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ROSEN'S 'A CREATURE OF MODERN SCHOLARSHIP' — A REPLY

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In his paper, Professor Rosen pays us a great compliment by suggesting that out of the multitude of studies of Plato's *Crito* Richard Kraut's and ours are worthy of special attention.[1] Rosen rightly notes that Kraut and we come to quite different conclusions about how the *Crito* is to be understood. Kraut thinks that the arguments of the *Crito* require that the citizen always avoid what the *citizen* takes to be an injustice. Thus, in Kraut's view, these arguments allow the citizen to engage in some measure of disobedience provided that the citizen has first made a good faith effort to *try* persuade the relevant legal authorities that obedience to some particular legal command would be unjust. We think the *Crito* gives the citizen no such latitude. We think that the *Nomoi* of the *Crito* are insisting that *their* judgments, not those of the individual citizen, must be authoritative, and so the citizen is morally required to obey if he fails to persuade the *Nomoi* that obedience would be unjust. If obedience does indeed constitute an injustice, we argue, blame is to be laid at the door of the citizen's civil superiors — those governmental officials who were not persuaded — and not at the door of the obedient citizen. After examining the arguments on both sides, Rosen pays us an even greater compliment by concluding that of the two approaches ours is the more plausible.

Does this mean that Rosen agrees with us about how to read the *Crito*? Well, yes and no. Rosen thinks we are right about the citizen's obligation to carry out a legal command if the citizen fails to persuade the appropriate legal authorities about the injustice of that command. But Rosen disagrees with us about two other issues. The first concerns the relationship between judgments about particular laws and judgments about what Rosen calls 'the constitution of the city'. Rosen, it appears, thinks that a citizen's judgment that a particular law is unjust implies a corresponding judgment that the city's constitution is itself flawed. We disagree. The second area of disagreement concerns the compatibility of the position Socrates argues for in the *Crito* and the stance he adopts vis à vis the city in the *Apology*. We think that what is said about fidelity to law in the two works is consistent. Indeed, as Rosen notices, on this point we are in full agreement with Kraut. Our disagreement with Kraut concerns *how* the two works are consistent. Making the case for

[1] Frederick Rosen, ' "A Creature of Modern Scholarship": Disobedience and the *Crito* Problem', *Polis*, Vol. 15, p. 1.

the compatibility of the two works is important to us because we, like Kraut (and many other contemporary scholars as well), believe that the *Apology* and the *Crito* belong to the first group of dialogues Plato wrote and that the character 'Socrates' around whom each of the dialogues revolves articulates views that form the framework of a coherent philosophy.[2] One who accepts this way of reading these dialogues is naturally led to try to show how apparent inconsistencies between what the 'Socrates' of one early dialogue and what the 'Socrates' of another early dialogue says can be explained away. What bothers Rosen about this approach is that he thinks it requires the adoption of overly complex interpretations of the individual dialogues that are 'largely foreign to Plato's own writing.'[3] Attempts to demonstrate the consistency in the remarks of the Socrates of the *Apology* and the 'Socrates' of the *Crito* of the sort Kraut and we attempt, therefore, is just a special case of this general interpretive failing.

In the last section of his paper, Rosen suggests a remedy to the methodological extravagance into he believes most contemporary scholars have fallen: Rosen recommends a return to the suggestion of George Grote, the nineteenth century Hellenist, who rejected attempts at an elaborate chronological ordering of the dialogues as foolhardy. For Grote, each dialogue should be seen as an 'independent philosophical production'.[4] Each must be understood on its own terms, apart from what is said in any other dialogue. For Grote, even if certain consistencies between the *Apology* and the *Crito* can be found, in searching them out the reader is likely to miss the larger point, that Plato is quite self-consciously trying to achieve different and incompatible goals in the two works.

