TWO NOTES ON THE *CRITO*: THE IMPOTENCE OF THE MANY, AND 'PERSUADE OR OBEY'

I

At 44D6–10 of the Burnet text, Socrates says,

Would that the many were able to work the greatest of bad things—so that they would be able to work the greatest of good things, and all would be well. As it is, however, they are incapable of either; for they cannot make anyone wise or foolish: ποιοῦσι δὲ τοῦτο ὅτι ἂν τύχωσι.

So far, interpreters have not made the import of this last clause clear. F. J. Church (followed later by R. E. Allen) translates the last phrase 'they act at random'. Burnet says of Adam (who understands ποιοῦντες after this phrase and translates 'They treat a man just as it occurs to them') that he seems to have been the first to point out that the meaning *cannot* be 'they act at random'. Instead, 'the phrase expresses indifference'. Adam's idea, which Burnet here commends, is that the many are thoughtless in their treatment of the individual; and Adam compares 48C below: the many would lightly put someone to death and just as lightly bring him back to life again. The Burnet–Adam point is evidently that the many have a *policy* of acting indifferently, or just as it occurs to them—by contrast with the 'at random' in Church's translation, which suggests that they act without policy at all.[1]

But though superior to the Church–Allen line, the Burnet–Adam line also misconstrues the passage. The point is not, I maintain, that the many are (as a matter of policy) indifferent or careless, or that they follow a policy of just acting on the spur of the moment—as Adam's 'just as it occurs to them' may also suggest. Rather, Plato intends what he says to allow for the possibility that the many actually (as they might put it) *want* to harm certain people (cf. *Apology* 41D8: οἰόμενοι βλάπτειν) and so might have a policy of trying to harm people. Plato's point here is that since they do not know how to do the only things that *can* harm or help anyone—namely, make foolish or make wise—the only result they can get, even from a policy of attempting to harm (or help) anyone, is just 'whatever they chance upon'. The point may be put as follows: they *say* 'We want to do this which will in fact harm Socrates (and in fact benefit us)', but in the absence of any knowledge of what that harm in fact is, or what could possibly accomplish it, let alone any knowledge of the resulting good, they have no power to accomplish either that harm or that good. As the point is put

[1] Translations and commentaries on the *Crito, Apology*, and so forth which are referred to in this article are as follows: F. J. Church, *Plato: Euthyphro Apology, Crito* (London, 1923); R. E. Allen, *Socrates and Legal Obligation* (Minneapolis, 1980), J. Adam, *Plato: Crito* (2nd edn, Cambridge, 1961 [1888]); J. Burnet, *Plato's Euthyphro, Apology of Socrates, and Crito* (Oxford, 1924); C. Cron, *Platons Schriften* (3rd edn, Leipzig, 1865); L. Dyer (rev. T. D. Seymour), *Plato: Apology and Crito* (New Rochelle, 1984 [1885]); M. Schanz, *Plato: Ausgewählte Dialoge* (Leipzig, 1887); E. De Strycker and S. Slings, *Plato's Apology of Socrates* (Leiden, 1994); L. L. Forman, *Plato Selections* (Edinburgh, 1900). Other translations: B. Jowett, *Dialogues of Plato* (3rd edn, Oxford, 1892), Vol. II; M. Croiset, *Platon: Oeuvres Complètes* (2nd edn, Paris, 1959), Vol. I; H. Tredennick, *The Last Days of Socrates* (Harmondsworth, 1954); G. M. A. Grube, *Five Dialogues* (Indianapolis, 1981); A. M. Adam, *The Apology of Socrates* (Cambridge, 1964 [1914]); J. Adam, *Plato: Protagoras* (2nd edn, Cambridge, 1905 [1893]); W. A. Heidel, *Plato: Euthyphro* (New York, 1902).

at *Gorgias* 466A–468E—presaged by *Crito* 46C3–6 (with the further verbal echo at *Gorgias* 473D3) taken together with the present passage—they can do *nothing they want*, only *what seems best* to them. Of course what they do might *by accident* damage Socrates—make him a worse person—as a hurricane or volcano may damage someone without *intending* to. What they cannot do, except by accident, is do what they (as they say) *want* to do, namely, harm others.[2] Acting in total ignorance of how anyone's soul can be helped or harmed, the only result they will get is just whatever they chance upon.

There seems to me to be a good chance that the point made in the last paragraph is what Jowett had in mind in his translation: 'Whatever they do is the result of chance'; what Maurice Croiset had in mind in his 'Ils font ce que veut le hazard'; and what Schanz had in mind in his comment 'sie thun das, was sie durch Zufall thun' (citing as parallels 45B, *Smp.* 181B, *Prtg.* 353A, *Grg.* 522C); it may even be what Grube had in mind—though rather less clearly—in his 'They inflict things haphazardly'. But none of the above translations quite removes the suggestion that their policy is one of acting in accordance with chance or acting indifferently or acting haphazardly. (In the absence of a disclaiming phrase such as 'at random', 'they do' suggests 'they intentionally do'.) What a translation needs to bring out is that, while the many may have *intentions* to produce good or bad, they cannot carry out that intention—unless they just happen to light on it. I accordingly suggest the translation:

'The result they produce is just whatever chances.'

We may note in this connection the remark of Forman when he says ad. loc.: 'For us, τοῦτο seems needlessly precise . . .' Forman is certainly right that existing translations would be better translations of a Greek that was *not* 'needlessly precise' in the way he suggests this text is. But that is not surprising, since, as I hope I have just shown, existing translations do not capture Plato's thought here. Once we have grasped Plato's point, we see that the τοῦτο is exactly what is called for.

