

# Form and Structure of the Argument in Plato's *Crito*

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In Plato's *Crito*, Socrates is faced with the question of whether he should escape from the prison or not, and, following some reasoning in conversation with Crito, reaches the conclusion that he should not. Thus this dialogue, unlike most of his other early ones, which are typically (but not solely, of course) concerned with the conceptual question "what is x?", where x is some moral character of human beings, e.g. courage, temperance, etc., gives us a rather peculiar picture of Socrates tackling a practical problem of his own: he has to decide for himself what to do. We can, then, reasonably expect that investigating the dialogue will reveal to us the principles he uses to guide his own course of action. This paper offers a preliminary work required for the proper evaluation of Socrates' practical method in the dialogue: I call it 'preliminary', because I shall present what is to be evaluated, but postpone the evaluation itself to another occasion. What I would like to do here is present an interpretation of the text of *Crito*, which I hope will expose the basic structure of the argument within.

In the first section, I shall investigate how we are to understand the fact that some popular considerations apparently prohibited by Socrates are in fact taken up in the last part of the dialogue, in which the personified Laws of Athens make a speech to persuade Socrates and Crito that it is not just for Socrates to escape. In sum, the popular considerations are allowed only if they are treated properly, that is, treated as materials for the only consideration truly needed. The second section explains the reason why Crito's argument is unsatisfactory to Socrates: its defect lies, first of all, in its form, not in its content.

The third section tries to show that Socrates' identification of the good, the beautiful and the just has an aspect not generally acknowledged, i.e. that of extending the scope of the just, to the extent that even some popular considerations come to be included in the examination of justice. The fourth section will show the way Socrates accomplishes his rearrangement of Crito's argument, putting its form and structure in proper order. The fifth section deals with the difficult final part of the dialogue, that is, the last part of Socrates' reply to Crito, which contains the speech of the Laws. I shall make it clear where lies the main difficulty for the interpretation of this part. And in the sixth section, I shall offer a solution to the difficulty, and give a rough picture of what is going on at the final part of the dialogue. Finally, in the seventh section I shall give a short remark about the remaining task to be done.

## 1 Popular Considerations

In the conversation with Crito, Socrates says that if his escape from prison "turns out to be just(*dikaion*), we shall make the attempt; if not, we shall let it go"<sup>1</sup> (48c). After this, he says that among the considerations taken up in Crito's attempt to persuade Socrates, those about "money expense, reputation and bringing up the children" merely represent the reflections of the ordinary public, which he and Crito do not need to consider. The Laws, however, especially in the later part of their argument (53a ff.), seem to be taking these popular considerations into account. Money losses of Socrates' friends (53b2-3) and adverse circumstances of his children in Thessaly (54a1-b1) would immediately attract our attention. Moreover, the Laws argue that if Socrates escapes to Thebes or Megara, all good patriots there will regard him as a destroyer of law and order, so that the verdict given to him will seem to them to be correct (53b3-c1). Is this not a consideration about 'reputation' ?

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<sup>1</sup>All the translations from the text of Plato are mine, although some of them are based on other published translations available to me.

Once it is accepted that the popular character of the argument of the Laws does not match well with Socrates' basic points in the dialogue, we may be inclined to suppose that the argument of the Laws is not what Socrates used to guide his action in this situation, but simply a piece of rhetoric for some other purpose, for example, to persuade Crito. I do not, however, pursue this line of interpretation here. That is, I assume the speech of the Laws basically represents Socrates' own reasoning.

But is it true that the character of the argument of the Laws does not match well with Socrates' basic points in the dialogue? In fact, in one passage before the conversation with the Laws, Socrates has already acknowledged that the expense of his escaping etc., among other things, is a matter of concern to him. Early in the dialogue (44e-45a), Crito tells Socrates to forget, if he fears, the fear that Crito and other friends might be compelled to lose all their property or pay heavy fines and suffer other punishment besides if he escapes from the prison. Socrates replies: "I certainly have them in mind, Crito, and many others, too". Perhaps it is the latter part of this reply, i.e. that it is many *others* that he has in mind, that is emphasized here, but we can still recognize from this that the so-called popular considerations are not absolutely excluded from the investigation.

Now, it is not clear why the exclusion of considerations about expense, reputation, and bringing up children should be thought to follow from acceptance of the proposal that the only investigation Socrates needs in considering whether or not he ought to escape is whether or not it is just. For example, there seem to be a lot of cases where the question of justice decisively depends on considerations about expense. (Is not tax evasion unjust?) Is Socrates really willing to insist on excluding such cases from consideration? Rather, it seems more likely that Socrates' point is that we must not take considerations about expense etc. as the ones *coordinate with, or put in place of*, the crucial consideration about justice, and that he does not intend to exclude the possibility that such a factor as money expense might be taken up as,

so to speak, a material for the consideration about justice.