We shall return to Rosen's endorsement of Grote's reading of the *Apology* and the *Crito*. Let us first, however, take up Rosen's claim that the *Nomoi* in the *Crito* believe that a judgment about the injustice of a law implies a corresponding injustice about the 'constitution of the city.' Rosen writes: 'In examining these alternatives to simply obedience, it should be also be emphasized that the issue is not just one of simple consent or disobedience, but

[2] Acceptance of these two points is hardly unique to us. There is now widespread agreement (a) that Plato's dialogues can be divided into three groups (with some dialogues marking the transition between groups) corresponding to three distinct periods in Plato's development as a philosopher and (b) that the first group contains doctrines that form a coherent philosophy that is importantly different from the philosophy expressed in the latter two groups. That the following dialogues constitute Plato's early period is uncontroversial: *Apology, Charmides, Crito, Euthydemus, Euthyphro, Gorgias, Ion, Hippias Major, Hippias Minor, Laches, Menexenus, Protagoras, and Republic* Book I. *Meno* is often considered as a transitional dialogue, falling between the first two periods. With the possible exception of the *Lysis*, *Menexenus*, and *Hippias Major*, which may have been written at the end of the early period, we believe it is impossible to make any further refinements in the chronological ordering of the early period works.

[3] Rosen, *Polis*, Vol. 15, p. 11.

[4] Rosen, *Polis*, Vol. 15, p. 11.

one that focuses more on the constitution of the state. What makes laws good is a good constitution. If a law or practice is unjust, it reflects a deficiency in the constitution. The task then is to change the constitution rather than to disobey the law.'[5] It follows from Rosen's understanding of the *Crito*'s 'obey or persuade' doctrine that good laws are incompatible with bad constitutions and bad laws and incompatible with good constitutions.

But just what does Rosen mean by 'constitution of the city'? Unfortunately, he does not tell us. We assume, though, that Rosen means what the Greeks called a city's *politeia*, that is, a city's *form* of government, and that it is a defect in this, as opposed to, say, the values of the particular individuals who happen to be ruling, that, according to Rosen, the *Nomoi* believe any unjust law reflects. In exercising his option to persuade after having been ordered to do what he thinks is illegal, the citizen, presumably, is supposed to articulate what this deficiency is.

We think it is unlikely that the 'Socrates' of the *Crito* had any such view in mind. First, the *Nomoi* insist that the citizen must do whatever he is commanded 'in war, and in court, and everywhere . . . or persuade [the city] about what is really just' (51b8–c1). The alternative to obedience is persuasion about the justice of the city's command. Nothing is said about the *politeia* in place in the citizen's city, nor is anything implied about 'the constitution of the city.' In fact, we think that Socrates is entirely able to distinguish judgments about the justice of particular laws from judgments about the city's form of government. Plainly, even the most vicious tyrant might (by mistake) issue a just command — a situation that Plato's Socrates seems quite able to imagine (see, e.g. *Gorgias* 468d1–4, *Republic* I, 339c1–e8). On the other hand, an unjust law might be made within the framework of a good constitution. So, for example, in the *Apology*, Socrates implies that he does not agree with the Athenian law which requires capital cases to be completed in a single day (37a9–b1; see also 18e5–19a2), but there is no reason to see this disagreement as calling into question the authority or the acceptability of the Athenian constitution.

For Socrates, a legal command that happens to promote moral goodness is a sufficient condition of that law being just. To see why, we need only think of what Socrates would say about a form of government that stipulated that only those could rule who were genuinely dedicated to living the examined life. But suppose also that these dedicated Socratics, like Socrates himself, lack moral knowledge. Even if such ruler made mistakes, perhaps even disastrous moral mistakes, Socrates would surely regard such a constitution as better than, say, any of the forms of democracy or oligarchy or tyranny with which he was familiar. Indeed, it seems to us that he would regard it as the best form of government there could be short of one ruled by persons who actually had moral knowledge. Were moral mistakes to occur in a city ruled by dedicated Socratics, the good citizen should try to persuade the relevant

[5] Rosen, *Polis*, Vol. 15, p. 10.

authorities that the law in question is unjust. But the constitution of such a city would not be at issue.