The essential soundness of this interpretation is clearly revealed in Socrates' remarks at the end of the *Apology* [41D1–8]:

. . . [And you should think this true:] that there is nothing bad [that can happen] to a good man, either in living or in dying; nor do the gods fail to care about what happens to him; nor has what has happened to me [viz., accusation, conviction, death sentence] occurred by chance; rather, this is clear to me: that already [at the time of these happenings] it was *better* for me to die and be released from troubles. And because of this my sign too did not warn me off; and, for my part, I am not at all angry with those who convicted me or accused me. Yet it was not with this in mind [viz., to do what is better for me] that they convicted and accused me, but rather thinking to harm me; . . .[3]

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[2] If we interpret Cron's remark 'die Macht der Menge ist eben so beschrankt, wie ihre Einsicht' with our eyes on the understanding of power in the *Gorgias*, it is exactly on target. It is less so if we follow Cron and add remarks about not only chance but 'a higher will'and the biblical 'fürchtet euch nicht vor denen, etc.' Unfortunately, the Dyer–Seymour commentary based on Cron's commentary omits not just the latter, more doubtful material, but also the former, important material. (The examples of the hurricane and the volcano are from my 'Desire and Power', cited in n. 4 below, being examples of things that 'have power' of a sort that is irrelevant to the question whether orators and tyrants 'have power'. To have power of the sort orators and tyrants claim to have, one has to be able to accomplish what one singles out as *what one wants*. It is not enough to have a devastating effect on people's lives.)

[3] Adam suggests here, surely wrongly, that the imperfect in βέλτιον ἦν μοι indicates an

We see here that, as noted above, the many *had in mind* to harm Socrates, but the result they got was actually *better* for Socrates.

The above considerations suggest an interesting sequence of Socratic attitudes towards attempts by the many to harm good people. First, earlier in the *Apology*, Socrates says, rather lamely [30C6–D5]:

Know well that if you kill me, I being a person of the kind I am speaking of [always persuading Athenians to care for the soul more than for possessions, and so forth], you will not harm me more than you will harm yourselves. As for me, neither could Meletus, nor Anytus, harm me at all—nor would he be able to, since I think it is forbidden [οὐ θεμιτόν] for a better man to be harmed by a worse. True, he might kill me, perhaps, or banish me, or dishonour me: these things he and perhaps others might think to be very bad things. But I do not think so. Much more, rather, will doing what he is doing now be such: trying to kill a man unjustly.

(The vague theology of οὐ θεμιτόν is surely not of much comfort.) Later in the *Apology*, in the passage discussed in the preceding paragraph, as well as in the passage in the *Crito* now being discussed, we see the point being made more determinate: *intention* to harm does not produce the *result* harm in those who do not know how to make people either better or worse people. And finally, in the *Gorgias* (466A–468E), Socrates makes clear *why* intention must fall short of result in this case: because every action is a means to an end that is good; and without *knowledge* of what action is a means to what good, a bad (that is, ignorant) person must fail to get the intended result, getting only what will in fact result from the ignorantly chosen action. (In this passage of the *Gorgias* it is all but explicit that knowledge of the good is power.[4]) That is why the result the many get, when they try to harm people, is just 'whatever chances'.

II

In his important book, *Socrates and the State* (Princeton, 1984), Richard Kraut suggests ways in which we might hope to make (what Kraut takes to be) an account of political obligation in the *Crito* less objectionably authoritarian, and more

intention to say it was better 'in the minds of the gods, when they made their decision about [his] fate'. I cannot see any reason to doubt that we have here *Socrates*' judgement at the time when he was accused and convicted that it was better for him that this should happen: τὰ ἐμὰ νῦν . . . ἐγένετο; . . . ἤδη . . . βέλτιον ἦν μοι, at 41D3–5. [So also A. Adkins, *Merit and Responsibility* (Oxford, 1960), p. 261.] βέλτιον here goes with κακόν earlier at D1. And the κακὸν there is surely a case of being harmed, as at D8. Such a reading seems amply confirmed in the earlier reference to the sign at 40A2ff., esp. 40B7–C5:

It looks as if this consequence has come about as a good; and that those of us who think that death is a bad [thing] are completely mistaken... But consider also in this way how there is great hope that it is a good [thing]: death is one or other of the following things...

    These goods and bads can surely only be good and bad for Socrates, i.e. benefits or harms to Socrates, things contributing to his happiness or unhappiness. So too for the profit of a dreamless sleep at 40D2, E2, and also for 'better and more pleasant' at D6, 'What greater good?' at E6–7, and 'happiness' at 41C4, 5.

    [4] See my 'Desire and power in Socrates: the argument of *Gorgias* 466A–468E that orators and tyrants have no power in the city', *Apeiron* 24 (1991), 147–202. It is entirely possible that the interpretation offered here of is the one Andrew Barker had in mind in 'Why did Socrates refuse to escape?', *Phronesis* 22 (1977), 13–28, at 20, where he quotes our passage in Greek and then says that this 'oblique and allusive answer' speaks to the question of harm involving making one worse, and citing passages like the ones I have cited. But he offers no discussion, or even translation of the crucial phrase, the clarifying of which has been my aim here.

understandably compatible with the *Apology*—especially with the claim [29B9–30C1] that if the jury were to release Socrates on condition he not carry on in his accustomed manner, conversing and philosophizing, he would not obey. Kraut wishes to fight off the suggestion that all the Laws are offering citizens in the *Crito*, in face of an order to do something, is this:

Persuade the Laws that what they command is not just, or, failing that, [regard yourself as under an obligation to] obey.

Against this suggestion, Kraut wants to suggest (ch. 3, esp. 37–58, 60–65, 71–73, 82–84, 92–94) that the Laws can actually be regarded as offering us two further alternatives: (1) Try *unsuccessfully* to persuade in a just cause, and then disobey (71–3), this alternative being compatible with 'persuade or obey' understood as

(K1)   *try to* persuade, or else obey;

and (2) first disobey, and then explain (*offer* persuasion), again in a just cause (83–5 with 60–65), this alternative being compatible with 'persuade or obey' understood as

(K2)   persuade or else obey in either temporal order.