## 2 Crito's Argument

Before examining Socrates' argument, I would like to take a short look at Crito's thoughts about this. It is true that Crito, like Socrates, investigates the question of whether Socrates' escape is just or not. But in view of the point discussed in the previous section, Crito's argument is *formally* unsatisfactory to Socrates in at least two ways. First, Crito investigates the question *only after* examining other considerations, and takes it to be only one of many, each of which has, for him, only to be taken up in turn. (1) What Crito cites first is that if Socrates dies, "it is not a single misfortune"(44b) for Crito himself: not only (a) he will be deprived of "such a friend as I shall never find anyone comparable to"(*ibid.*), but also (b) many people will think he valued money more highly than his friends. Socrates then points out that what has to be taken into account is not the opinion of the many, but that of the best people(*epieikestatoi*). Crito replies that (2) it is unavoidable to take into account the opinion of the many, since they are capable of doing even the greatest evils. Socrates simply denies that they have this capability: for it would imply that they also have the capability of doing the greatest good. Crito, leaving that problem behind, says that (3) Socrates should not worry about informers, and the trouble they could possibly cause Crito and others, e.g. the confiscation of property, or even severer punishment. We have already seen Socrates's answer to this: he has these considerations in mind as well as many others. Crito, in reply, enumerates three reasons why Socrates need not worry: (a) not so much money would need to be given to the people who are willing to take Socrates out of jail; (b) not much need be given to informers, either; (c) perhaps Crito's money by itself would be sufficient for the purpose, but Simmias, Kebes and many others are willing to offer their money if necessary. And again, Crito puts forth still another reason, side by side with those above, why (4) Socrates need not worry about his own future life in foreign countries: he will be given a warm

welcome everywhere he goes, and, moreover, Crito has friends in Thessaly. It is not until all these reasons are cited by Crito, that the question whether it is just or not, the crucial question from Socrates' point of view, is finally introduced. (44b-45c)

The second characteristic of Crito's argument which is formally unsatisfactory to Socrates is that Crito does not make it clear by what materials he is to inquire into the question of whether Socrates' escape is just or not. What he cites at 45c, just after he brings the question up, as reasons why Socrates should not reject escape is that (5) the rejection is for Socrates "to give up yourself[Socrates himself], being able to save it, and to make the very thing easier to befall to yourself that your enemies who wish to destroy you would surely make, and in fact made, easier to befall to you (*ibid.*)". Thus, the concept of justice, as used by Crito, seems to be a traditional one suitably expressed, I think, by the phrase "justice benefits friends and harms enemies" in *Republic* I 334b. This is clearly meant by Crito to be a material for the crucial question. But what is the status of the subsequent arguments? Crito, using the phrase "in addition(*pros de toutois*)", continues his argument and cites (6) the upbringing of children. Is this also supposed to be a material for the crucial question or not? And after that he further puts forth another point that (7) they need to consider whether Socrates' decision is that of "a good and courageous man (*anēr agathos kai andreios*)"; he expresses his fear that what they did before Socrates' trial, the trial itself, and present state of affairs might all be regarded as due to their own cowardice; he asks whether they are not only evil, but also shameful. Are these considerations materials or criteria for the crucial question of whether Socrates' escape is just or not? Or is it the case that the crucial question has been left behind and these are, being put again side by side with it, regarded as new points? In these points Crito's argument, lacking appropriate formal order, is badly in need of rearrangement.

### 3 Scope of 'the just'

On the other hand, it is fairly clear that for Socrates it is the question of whether what one is going to do is just or not with which the supreme practical principle must concern itself. But he does not think of the question in terms of the narrow traditional conception of justice we saw in *Crito*. We can see that from the fact that he repeatedly talks about the three pairs of terms together: good and bad, beautiful and ugly, and just and unjust (47c9-10, 48a9-10, 48b8, cf. 49a6, b4-6). Immediately after he states the famous principle that the most important thing is not life, but the good life, he secures the agreement from *Crito* that the good life, the beautiful life, and the just life are the same (48b). In general, Socrates' identification of the good, the beautiful and the just, is interpreted as an answer to the question of what kind of life we are to live. The answer is that it is just life that we are to live. The point of this interpretation is that in answering the question Socrates is restricting the content of the life to be lived to that of just life. But I do not think this is the whole story. Another aspect also appears to emerge when we read this passage having in mind the defects, as Socrates sees them, of *Crito's* argument that we saw in the previous section. That is, another role of this identification is to correct the formal shortcomings of *Crito's* argument. First of all, while in *Crito's* argument materials needed to investigate what to do in the situation are simply put side by side without order, Socrates tries to sort out them under the crucial question of whether what he is going to do is good and beautiful. While what *Crito* cites in his argument, including expense, reputation, care for the children, are all meant to be direct reasons for the question of how to act, Socrates introduces a principle, showing *Crito* that what they need is an argument with a formally unified structure. The second purpose of his identification, which is closely related to the first one, is to show that the examination of whether something is just or unjust must not be placed side by side with other examinations also meant to answer how to act, but exactly coincide with that of whether it is good and beautiful, under which these