Let us now turn to Rosen's claim that our interpretation of the *Apology* and the *Crito* is 'a creature of modern scholarship.' Instead of trying to reconcile what have often been taken to be the contradictory implications of the two works, as we do, Rosen endorses Grote's view that any contradictions between the two works are justified because Plato had quite different goals in mind when he wrote the *Apology* and the *Crito*. Grote sees the 'Socrates' of the *Apology* as the supreme individualist, a person who steadfastly refuses to bow in the face of the city's attempts to coerce him into silence. As Plato portrays him standing before the jury, the *Apology*'s 'Socrates' was 'putting himself above the law,'[6] revealing the same 'unmistakable contempt for the Athenian constitution as that which had been displayed in act by Kritias and Alkibiades, with whom his own name was associated as companion and teacher.'[7] Why would Plato have put his own friend in such an unflattering light? For Grote the answer is simple. Plato was setting down in writing what Socrates actually said. Plato's version of the famous speech was in fact ' . . . in substance the real defence pronounced by Sokrates; reported, and of course dressed up, by Plato, yet not intentionally transformed, by Plato.'[8] If Grote is right, Plato in the *Apology* provides us with reliable information about the real, the historical Socrates, who had little respect for the legal and political structure of the city in which he had spend virtually all of his life.

In writing the *Crito*, according to Grote, Plato found it necessary to put the historical Socrates in a more conciliatory light, not as an individual standing on principle against a corrupt society, but as a loyal member of his city who was prepared to do *whatever* his city ordered him to do if he could not persuade the legal authorities otherwise. Grote summarizes his view of Plato's goal in writing the *Crito* as follows:

> Sokrates is thus made to express the feelings and repeat the language of a devoted Athenian democratical patriot. His doctrine is one which every Athenian audience would warmly applaud . . . Hence it is all the better fitted for Plato's purpose of restoring Sokrates to harmony with his fellow citizens. It serves as his protestation of allegiance to Athens, in reply to the adverse impressions prevalent against him . . . He is thus presented not merely of ordinary loyalty but of extraordinary patriotism.[9]

For Grote, then, the goals of the *Apology* and the *Crito* are indeed quite different. The *Apology* is essentially an historical document. It serves as a record for posterity of the basic elements of Socrates' speech and the tone he struck when he gave it. The *Crito*, on the other hand, is a product of Plato's imagination. But the *Crito* is not just a work of fiction in which the author

[6] Grote, *Plato and the Other Companions of Sokrates*, Vol. 1 (London, 1865), p. 429.
[7] Grote, p. 429.
[8] Grote, p. 410.
[9] Grote, pp. 430–31.

imagines what some historical figure would have said in a situation that, as a mater of fact, never occurred. For Grote, the *Crito* is an out-and-out *distortion* of what the historical Socrates actually thought, for its goal is to 'restore Sokrates to harmony with his fellow citizens' by serving as a kind of corrective to the bad impression Socrates must have left at his trial.[10]

Of course, it is not *impossible* that Grote's reading of the two works is correct. But it requires the extremely implausible assumption that Plato believed the *Crito* would actually have been effective in rehabilitating the memory of his beloved friend in the minds of the very people who must have known, either first-hand or second-hand, what, according to Grote, was the 'contemptuous' stance Socrates took at his trial. If we, the modern audience, are supposed to see what Plato is up to in writing such different works, why should we think Plato's Athenian audience would be any less perceptive?

But perhaps Rosen does not mean that we should accept everything Grote says about the *Apology* and the *Crito*. Perhaps Rosen would not endorse, for example, Grote's notion that the purpose of the *Crito* is to 'restore Socrates to harmony with his fellow citizens'. Rosen may only want to endorse the spirit of Grote's approach to the dialogues, taking ' . . . each dialogue as a separate and independent philosophical production . . . [each] understood as a contribution to philosophy in its own right.'[11] But just how 'separate and independent' is it reasonable to think the *Apology* and the *Crito* are? They cannot be *completely* 'separate and independent', since Plato directly links the two works by situating them within the same historical events in Socrates' life. More importantly, the 'Socrates' of the two works espouses many of the same convictions. Most notable in this regard is the fact that both emphasize the importance of doing what one's political superiors command.[12] Moreover, at one point Plato goes out of his way to make the *Crito*'s audience recall what 'Socrates' said in the *Apology* (37c4–e2) about why he would not go into exile.