With this in hand, Kraut can argue that Socrates' disobedience in the *Apology* is nevertheless in accord with his moral obligation to the state to observe obedience to the higher order command 'try to persuade, or else obey'. Thus does (K1) help Kraut solve one outstanding problem involving the consistency of the *Crito* with this passage in the *Apology*. Kraut wants (K2) as well as (K1)—allowing the temporal order obey-or-persuade in addition to the temporal order persuade-or-obey—in order to make further palatable the account of our moral obligations to the state in the *Crito*. (The idea is that circumstances arise, calling for immediate action, in which the state should allow us a certain amount of discretion. Kraut, 62–3, argues this with his beautiful example—slightly reminiscent, of course, of *Statesman* 295B10–296A3—of the daughter authorized by her father to disobey his orders for running the business in his absence, provided that she offer explanation of her stewardship upon his return.)

   Unfortunately, I do not believe that either of Kraut's liberalizations of 'persuade or obey' can in the end be defended. I do not deny that, without these liberalizations, the serious problems remain which Kraut points out. They are indeed problems for anyone who, like Kraut, thinks the *Crito* is about political obligation; that is, about the citizen's moral obligation to the state. As it happens, I believe that this difficulty should be met by arguing that the *Crito* is *not* about the citizen's moral obligation to the state. But I shall leave argumentation on this point for another place. I here restrict myself to arguments that Kraut's two liberalizations of 'persuade or obey' cannot be made out.

II.1

I begin with Kraut's second liberalization (K2): making the Laws indifferent to the order in which 'persuade or obey' is fulfilled. Kraut presents two bits of evidence in favour of the view that the Laws in the *Crito* are actually leaving open the possibility of disobeying first and persuading (or trying to persuade) later. But before we discuss those two bits of evidence for liberalizing (K2), it will be well to set Kraut's discussion in the philosophical context he gives it. Kraut wants us to approach the *Crito* with the idea in mind that the philosophically *natural* temporal order to follow is obey-or-persuade, leaving the following open as an option: first (conscientiously)

disobey, then persuade (explain, or try to explain: 59–82).[5] Kraut then actually
argues (83) that the text 'allows' us to consider the temporal order persuade-or-obey.
Most readers of the *Crito* will be surprised at this, for the temporal order that, at
49E9–50A1, introduces the entire speech of the laws, and therefore the entire
discussion of 'persuade or obey', is unquestionably just that which Kraut gives us an
argument for considering: persuade-or-obey. For compare the aorist μὴ πείσαντες at
50A1 (picking up ἀπιόντες ἐνθένδε)[6] with Schanz's remark 'd.h. der Fall der
Beseitigung der Gesetze auf legalem Wege ist ausgeschlossen'. I do not think anyone
will suppose that the *Crito* envisages *in the case of Socrates' escape*, the possibility
that Socrates might first disobey, and *then* offer persuasion—first escape with Crito
and then explain afterwards. Kraut himself is quite clear on this (83n, 88–90),
though he thinks it must be inferred from 52A1–3:

προτιθέντων ἡμῶν καὶ οὐκ ἀγρίως ἐπιταττόντων ποιεῖν ἃ ἂν κελεύωμεν, ἀλλὰ ἐφιέντων
δυοῖν θάτερα ἢ πείθειν ἡμᾶς ἢ ποιεῖν.

Kraut's correct interpretation of this passage may be paraphrased as follows:

we give anyone who objects to doing what we order [for example your objections to abiding by
the sentence of death, or to the principle that one should remain in what one has agreed to do,
including remaining in verdicts given by the city], the opportunity to persuade us otherwise. If
that option is refused, as you have refused it, Socrates [at your trial], then it is up to you to obey.

There is no suggestion in 52A1–4, nor does Kraut suppose there is, that in the case of
Socrates he might first disobey and then explain later. But nor is there any such
suggestion in the passage ἀπιόντες ἐνθένδε . . . μὴ πείσαντες at 49E8–50A1, which I
have just said introduces the entire discussion.

We should thus, I think, refuse the philosophical context Kraut offers us. That is, we
should refuse to approach the problem as if the natural philosophical assumption
about the temporal order of 'persuade or obey' is that in obey-or-persuade. *Nothing* in
the *Crito*—unless possibly the two bits of evidence to be considered directly—so much
as *suggests* anything other than that the temporal order under discussion is
persuade-or-obey.

Let us then turn to Kraut's two bits of evidence for the view that the *Crito* intends
to leave open the temporal order obey-or-persuade as a possibility. Kraut says (82):

[5] See esp. 59 (which is the first place where Kraut puts the obedience or disobedience first, and
then talks about explaining afterwards: 'You owe an explanation to those with whom you made a
voluntary agreement if you break your word'), 60–5 (a convincing argument against suggestions
in Gerasimos Santas, Marshall Cohen, Joel Feinberg, and others, in which Kraut argues that
there is nothing wrong with an account of political obligation allowing the possibility of
disobedience, provided there is subsequent requirement of explanation; with the beautiful
example already mentioned of the daughter being permitted to disobey provided there is
subsequent explanation), and 82 ('Thus far, I have been assuming that when a citizen violates a
law or an order, the appropriate time for persuasion comes after he has acted illegally').

[6] 'Going away from here having failed to persuade the city that . . .' I assume that the aorist
participle here represents the persuading as past relative to the main verb κακῶς τινας ποιοῦμεν,
while the present participle represents the going away as contemporaneous with it. Cf. the
examples at W. Goodwin, *Moods and Tenses of the Greek Verb* (Philadelphia, 1899), §§139, 143,
and H. Smyth, *Greek Grammar* (Cambridge, MA, 1920), §1872, as well as the example Κροῖσος
Ἅλυν διαβὰς μεγάλην ἀρχὴν καταλύσει at G. Curtius, *A Grammar of the Greek Language* (New
York, 1872), §493. The fact that the participle is aorist may also suggest (what will become
important later: §II.2 below) that 'persuade' is a success verb here, and should not be taken as
either continuous or conative.

