would be guilty of disobedience to God if he did not call the Athenians' attention to the worthlessness of their way of life. The Athenians must, moreover, take his word for the divine character of his mission: when they demand of him a sign that he is a gift from God, all he can do is point to his poverty.

6) Socrates refuses to discuss any *modus vivendi* with the Athenians, even when they make clear to him that they are weary of being button-holed and "reproached"; it seems never to occur to him that he is hurting the Athenians' feelings, or being tiresome.

7) Socrates' teachings are incomprehensible to the Athenians; in order to grasp them, the Athenians would have to challenge all the axioms on which they have been brought up. Worse still, Socrates appears to equate any attempt to cling to their axioms with, simultaneously, viciousness and stupidity.

8) Socrates seems to be trying to make fools of the Athenians, to prove to them that the worse cause is the better.

There is the model, no detail of which, presumably, is there by accident: it catches up, paradigmatically, the situation of every society over against every revolutionary agitator; nor could there be better evidence of the poverty of post-Platonic political theory than the fact that it has received so little attention. It remains, I think, merely to ask what alternatives, in the sphere of political decision-making, it clarifies for us, what light it throws upon Plato's teaching, and, above all, what, in the context of it, we are to make of the implicit demand, on the part of those who traffic in the spurious not

the genuine symbol of Socrates and the Assembly, that the Assembly permit Socrates to go on talking.

The Assemblymen have, clearly, three alternatives open to them. First, to silence Socrates, which they can do only if they are prepared to eliminate him if he refuses to be silenced (as refuse he must). Second, to proceed forthwith to make the changes in their way of life that Socrates the revolutionary agitator demands of them. Third, to "tolerate" him. Amongst these alternatives, as we know, they chose the first, and have been held in contempt ever since (by persons who deem themselves their intellectual and moral betters, and do not hesitate to sit in judgment upon them) for *not* having chosen the third, *but* curiously as I see it, have been let off rather lightly for not having chosen the second. Why curiously? Because, with Plato's model in front of us, the comment that leaps to the mind is this: Save to the extent that the Athenians are prepared to contemplate the second alternative (that is, carry out the revolutionary changes Socrates demands), they can embrace the third alternative only by renouncing the only responsibilities they could conceivably recognize as *their* responsibilities. And for at least two reasons: First, to tolerate Socrates—remember those young men who imitate him—is to run the risk that the revolution that can now be prevented by deliberate choice shall, off in the future, take place because those who desire it are at last powerful enough to impose it, which is an eventuality whose acceptability had just as well be faced now as later, and second because, in any case, Socrates will not (*vide* the model) let the Athenians merely tolerate him. Because he is the revolutionary agitator *sans peur*, he will seize upon his toleration as a lever for bringing about his revolution, and *he* will at every moment translate our third alternative into an embryo of the second alternative.

It is, of course, with good reason that no-one calls upon the Athenians, retrospectively, to embrace the second alternative, and our model tells us why. The Athenians are running a *societas*, which is the embodiment of a *way of life*, which in turn is the embodiment of the *goods* they cherish and the *beliefs* to which they stand committed. The question "What are *our* responsibilities?" can have no other meaning for them than "What must we do to preserve this society and its way of life, its goods, its axioms, its 'values'?" The most we can possibly ask of them, we who possess a paradigmatic model of the way in which societies operate, is that they shall keep their minds a

little open to proposals for this or that improvement in their way of life, this or that refinement that—Plato makes room for such refinements in the ideal state of the *Law*—will enable their society's way of life to become, increasingly, itself at its very best. To ask of them, by contrast, that they jettison their way of life, that they carry out the revolution demanded of them by the revolutionary agitator, is to demand that they shall deliberately do that which they can only regard as irresponsible and immoral—something, moreover, that they will seriously consider doing only to the extent that their society has ceased, or is about to cease, to be a society.

Now: these same considerations, I contend, oblige the Athenians not only to refuse Socrates' program, but to refuse, also, to tolerate Socrates. They cannot tolerate him on the grounds that all questions are open questions because the very question at issue, whether their way of life is worth preserving, is for them a *closed* question, and became a closed question the moment the Athenians became a society: They cannot tolerate Socrates on the grounds that he is harmless because, for one thing, he has followers who may, if he keeps on talking, become more numerous tomorrow, and may become sufficiently numerous the day after tomorrow to take over, and destroy the Athenian way of life out of hand. For them to let Socrates go on talking, given his ability to fascinate youngsters who know no better than to be convinced by him, is to *court* that danger, and that is no less irresponsible and immoral than to carry out Socrates' revolution themselves. (They share with Socrates, as we have seen, at least one belief, namely: "if a man with whom I have to live is corrupted, . . . I am very likely to be harmed by him.") In a word: the Athenians can tell themselves Socrates is harmless only if they regard him as completely ineffective. And this, as the model tells us, they cannot possibly do. If, therefore, they fail to silence Socrates, they in effect endorse his revolution.

They elected not to do so. They rejected the (for you and me) noble alternative Socrates was urging upon them. If in doing so they turned their backs on God himself, we must learn to forgive them, and to keep ourselves reminded that they faithfully performed the duties attaching to their stations as they, necessarily, had to understand those duties. It would—so the model teaches us—be foolish, nay meaningless, to demand more of them than that. The way of life they sought to preserve was, for the rest, a valuable second best to the way

of life Socrates wished them to adopt, and thus worth preserving, and, what is perhaps more in point, a realistic possibility, which Socrates' way of life was not. It had nurtured Socrates. It had nurtured Plato himself, and Crito, and the rest of the 220. Perhaps a second-best but eminently worthwhile task for political theory is to try to learn to build—and preserve—so good a city.