> Accordingly, it was possible for you to assess your penalty at your trial as exile, if you had wanted, and now you are attempting against the city's will what you could have done then when the city was willing. Then you made a big show of being upset if you needed to die, choosing instead death, as you said over exile. But now aren't you ashamed at these words . . . (52c3–8, also 45b5–c1).

Here Plato plainly wants the audience to *connect* the 'Socrates' of the *Crito* with the man who vowed to the jury that he would rather die than disobey his superior. It would be odd if Plato really thought that he could get his audience to remember some of the things Socrates said at his trial without at the same time recalling Socrates' overall demeanor, which according to Grote was just of the opposite of what we find in the *Crito*.

[10] Grote, p. 430.
[11] Rosen, *Polis*, Vol. 15, p. 11.
[12] Compare, for example, *Ap.* 29b2–7 with *Cri.* 51a2–c3.

In the view Rosen is promoting, Plato should not be understood as making any effort to provide a consistent picture of Socrates or of Socratic philosophy in the early dialogues. But this interpretive stance is surely itself inconsistent with the actual portrait of Socrates and his activities in every one of these dialogues. We always find Socrates interrogating his interlocutors, and revealing the inconsistencies in their beliefs and concluding, once they are revealed, that his interlocutors are ignorant. Consider how Plato has Socrates characterize Philosophy itself, and how he warns Callicles about the perils of inconsistency:

> Philosophy always says the same things. She says what now surprises you . . . So either refute her, as I said just now, and show that doing injustice and doing injustice without punishment are not the greatest of evils, or, if you allow [what I say] to be unrefuted, by the dog, the god of the Egyptians, Callicles will not agree with you, O Callicles, but will be in conflict in your whole way of living. But I think, O best of men, that it is better to have my lyre, or a chorus that I might produce, out of tune and discordant, and to have most people disagree with me and contradict me, than that I, one man, be discordant with myself and contradict myself. (*Gorgias* 482a7–c3)

Plato's Socrates — and, indeed, his very idea of Philosophy — it seems, is very concerned with consistency. Rosen's and Grote's view of Plato's dialogues are in stark contrast with this very concern, so often expressed in the dialogues themselves.

Whenever we read another philosopher who appears to have set down conflicting views in different works, we usually look for ways to explain away the appearance of conflict or, perhaps failing that, conclude that the philosopher changed his mind. Only as a last resort would we say that the philosopher just did not see the problem, especially if the problem strikes us as glaring. Why, then, would Grote have thought that radically different interpretive standards should be applied when we read Plato? Why should we be troubled by apparent contradictions, say, between Aristotle's *Categories* and his *Metaphysics*, and seek to explain them away, but not be troubled by an apparent contradictions in Plato's works? Grote's explanation is curious.

> Plato (except in the Epistolae) never appears before us, nor gives us any opinion as his own: he is the unseen prompter of different characters who converse aloud in a number of distinct dramas, each drama a separate work, manifesting its own point of view, affirmative or negative, consistent or inconsistent with the others, as the case may be. In so far as I venture to present a general view of one who keeps constantly in the dark — who delights to dive and hide himself . . . I shall consider it subordinate to the dialogues each and all: and above all, it must be such as to include and acknowledge not merely diversities, but also inconsistencies and contradictions.[13]

[13] Grote, p. 340.