. . . the Laws do not always present the alternatives—persuade or obey—in the same order, and so their doctrine can as much be called the obey-or-persuade doctrine as the persuade-or-obey doctrine.

Kraut then continues with his first bit of evidence:

At 51b3–4 we are told to persuade or to do what the city commands; several lines later (b9–c1) the order is reversed.

Here Kraut rather helps himself out by describing what is in fact a *single long sentence* at 50E4ff., esp. 51A7–C3, as if it contained (amongst others) two independent sentences which show us first persuade-or-obey then obey-or-persuade. Like such translators as Tredennick and Grube, Kraut follows the practice of breaking up Plato's difficult long sentences into pluralities of shorter sentences. Often, no harm is done. Here all three translators falsify what is going on in the text by the ways they break up the sentence. (See Kraut, 82 with 93 n. 2; also 57 n. 10, on which more below, n. 8.) Let us look at this single sentence as a whole. The first word-order, 'obey or persuade', occurs earlier in the sentence, at B2–4, in the form:

You ought to reverence, and more yield to and placate [θωπεύειν], an angry fatherland than a father, and [you ought] either to persuade [the fatherland] or do what it orders you to do, . . .

The word-order Kraut prefers comes in the continuation of this sentence, which continues at this point by turning to the various forms the fatherland's orders might come to:

. . . [or do what it orders you] and suffer in silence if it orders you to suffer something, whether to be struck or to be bound; and[7] if it leads you into war to be wounded or killed, these things must be done, and this will be just; and you must not yield or retreat or leave your position in the line of battle; but in war, in the lawcourts, and everywhere, you must do whatever the city and the fatherland command—[either that] or persuade them as to where justice lies.

Now I think there is an easily graspable literary reason, quite independent of Kraut's suggestion, for why, at the end of this sentence which *began* with 'Persuade or do what you're commanded to do', Plato writes 'obey or persuade'. This is that after the Laws have said '(I) persuade or (II) do what it orders you to do' in the first passage just quoted, the Laws elaborate on (II) in the second passage just quoted. What sorts of thing might one be ordered to do (or to suffer in silence)? You must be prepared to

(IIa)   be struck, be bound, be sent into battle to be wounded or killed (all these you must do: they are just);

what you must not do is

(IIb)   yield, retreat, or leave your position;

rather (contrary to these last negatives, and also both summing up and extending from the sort of thing required in battle to the present case—in the law courts—and other cases),

(IIc)   in war, in the law courts, and everywhere, you must do whatever the city and the fatherland orders . . .

But by now (not the sentence, which is surely fine, but) the length of the sentence is getting so far out of hand that the Laws need to remind the hearers (or readers) that the elaboration in (IIa), (IIb), and (IIc) of doing what you are ordered to do or

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[7] ἐάντε . . . ἐάντε . . . ἐάντε . . . : as Adam and Forman say ad loc., this is 'whether . . . or . . ., and if . . .' For this use of τε 'solitarium', Forman also cites 52D1.

suffering what you are ordered to suffer is an elaboration of only one of the alternatives involved. So as an afterthought, they add:

[. . . either that] or [as I was saying above in (I)] you must persuade us where justice lies.

In other words, the adding on of the qualification 'or persuade us where justice lies' is just reminding us that doing what the state commands was not the only alternative. It must therefore surely be granted that whatever temporal order is intended in the first presentation of alternatives is also intended in the second presentation. It is only the involved syntax of the sentence that leads to the differing order in which the alternatives are presented at the end of the sentence. There is thus no support for Kraut's suggestion (83) that 'several lines later (b9–c1) the order is reversed'—as though we were talking of a different sentence and an independent presentation of the alternatives. No, if Kraut is to get any argument out of this passage, he needs to show that the *first* presentation, 'persuade or obey', is indifferent to the order in which the alternatives are presented. But context and the concern with Socrates' case, which Kraut himself admits involves the order persuade-or-obey, surely rules this out. Thus I do not find any grounds in *this* sentence for Kraut's suggestion.[8]

Kraut's second bit of evidence is part of another long sentence—at 51E1–52A3. Kraut says of this passage, in continuing from the passage (82) quoted above:

Then, when the Laws come back to the doctrine at 51e7–52a3, they again pay no attention to the order of the alternatives: they complain that Socrates neither obeys nor persuades (51e7), and point out that they are being very lenient in allowing the citizens either to persuade or obey (52a2–3).

Once more, however, I hope to show that attention to the sentence structure will convince us that the change of order is generated solely by features of that sentence structure, and can in no way be construed as having anything to do with any 'indifference' to the order in which the alternatives 'persuade or obey' are presented.