others should all be subsumed. This is not an empty operation, for it serves the purpose of correcting Crito's narrow and traditional concept of justice. And the effect of this is not simply to make the initial wide possibility of the good and the beautiful life converge into that of the just life, as generally acknowledged, but also, conversely, to extend the scope of the just life. Consequently, as we saw earlier, materials for the examination of whether Socrates' action is just or not, become much richer in variety than in Crito's argument, to the extent that they include money, reputation, and care for the children among others.

#### 4 The Best Possible Reasoning

From this point of view, we come to realize that Socrates' answer to Crito lays great emphasis on the need of an argument with a formally unified structure. Socrates talks about the best possible *logos*, or reasoning in the famous passage at the beginning of his reply to Crito: "For I am, not now for the first time but always have been, the kind of man who obeys nothing else of my possessions but the reasoning [*logos*] which, with my full deliberation, appears to me the best." (46b) What Socrates has in mind here seems to be the reasoning, or argument with a formally unified structure, rather than the one with some appropriate content. Also suggestive is Socrates' subsequent remark at 46c, which is placed just at the beginning of his answer to Crito: "Now, what could be the most appropriate way (*metriōtata*) to examine them[the questions they are faced with]?" The most appropriate way of examining has proper order; the argument is formally unified. Large parts of Socrates's argument hereafter, until the personified Laws enter the scene, are designed to rearrange the argument so that it fulfills this requirement.

This rearrangement work divides itself into two parts: the one is from 46c6 to 48a10, and the other from 48a10 to 48d7. The first part is, apparently, directed against the point (1)(b) we saw earlier in Crito's argument. The upshot of this part is, as is also stated briefly in the earlier passage (44c-d), that we must follow not the opinion of the

many, but that of ‘the one who knows’ about the question we are faced with, which turns out in the course of the argument(47c) to be the question of whether what one is going to do is good or bad, just or unjust, and beautiful or ugly. Otherwise we would be in danger of harming our soul (although the word ‘soul’ does not appear in this passage)<sup>2</sup>. We have to recognize that the conclusion of this argument is not so much “Let’s follow the only one, the wise man”(Is there really such a person?) as “Do not take into account directly the opinion of the many”. This is how the first rearrangement work is done by Socrates.

The second part is directed against the point (2) in Crito’s argument. To begin with, the recognition that the many have the power to kill us should not affect the conclusion of the first part at all. In addition, since we adopt the supreme principle that “we must place highest value not on living, but on living well (48b)”, the mere fact that we are going to die gives no justification for escape at all. Moreover, “living well, beautifully and justly is the same (*ibid.*)”, and if so, the only examination we should perform is about whether it is just or not for Socrates to escape without the consent of the Athenians.

## 5 The Difficult Passage

The main result of the argument between Socrates and Crito up to 48d is that they should examine only whether Socrates’ action is just or not. But what happens after this? The problem we must face first is the fact that after the result is reached at 48d, they take up another question, i.e. whether they should never commit injustice (49a4-c1), which is described by Socrates as *tēs skepsēōs tēn archēn* or the starting point of the examination (48e). This seems at first sight to be exactly the same question as the one they has settled just now. What would be the point

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<sup>2</sup>It is here presupposed that if we do something bad, ugly or unjust, we harm our soul and make our life not worth living. But even if we admit this, what exactly is bad, ugly or unjust? Is it simply equivalent to what is not to be done in general, or rather to some action that is somehow specially concerned with badness, ugliness or injustice? These large questions are not directly relevant to my point here.



of this almost tiresome repetition? The answer to this question is suggested from the fact that 'committing injustice' and 'injuring someone' are used interchangeably just after this passage (49c7-8): 'injustice' is used here to refer to concrete acts that cause injury. Thus, to interpret this passage properly, we have to distinguish between two different meanings of injustice (and correspondingly two different meanings of justice), i.e. injustice in general and injustice as injury acts. And it is the former which Socrates and Crito have in mind when they say the only examination they need is about something being just or not, and the latter when they say they should never commit injustice. Notice that what they are saying about each of these two kinds of injustice is not exactly the same: restricting the range of examination to the one, and totally prohibiting the other.