Even if we grant for the moment that Grote is right and that Plato is not setting forth his own views in any of the dialogues, why does it follow that each dialogue must be regarded as a separate work that is not to be interpreted in the light of what is said in any other Platonic dialogue? Even if we can say nothing at all about whether Plato himself believed there were separate abstract existences called forms, for example, why should we not use clearly articulated statements about forms in one dialogue to clarify problematic statements about forms in another? After all, even on Grote's theory that Plato always remains in the background, hidden from view, at the time of writing of both dialogues he thought that forms were something for his audience to ponder? Since it is the theory of forms he wants us to consider (regardless of whose view the theory is), why should we not use what he says clearly about forms in one dialogue to help us understand how that theory functions in the second work? Plato's refusal to endorse a doctrine simply does not, by itself, warrant the reader's insouciance about seemingly conflicting expressions of that doctrine in different dialogues. Again, many things could explain the appearance of conflict, including the possibility that the conflict is real. But the appearance nonetheless calls out for *some* explanation.

But should we even accept Grote's hypothesis about Plato's refusal to reveal his own thoughts? Grote thought his hypothesis is required by the testimony of *Letter II* and *VII*, in which, according to Grote, Plato explains that he never has and never will record his own philosophical thoughts. The authenticity of the *Letters II* and *VII,* however, is by no means assured.[14] Even the advent of computer-assisted, stylometric analysis has failed to generate a clear consensus among scholars that Plato did, or that he did not, write either letter. But even if we accept the authenticity of both letters, Grote's conclusion, that we never find Plato's opinions about any philosophical doctrines, does not follow. Let us look first at a passage from *Letter II* Grote takes to be especially telling:

> Take care that these things don't fall into the hands of uneducated people. Virtually nothing it seems to me that most people could hear would seem more laughable than these things, just as they could not seem more marvelous and inspiring to those with a noble nature. They must be heard and spoken, almost in the way gold is refined only after considerable work. Listen to what is the surprising thing about it. There are many people of understanding and good memory who, having grown old, have heard them for no less than thirty years, and who also examine and judge all things carefully, say that the things they thought unintelligible then they now think intelligible and quite evident, whereas what things they then found most intelligible are now just the opposite. Look out for this and be careful that you'll not have to be sorry for what is divulged improperly. The great-

[14] For a full discussion of the issues surrounding the authenticity of the Plato's *Letters*, see W.K.C. Guthrie, *A History of Greek Philosophy*, Vol. 5 (Cambridge, 1978), pp. 399–401.

> est safeguard is not to write anything down but to commit it to memory. For it is not possible not to divulge what is written. For these reasons I have never written down anything concerning these things (*peri toutōn*). No written work (*suggramma*) by Plato exists or will exist, but what is said as it happens (*ta nun legomena*) belongs to Socrates who has become fair and young. (*Letter II,* 314b5-c4)

Grote, apparently, places weight on the author's warning not 'to write anything down.' But the penultimate line makes it clear that the author is warning against writing anything down 'about these things.' The author's worry, as the beginning passage makes clear, is that were he to put his thoughts about 'these things' in writing, the writings might fall into the hands of 'most people', who simply won't be able to comprehend them and so will find them laughable. This is likely because, the author thinks, 'these things' do seem quite incredible on first hearing and it takes one many years to comprehend them. But surely Plato might have had some philosophical convictions, for example, the conviction that the soul is immortal or that the soul has parts, that is neither hard to understand nor laughable at first hearing. It seems more likely, then, that by 'these things' the author is referring only to his most abstruse views, the first principles on which his other philosophical views are ultimately based.

A second passage to which Grote refers, *Letter VII* (341c ff.), actually supports this interpretation of the passage quoted above from *Letter II*. The author of *Letter VII* denies ever putting into writing his thoughts about what can only be discovered 'through long communion with the subject matter itself (*ek pollēs sunousian gignomenēs peri to pragma*, 341c6–7). Later, the author identifies what he has not written about with 'highest and first things concerning nature' (*ti tōn peri phuseōs akrōn kai protōn*, 344d4–5). As commentators have occasionally noted, the reference to the 'highest and first things' recalls Socrates' refusal to discuss the nature of the Good in *Republic* VI 506d ff. (also 531e ff.). But a refusal to set down the account of first principles of all that exist is surely compatible with a willingness to set down in writing a variety of other philosophical convictions. If so, even if we assume that the author of *Letters II* and *VII* is Plato, his refusal to write about ultimate metaphysical principles is no reason to think, as Grote did, that the dialogues are 'altogether dramatic' and that Plato's own views are nowhere in evidence.