What the sentence says is to the following effect: whoever of you native-born and educated adult citizens remains in the city, having seen how we judge cases and so forth, we say has shown by their action that they have agreed to do whatever we order them to do; and the one who does not obey has done injustice to us in three ways—that though we have begotten him, he does not obey, that though we have brought him up [he does not obey],

καὶ ὁμολογήσας ἡμῖν πείσεσθαι, οὔτε πείθεται οὔτε πείθει ἡμᾶς, εἰ μὴ καλῶς τι ποιοῦμεν,

[here, Kraut says, we have the order obey-or-persuade], even though when we lay it before him, and do not savagely enjoin him to do what we order, but leave open the

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[8] Kraut is of course quite right, at 57 n. 10, to object to Tredennick's translation of 51B3–4 as '. . . if you cannot persuade your country, you must do whatever it orders, and suffer . . . [*period*]' (Jowett adds the same objectionable protasis). Kraut is plainly right that the Greek ἢ πείθειν ἢ ποιεῖν . . . καὶ πάσχειν . . . should not be so translated as to *exclude the possibility* that *trying* to persuade is an alternative to obedience even if one fails to persuade. (Though I would not agree that this passage—or indeed any other passage in the Crito—really envisages this possibility.) But the real fault of Tredennick's translation is the impression it leaves that the single sentence of the Greek is such that it really consists of several things said categorically about obedience. (For example, 'And if it leads you out to war, to be wounded or killed, you must comply, and it is right that you should do so.') Similar remarks apply to Grube's translation. Burnet's punctuation of the Greek text is surely well justified in its capturing the idea that there is a single thought throughout: persuade or obey (and in that order).

alternatives ἢ πείθειν ἡμᾶς ἢ ποιεῖν [here the reverse order persuade-or-obey], he does neither of these.

Does this sentence, then, show an indifference to the order persuade-or-obey demanded by the case of Socrates which is the one *sub judice* in the *Crito*? I think not. There is surely a better explanation for the order οὔτε πείθεται οὔτε πείθει. It lies precisely in the preceding clause: ὁμολογήσας ἡμῖν πείσεσθαι.

Let us examine this preceding clause. What exactly is the agreement? Well, presumably it is an agreement to do what one has been told to do—always with the escape clause (not mentioned in ὁμολογήσας ἡμῖν πείσεσθαι) that one is given the option to persuade. Why is the option not mentioned in this clause? Presumably because the persuasion will be expected to be the exception rather than the rule. The rule is 'You are to obey *unless* you persuade'. The rule is not 'You are to persuade unless you obey'. (What other explanation can there be of the omission of the alternative to persuade from ὁμολογήσας ἡμῖν πείσεσθαι if it is important and not exceptional?)[9] Well, when would the unmentioned, and exceptional, persuasion take place? Beforehand, presumably, given the context of the argument—at least in the absence of Kraut's evidence to the contrary.

So, then, what is the charge of injustice here which the Laws are imagining? It is that

Having agreed to obey, he neither obeys nor persuades us if [= in the case that: cf n. 9] we are doing something bad.

It might *seem* that there is an intention here to present the alternative temporal order obey-or-persuade. But there is a prior literary question to be answered here: what kind of antithesis could we get out of the following sentence in putting 'persuade' ahead of 'obey'?

Having agreed to obey, he neither persuades us in the case where we are doing something bad nor does he obey.

Surely the effective presentation of the antithesis envisaged in the sentence requires of Plato something of the following sort:

Having agreed to obey us, he *does not* obey us, . . .

after which we add, bringing in the escape clause that was omitted in 'Having agreed to obey us':

'Neither does he persuade us, in the case where . . .'

That is why we have the verbal order 'obey or persuade': effective presentation of an

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[9] Actually, in the passage it is *not* 'obey unless you persuade'. It is not even 'obey unless you persuade us *that* we have acted badly' (as in Jowett and in Allen, and cf. Stallbaum ad loc.). It is 'obey unless, *in the case that* [lit.: *if*, as in Tredennick, Grube] we have acted badly, you persuade us'. That is, the 'unless' clause does not give us an option unless the state has *in fact* acted badly. Plato's use of the 'if' here is deliberate. While he does not emphasize the point, Kraut sees well enough that persuasion is not in order if the state has *not* in fact acted badly: see 67 (first case).

All of the above suggests that persuading is more the exception than the rule. This is particularly clear if we also bring out something else Kraut sees well—that Socrates is *generally* satisfied with the laws of Athens (though I do not follow Kraut so far as to suppose this general satisfaction amounts to assigning positive moral influence to precepts derived from Athens' democratic laws—rather in the manner indicated in Protagoras' Great Speech in the *Protagoras*: see Kraut, ch. 6, esp. 207ff., 219ff.). For to say this is presumably to say that Socrates is not going to be complaining so very often that the state has acted badly.

antithesis. It has nothing to do with temporal order or indifference to temporal order.[10]

Thus neither of Kraut's two bits of evidence, seen in context, shows any indifference on Plato's part to the temporal order as between persuading and obeying. Nothing in the *Crito* can be taken as suggesting any temporal order other than persuade-or-obey. This completes my treatment of Kraut's second attempted liberalization (K2).

II.2.

I return now to Kraut's first, and more important, liberalization (K1), reading 'persuade or obey' as '*try to* persuade, or else obey'.

Of course, making good on (K1) requires that the 'persuade' of 'persuade or obey' be taken, as grammarians say, 'conatively'.

Let us make sure we are not misled by talk of the 'conative' present and imperfect. I do not myself believe there is any such *syntactical* category as the 'conative' present or imperfect. For what exactly is this 'conative' present (or imperfect)? To answer this question we need to start a little further back, since the so-called conative present and imperfect are species of the continuous present and imperfect. There has been a tendency in Greek syntax—by no means a universal tendency—strengthened, no doubt, by the nineteenth-century discovery of imperfective and perfective aspects in Slavic languages, to suggest that all Greek uses of the present and imperfect—except for a few well-marked exceptions (such as uses for generality, for the customary, and for the historic present)— are continuous, while the main use of the aorist is as the past of what we may call 'simple occurrence'. (In the one, we look at the action or process or state as it is going on or perduring; in the other, we look at the action or process or state as a whole.) There is indeed much in the use of present and aorist in the oblique moods to support such a tendency. But it is too simple by half to speak of even the main uses of the present (or imperfect) indicative as all continuous. If, for example, we think of the aorist indicative as the past of simple occurrence, how can there not be a *present* of simple occurrence? But the present indicative is the only present available to serve this function. Alert grammarians have therefore always made room for such an 'aoristic present' [Smyth, §1853] as a reading of the present indicative.