But it is very difficult to grasp the exact line of thought after this passage. Socrates, having ensured that Crito accepts the *archē*, the starting point, proceeds to consider "the next point (*to meta touto*)", whether one has to do whatever he agreed to do, provided that it is just (49e3, 5). We have to settle at least the following two questions to make out this difficult passage. First, what is the relation between injustice as injury acts just referred to in the *archē*, the starting point on the one hand, and the breach of agreement mentioned here in the next point on the other? Are they simply put side by side with each other, as the two parallel items with the same status which they suppose will contribute toward the examination of whether Socrates' action is just or not? Or rather is the latter supposed to be subordinate to the former? Second, how do we make out the perplexing participial clause, "provided that it is just"? We can be sure that the point here presented about the breach of agreement should be one of the items which contribute to the examination of whether Socrates's action is just or not. But then, the reasoning involved here seems at first sight to be desperately circular: does it make sense to ask whether, or to insist that, some agreement is just, provided that it is just?

The following table will be helpful for the examination of this

passage.

**The Main Principle (MP)** The only question we have to ask is whether Socrates' action is just or not.

**The Starting Point (SP)** Injustice, i.e. injury acts should never be done.

**The Next Point (NP)** Whatever one has agreed to should be done, provided that it is just.

## 6 Solution of the Difficulty

Let us try to give answers to the two questions above, keeping in sight how injustice in general, injury acts and breach of agreement are treated in the speech of the Laws which immediately follows the passage.

Let us take up first the second question, the question about the qualifying clause "provided that it is just" in NP. The answer to our first question largely depends on how we solve this second question. There are, I think, three options to take as to the meaning of 'just' here.

(1) Suppose that 'just' in this qualifying clause refers to justice in general, which is referred to in MP. It is certainly controversial whether NP is parallel, or subordinate to the SP, or whether the SP is really different in content from MP or not. But no matter what interpretation we give about these controversial points, it is almost undeniable that the examination of NP is supposed to contribute to that of MP. Therefore, we cannot avoid a circular argument here: answering the question "What is the just action?" by saying "It is doing what you agreed when it is just." can hardly be of any help.

(2) Suppose that 'just' in this qualifying clause refers to justice as opposed to injustice referred to in the SP, i.e. injustice understood as injury acts. If NP is subordinate to SP, the same type of circular

argument as in (1) is not avoidable. ("What is non-injury?" "Doing what you agreed when it is not injury." "What?") In this case, therefore, we should regard NP not as subordinate, but as parallel to SP. The problem is the relation of these two principles. Notice that SP is the principle which only prohibits injustice (as injury); it is not the one which also demands justice (as non-injury). If, therefore, we can interpret the qualification "provided that it is just" as "if it is not injury", NP does not conflict with SP: SP totally prohibits injustice (as injury), but imposes no restriction on just (as non-injury) acts; as regards that part of these non-injury acts which are also acts of keeping agreement, NP requires that it be done (but imposes no restriction on the other part of them, i.e. on the acts which are neither injury nor keeping of agreement).

(3) Suppose that 'just' in this qualifying clause refers to procedural righteousness in making agreement, for example absence of coercion, sufficient period for deliberation, etc<sup>3</sup>. It is difficult to deny the possibility that an act which keeps procedurally righteous agreement might nevertheless become an injury act<sup>4</sup>. What result will we get, then? We can hardly suppose that NP is subordinate to SP. If it were, we would have to insist unreasonably that an act keeping a procedurally righteous agreement will never become an injury. What, then, if we regard NP as parallel to SP? In that case, however, the possibility of conflict between these two principles will remain. For example, if we, considering the case where "someone borrowed weapons from a friend who was sane at that time, and then he, the friend, after going mad, asked for them back"<sup>5</sup>, have to decide what he should do, the two principles obviously conflict: SP forbids the act of returning them as an

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<sup>3</sup>This kind of righteousness is in fact dealt with extensively in the passage where the Laws try to establish that Socrates' escape is a breach of agreement. Cf. especially 52d-e.

<sup>4</sup>Cf. *Republic* I 331c.