Grote's way of understanding these passages in the *Letters*, we believe, also accords very poorly with Aristotle's testimony about Plato's philosophical views. Indeed, like many other commentators, we believe that Aristotle's testimony in this regard is decisive[15] and we can only say we are puzzled

[15] See, for example, T. H. Irwin, *Plato's Ethics* (Oxford and New York, 1995), pp. 5–7 and R. Kraut, 'An Introduction to the Study of Plato', in *The Cambridge Companion to Plato* (Cambridge, 1992), pp. 22–24. We believe the best single account of the value of Aristotle's testimony is in this matter is G. Vlastos, *Socrates: Ironist and Moral Philosopher* (Ithaca and New York, 1991), pp. 81–98.

about why Grote did not allow it to influence his reading of Platonic dialogues. We think one cannot plausibly dispute the claim that Aristotle was in a position to know whether or not Plato actually held any of the views Aristotle attributes to him. And many of the doctrines Aristotle says are Plato's are clearly the ones under discussion in a number of the Platonic dialogues. Aristotle's testimony, then, is that Plato was quite willing to write about his own philosophical views and frequently did so. Unless one can somehow discount what Aristotle says, we are driven to the conclusion that either *Letters II and VII* are not really Plato's or that what Plato refused to write about was limited to his most philosophically basic and most obscure doctrines.

At this point, Rosen might object that even if Aristotle does give us reason to think that Plato is indeed discussing his own philosophical beliefs in at least some dialogues, it does not follow that the views expressed in the *Apology* and the *Crito* are both Plato's (or Socrates') or were intended by Plato to express the views of any single person. But once again, we believe, Aristotle's testimony, this time about the views of the historical Socrates, is decisive. Like many commentators, we believe that stylometric studies — studies which were not available to Grote — show beyond dispute that the *Apology* and the *Crito* belong to the first group of dialogues Plato wrote.[16] And again, like many commentators, we believe that Aristotle's references to the views of the historical Socrates fit well with the views and philosophical method employed by the character 'Socrates' in that first set of dialogues Plato's wrote, whereas the views espoused by the character 'Socrates' in the dialogues written later in Plato's career fit well with those Aristotle tells us Plato himself believed but about which the historical Socrates knew nothing. The picture of the dialogues that emerges, then, is the now familiar one of Plato having written early works that primarily set forth the views of and explored puzzles generated by the philosophical convictions held by the historical Socrates. Later in his career (and perhaps liberated by the emergence of a genre of 'Socratic writings', which he had helped to generate), as Plato came into his own as a philosopher, he began to develop his own doctrines and put those doctrines into the mouth of a character named 'Socrates'.

A full defence of the now widely held view that Plato's dialogues reflect the philosophical development of Plato's thought is beyond the scope of this response. What we hope we have made clear is that there is little to support Grote's view that the *Apology* and the *Crito* have incompatible goals. The view to which we subscribe, on the other hand, that the *Apology* and the *Crito* are part of a set of dialogues in which Plato is trying to protray and promote a consistent philosophical point of view (whether his or Socrates'), requires that we try to show that apparent inconsistencies are just that, *apparent* in-

[16] Grote published the first Volume of *Plato and the other Companions of Sokrates*, in 1865. Lewis Campbell's text of the *Sophistes and the Politicus*, the first to employ stylometric techniques, was not published until two years later. For an excellent account of the history of the application of stylometric techniques to Plato, see Leonard Brandwood, *The Chronology of Plato's Dialogues* (Cambridge, 1990).

consistencies. Of course, the entire project may be wrong-headed, but it is incumbent upon sceptics such as Rosen to show, not that our explanations of coherence among seemingly conflicting passages seem overwrought, but rather which one of the project's underpinnings is unsound. Until that is done, what we have attempted is not to produce a 'creature of modern scholarship', but to cast light on Plato's early/Socratic philosophy.

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