Now consider *continuous* presents in the case of verbs that designate what Aristotle called κινήσεις as opposed to ἐνέργειαι. Actions such as walking, building a house, and burying (unlike such actions as enjoying, seeing, being happy, and so forth) (a) always have a starting point and a goal; (b) always take place between two times; and so, in consequence of (a) and (b) together, (c) are always either quick or slow; and (d) are always such that if one is in course of doing the action, one has not yet completed that (same) action.[11] It thus follows that although (e) standard uses of such

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[10] Effective presentation of this antithesis is probably also a reason why Plato saw fit not fully to present the available option (to persuade) in the clause ὅτι ὁμολογήσας ἡμῖν πείσεσθαι—that together with the fact that the alternative choice 'persuade in the case that we are acting badly' is going to be the exception rather than the rule [n. 9 above].

[11] See my 'Verbs and the identity of actions—a philosophical exercize in the interpretation of Aristotle', in George Pitcher and O. P. Wood (edd.), *Ryle* (New York, 1970), pp. 393–460. Notice that I have embodied in the present description of the distinction my view in 1970 that the ἐνέργεια–κίνησις distinction cannot be made at the linguistic level [verbs or verb-phrases, as in J. L. Ackrill, 'Aristotle's distinction between *Energeia* and *Kinesis*', in R. Bambrough (ed.), *New Essays on Plato and Aristotle* (London, 1965), pp. 121–41, Z. Vendler, 'Verbs and times',

verbs—whether simple occurrence uses or continuous uses—will be what Gilbert Ryle used to call 'got it' uses (success or attainment uses),[12] nevertheless (f) there will on occasion be present (or imperfect) *continuous* uses of such verbs where the action is in progress, as per (d), but where, contrary to (e), the goal will (or may) turn out not to be attained, even though movement towards that goal is (or was) in process. In such cases, (g) if in addition, the agent in question is therein acting voluntarily, it will be appropriate to speak of the agent *trying to do* the action in question. To take an example, if some voluntary agent is in process of burying Achilles, then if that agent does not succeed in completing the burial, we may say the agent *tried* (or was trying) to bury Achilles.[13] But, as Smyth says (§1878b), 'the idea of attempt or intention is an inference from the context and lies in the present only so far as the present does not denote completion'. To see that talk of attempt or intention *is* the product of inference, simply take a κίνησις-denoting verb where there is no voluntary agent, as in 'the pressure is killing Smith (burying Smith)'. Here no one will suppose that the pressure is *trying* to kill (or bury) Smith, even if it is not going to succeed. (Cf. *Iliad* 21.326–7.)

All of this is a way of saying that there is no *syntactical* category of the conative: the syntactical category is of the *not-completed continuous*. I am perfectly happy with *translating* such non-completed continuous uses of verbs where there is a voluntary agent as 'tried (was trying) to . . . .' But all that fact about translation shows is that, as has been argued in W. V. Quine, *Word and Object* (Cambridge, MA, 1960) and Donald Davidson, *Inquiries into Truth and Interpretation* (Oxford, 1984), translation is not only a matter of any supposedly autonomous disciplines of syntax and semantics, but also involves our (so-called factual) beliefs about what is really true in the situations being described. (Cf. also the cautionary remarks at Schwyzer-Debrunner, *Griechische Grammatik* [München, 1939–71], II, 259.)

So, then, reference to *trying* is purely an inference from the *continuous* use of a verb denoting a κίνησις, done voluntarily, *provided only that the context indicate that the* κίνησις *either fails or might fail of completion.* Such contextual indications being absent, even with an animate agent, the speaker will not rely on any 'conative'

Philosophical Review 66 (1957), 143–60, and others criticized there, as well as B. Comrie, *Aspect* (Cambridge, 1976), pp. 44–48], but must be made at the ontological level. That is, the distinction is one between the *actions* that verbs and verb phrases designate. Thus, 'is walking' will almost always stand for the same action as some other verb phrase, 'is walking from *A* to *B*' even if used without verbal complement. Similarly for 'is singing' and 'is singing such and such a song' (or 'is singing such and such a tune': the example of singing from Comrie). No wonder there is trouble trying to handle Aristotle's distinction as Ackrill does, by following Vendler's treatment of 'is walking' as involving a different case from 'is walking from *A* to *B*'! On the other hand, I also argue that, besides such κινήσεις, there are such ἐνέργειαι as *exercising one's physical (ambulatory, vocal) capacities*—the idea of χρῆσις introduced by Socrates and Plato, and culminating in Aristotle's beautiful development of the notion of χρῆσις into the notion of ἐνέργεια as opposed to ἕξις. (The chief χρῆσις or ἐνέργεια is of course happiness.)

Condition (d) in the main text, suggesting that we should not in general treat *walking* differently from *walking from A to B*, is an ontological condition. But we should be clear that the distinction between continuous and simple occurrence uses of a verb for κίνησις is merely a distinction between different ways of looking at the same κίνησις.

[12] *The Concept of Mind* (London, 1948), p. 130.

[13] Not to complicate things too much all at once, notice that 'tried' is a simple occurrence use of the verb 'try', 'was trying' a continuous use. This distinction is easier to make in past tenses, since an action which is a κίνησις is easier to represent as a whole (from a 'simple occurrence' standpoint) in the past. This is why books on Greek syntax say that the 'conative' shows up more often in the imperfect than in the present, as, for example, in Goodwin, §25. This is a point which Burnet makes very well in the passage quoted below, n. 15.

implications, and so there will be no case for a 'conative' translation.