<sup>5</sup>The example is taken from the passage in the first book of *Republic* mentioned in the previous note. Incidentally, Plato's answer there is "he should not return them."

injury act, and NP commands it as an act of keeping agreement. To resolve this kind of conflict, we need either to modify (or simply abandon) at least one of them, or to obtain another principle at meta-level which will tell us to which principle we are to give priority<sup>6</sup>. (Or do we have to concede that the reasonable solution of this kind of conflict is beyond our reach simply because we lack the appropriate intellectual ability for the purpose?<sup>7</sup>)

I think it is hardly imaginable that other interpretations could still be given as to the meaning of 'just' in NP. So I would like to take the interpretation (2), which answers at once both of our questions: the relation is parallel, and 'just' in NP means non-injury.

In view of the discussion above, I should like to give a rough picture of what is going on here. First, I shall cite the set of principles Socrates uses, and also indicate the relations between them. Second, I shall show how the speech of Laws is conducted in accordance with these principles.

**A. Principles** The Laws has the following principles. By MP, Socrates must always examine whether what he is going to do is just or not. What, then, is the just action? It is given by the two parallel principles, SP and NP. (They will never conflict.) Firstly, SP tells Socrates that injustice as injury act will never be just in the sense of that word used in MP, and therefore never should be done. Secondly, NP tells him that among the acts which are not injury acts, those which keep agreement are just (in the sense of that word used in MP), and therefore should be done.

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<sup>6</sup>Fortunately, I admit, this kind of conflict does not in fact occur here in *Crito*. For the result happens to be the same on either principle: Socrates must not escape. So if we confine ourselves to this case, we can determine what Socrates should do even on this interpretation, which only potentially admits the conflict between the principles. But on this interpretation, it would become impossible to know what Socrates should do if he *were* in a situation of conflict.

<sup>7</sup>Perhaps this is the kind of conclusion that intuitionists or pluralists like D. Ross would like to draw. I hope I will be able to say much more about the topic on another occasion, when I do a critical evaluation of Socrates' method presented here.

**B. The Line of Argument** The Laws begins with attempting to show that Socrates's escape will be the injury act against the state and its laws (50a8-b8). It is then supposed that Socrates and Crito raise an objection: it is the unjust sentence given by the state to Socrates in the trial that justifies his escape (50c1-3). Here the Laws refers them to the case where SP is temporarily put out of consideration. Even if what Socrates is going to do is not an injury act, and therefore it is valid to invoke NP to see whether it should be done or not, what in fact is agreed does not include the item to the effect that it is permissible to escape when an unjust sentence is given. What is agreed is something different (50c4-6).

To Socrates, who is somewhat perplexed at this turn, the Laws explain why his escape will violate each of the principles.<sup>8</sup> For one thing, it is an injury act against those whom he ought least to injure, and therefore violates SP. Moreover, it does not keep the agreement which he has agreed by his action (*ergōi*), i.e. the agreement to obey the order of the state, and therefore could not be allowed even if it were not an injury act.

The rest of the argument of the Laws from 53a focuses upon the question of what kind of good, or evil, if any, would be brought about by Socrates' escape, both to his friends, and to himself.<sup>9</sup> We can see from 54c that the items taken up in this examination is regarded as amounting to injury acts. The Laws say, summarily, that if Socrates returns evil for evil, and injury for injury, breaking the agreements and contract which he has made with them, and wronging those whom he ought least to wrong, that is to say, himself, his friends, his country, and the Laws, not only the Laws themselves in this world shall be angry with him, but also their brothers, the laws in the world below will receive him hatefully. In my interpretation, we can split the content of

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<sup>8</sup>Strictly speaking, it is not necessary for them to prove that Socrates violates *both* of them, in order to convict Socrates of injustice: showing his violation of only one of them would suffice.

<sup>9</sup>Future fate of his children is investigated under the heading of "to himself".

this passage into two parts each of which corresponds respectively to one of the two kind of injury acts already cited in the speech of the Laws: the one part, i.e. the part which deals with the case of himself, his friends, corresponds to the injury acts explained in 53a-54b, and the other, i.e. that which deals with the case of his country and the laws, to those at the beginning of their speech.

## 7 The Remaining Task

As I said at the beginning, what I have done in this paper is meant to be the preliminary work for a proper evaluation of Socrates' practical method. He certainly has a method designed to deal with the practical question "what shall I do?". And in fact what constitutes the method is, as has been shown, I hope, a fairly complex, but well organized system of principles. Its evaluation will consist in examining such questions as what its essential character is, how flexible it is in various circumstances, to what extent we can, and should harmonize it with our moral intuition, and so on. I intend to present an evaluation of his method by answering these questions on another occasion.

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