What is certainly not true is, for example, that present and imperfect uses of a κινήσις-verb such as πείθειν have *two meanings*, 'persuade' and 'try to persuade', between which we may choose *ad libitum*. One will look in vain for any such *lexical* account of πείθειν in LSJ. The situation is rather this: if a verb like πείθειν is to be read as a *continuous* use of 'persuade', and translated 'try to persuade', then there must be contextual indications either of failure or of the possibility of failure in the offing. In addition, if the use of πείθειν is a *simple occurrence* use of the present or imperfect, *it cannot be expected to be 'conative' at all.* These are the restrictions within which Kraut must work if he is to show that πείθειν ἢ ποιεῖν or πείθειν ἢ πείθεσθαι can be translated as '*try to* persuade or obey'.

Let us turn therefore to Kraut's argument that the present infinitive πείθειν in the relevant passages in the *Crito* can be taken as 'try to persuade'. (This argument is of course the lynchpin of Kraut's reconciliation of the *Apology* with the *Crito* taken as an account of political obligation.) In the alternatives πείθειν ἢ πείθεσθαι (51E4–7) and πείθειν ἢ ποιεῖν (51B3–4, B8, B9–C1, E4, 52A1–3), can the πείθειν alternative be regarded as fulfilled by non-completed continuous uses?

We may gain some light on this question if we look at the other choice in the πείθειν ἢ πείθεσθαι, πείθειν ἢ ποιεῖν options. Are the uses of πείθεσθαι and ποιεῖν continuous? Or are they just simple occurrence uses? Presumably πείθειν will be continuous if and only if πείθεσθαι and ποιεῖν are continuous. Certainly it would be odd if this were not so. But no one, I think, would suggest that either πείθεσθαι or ποιεῖν is continuous or even incomplete ('be obeying' or 'be in process of doing what you have been commanded to do'), let alone 'conative' ('*try* to obey' or '*try* to do what you have been ordered to do'). It is surely obvious that πείθεσθαι and ποιεῖν appear here in 'simple occurrence' uses. But if so, surely we can have no reason whatever to take πείθειν as 'be in process of persuading', or 'be offering persuasion', let alone as 'try to persuade'. The uses of πείθειν cannot even have been intended to be continuous, let alone 'conative'.

The above consideration seems to me decisive against the translation '*try to* persuade or obey'. But the following may be added: if one *were* to insist that in the infinitive, the present is always continuous and the aorist always of the 'simple occurrence' sort, and accordingly treat πείθειν as continuous, one would surely then expect the πείθεσθαι and ποιεῖν, by the same token, to be *aorist*. But of course Plato does not write πείθειν ἢ ποιῆσαι. [Nor am I suggesting that Plato would have tried to embody 'try to persuade or obey' by these means. It would only be reasonable of him to do so, so far as I can see, if it *were* the case—which it is not—that the present is always continuous (except for the standard exceptions), and if, in addition, there were contextual indications that the persuasion in question was not, or might not have been, brought to a successful conclusion.] In fact, far more likely than either πείθειν ἢ ποιεῖν or πείθειν ἢ ποιῆσαι, if Plato had wanted 'try to persuade or obey' he would have written: πείθειν ἐπιχειρεῖν ἢ ποιεῖν. (Indeed at *Apology* 36C5 we *do* have ἐπιχειρῶ . . . πείθειν—and cf. the copious use of ἐπιχειρεῖν just in the imagined dialogue with the Laws alone: 50B1, D1, E6, 51A3, 5, C8, 52C5, 54C8).[14] In addition,

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[14] Cf. also πειρᾶσθαι at 49A1 (Crito should try to answer Socrates' questions in connection with Socrates' persuasion that there be no escape), *Apology* 20D2 (try to show how I got slandered), 21C7–8 (try to show someone only *thought* they knew), 24B6 (try to make his defence), 24C8 (try to show the jury what Meletus is up to). Cf. also De Strycker and Slings on *Apology* 30D5.

(4) there does not seem to be any contextual indication in the imagined dialogue with the Laws of either *failure to persuade* or even of an *incompleteness* of persuasion of such a sort as to force a continuous reading.

All of these things together surely suggest that there is no case for anything but a simple occurrence use for πείθειν in this passage. What is intended is: persuade (successfully) or obey—that is, try to persuade; and if you fail, obey.[15] But if we have a simple occurrence use, it is then a 'success' use, and implies that the persuasion is successful.[16]

It is true that Kraut appeals to two passages elsewhere in the *Apology*, which he cites (72) as evidence for 'conative' uses of πείθειν, namely, 30A7–B2 and 30E7–31A1. Even here, however, and even if continuous uses of the present are in question (as I have argued they are not in our passage in the *Crito*), the case is not so strong as Kraut makes out. Kraut says about these two passages,

Of course Socrates realizes that he has not actually succeeded in persuading his fellow citizens that his moral opinions are correct; he admits that on some of the most important points, he remains practically a minority of one. Thus, when he says that he does nothing other than persuade the citizens, or that he never ceases to rouse and persuade them, he must strictly mean 'try to persuade'.

But there is no mention of moral opinions in either passage; indeed, both at the first passage and at a later passage, 31B5, the persuasion in question is persuasion to an *action*, namely caring for one's soul. But it is not so obvious that Socrates has not had

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[15] As I have already said in n. 8 above, one may agree with Kraut, 85 n. 42, as against Tredennick (and indeed Jowett), that the Greek at 51B3–5 does not *say*: persuade, and if that fails, obey. But if it is a simple occurrence use of πείθειν, as I maintain it is, then Jowett and Tredennick are still right about what Socrates actually intends here. On 'persuade successfully', it is worth noticing Burnet's comment at 37A6:

As πείθειν is to succeed in producing conviction, οὐ πείθειν is to fail to do so. This comes out chiefly in the imperfect tense (πολλὰ πρὸς αὐτὴν λέγων οὐκ ἔπειθε: Herod. 2.121), but that is only because of the double use of the present as a tense of continuance and a tense of attainment.'

[Notice that every other use of πείθειν in a present or imperfect active form in the *Apology* is a 'got it' use: 18B5, D3–4, 19E6, 27E5, 35C2, 36C5, 37D8, 38A7 (cf. also 37E6); and for aorist uses, cf. 37E5.] As I have already mentioned, one will look in vain in LSJ for a sense of πείθειν other than a success use ('to prevail upon someone . . .'). None of which is to suggest that Burnet or LSJ would deny that there are uses of the sort 'be in process of persuading . . .' or 'offer persuasion . . .' [The examples in Goodwin, §36, from Herodotus and Xenophon are convincing, though it is harder to find examples in the Socratic dialogues. Adam thinks *Protagoras* 3 16C7 is 'conative' though it plainly need not be, and the parallel passage suggested by Adam, *Apology* 19E–20A, plainly does not involve a 'conative' use.] What I am suggesting rather is that we not opt for such uses unless there are contextual indications (a) that the verb is to be taken continuously and not as a 'simple occurrence' use, and in addition, (b) that the persuading engaged in was or might have been unsuccessful.

[16] In illustration of the point that uses of 'persuade' are, in the absence of reference to possible failure in the offing, to be taken as success uses, notice Kraut's remarks, 57:

And surely there is no strain in taking the phrase 'persuade or obey' to mean that if one does not obey then one must persuade.

I find it almost impossible to hear the word 'persuade' in this [simple occurrence] use as not implying success. That is, I find it impossible to hear it in any other way than as: 'If one does not obey, then one must *succeed in* persuading'. It is only if one knows Kraut is going to argue later that 'persuade' can be 'conative' [in its continuous present use] that one can really set oneself up to hear the 'persuade' here as allowing 'try to persuade'.

some limited success in this *protreptic* area.[17] There also seems little doubt that Kraut's second passage should also be taken to be about rousing, persuading, and reproaching *about care for the soul*. Should 'persuade' here be taken as merely 'conative'? Should 'rousing'? Should 'reproaching'? (True, 'rouse' and reproach' are not quite so clear instances of 'success verbs'.)

But decisive, in both passages, against Kraut's suggestion that the persuasion in question is meant to be *failed* persuasion is the following consideration: that the whole point of the mentioning of persuasion in the two passages in question is precisely that they *are* successful, at least in some degree. For in the first passage, the point is (30A5–7) that *no greater good has come to be in the city* than Socrates' service to the gods. This could hardly be the case if we are talking about *failure*. Similarly, in the immediate sequel, Socrates says that he 'persuades' people to care for the soul, that virtue does not come from money, and so forth; and he adds that if to say such things is to corrupt the young (which it is not), then he *would have done harmful things*. From *failed* persuading? No, success at persuading must be precisely what is envisaged.

In Kraut's second passage, 30E7–31A1, Socrates is describing himself as arguing not from the point of view of his own good, but from the point of view of the good of the city [30D5–E1, with C4–5, 7–8], and saying that he is concerned that by their vote, the jurors will make a big mistake about this gift from god to the city. For this gift is the gift, as it were, of a gadfly to this lazy, big horse of a city—a gadfly which never ceases lighting on the horse, and awaking, persuading, and reproaching it. Once more, it is not easy to see why the city would be making a mistake, or doing *anything* of consequence, by swatting the fly, if it was a matter of *failure* to awake, persuade, and reproach. So I do not believe that these passages at all suit Kraut's thesis. Nor does 31B1–5, where Socrates gives the following as part of his argument that he is a gift from the gods: that anyone other than someone who was a gift from the gods would surely not be so totally careless of his own affairs and spend all his time going to each person, in person, like a father or an older brother, πείθοντα to care for virtue. But how could he be a gift from the gods if he was totally unsuccessful in so persuading people? Finally, for what it is worth, it is arguable that every other use of πείθειν in the dialogue is unequivocally a success verb.

I conclude that the preponderance of evidence for the *Crito* is, by far, in favour of reading the relevant occurrences of πείθειν as 'simple occurrence', and so also as 'attainment' uses. The evidence shows, pretty well overwhelmingly, that Kraut's case for the Laws' having intended '*try* to persuade, or else obey' fails.

Is it completely *impossible* that the Laws intended '*try* to persuade, or else obey'? There *is* an option open to Kraut here. This is to argue that if we broaden the context of these passages in the *Crito* to include *the entire corpus of Socratic writings*, and therefore the hypothetical disobedience at *Apology* 29B9–30C1, we can argue that, on the assumption that the *Crito* is about our moral obligations to the state, the hypothetical disobedience will be inconsistent with the *Crito*. But the *Apology cannot* be meant to be inconsistent with 'persuade or obey'. So a continuous reading is forced by this (much) larger context (Kraut, 72).

I do not find this convincing. There are surely other options than forcing a continuous reading on 'persuade or obey'. One is to deny that the *Crito* is about our

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[17] For example, consider the young men who have consorted with Socrates, who do not think Socrates has corrupted them—whose parents also would deny that Socrates has corrupted their sons (33C8–34B5). The suggestion may be that they have been persuaded to act (and think) in certain ways—ways which are beneficial to them and their relatives.

moral obligations to the state—which will free us up to argue that the hypothetical disobedience in the *Apology* is actually *intended* to be, in the manner of Antigone, *conscious contravening of the commands of the state* through putting the god first. But I would not deny that it is quite proper for Kraut here to point to more general considerations about the consistency of the *Apology* and the *Crito.*

3. Concluding Remarks on 'Persuade of Obey'

I conclude that there is no good case, internal to the *Crito*, for reading 'persuade or obey' as allowing either 'first disobey and then explain' or 'try to persuade, or else obey'. Nothing short of an argument that the hypothetical disobedience of the *Apology* is meant to fall under a citizen's supposed moral obligation to 'persuade or obey' the state will suffice to allow Kraut's liberalizations of 'persuade or obey'.[18]

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