

# Speech, Personification, and Friendship in Plato's *Crito*

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## ABSTRACT

In this article, I propose novel answers to three longstanding questions in the scholarship on Plato's *Crito*: (1) Why does Socrates choose to respond to Crito in the second part of the conversation by using a speech?; (2) Why does this speech employ personification?; and (3) Why are the Laws, specifically, personified? The answers to these questions will reveal Socrates' method of treating Crito and his worldview. The latter considers himself to be a good man for a twofold reason, namely, he is concerned not only about helping a friend but also about the possible negative consequences of doing so. Crito takes care not to harm anyone while saving his friend and wishes to use only legitimate means. But Socrates will ultimately show Crito how, in fact, he uses violence to achieve his

goals; how he harms others in the process, and how he is not nearly as good a friend as he believes himself to be. The result is a new way of looking at the dialogue, and of Plato's message in composing it.

Keywords: Crito, Speeches, Friendship, Laws, Justice

## 1. INTRODUCTION.

My analysis begins with three questions: (1) Why does Socrates choose to answer Crito in the second part of the conversation by using a speech?; (2) Why does Socrates employ personification in this speech?; <sup>1</sup> and (3) Why have the Laws, specifically, been personified? As this article will show, posing each of these questions independently will improve our understanding of the dialogue.<sup>2</sup>

Regarding the first question—why does Socrates choose to respond to Crito in the second part of the conversation with a speech—let us recall that some of Plato's dialogues, especially the so-called 'early dialogues', such as the *Euthyphro*, and the *Laches*, include no speeches at all. Not only is the existence of the speech in the *Crito* of interest, but also its length and centrality to the dialogue. While the speeches in other dialogues seem to serve a mostly clarificatory role (e.g., the myth of Er at the end of the *Republic*),<sup>3</sup> in the *Crito*, the Laws' speech constitutes nearly half of the dialogue and presents Socrates' final response to Crito's offer to jailbreak him. The second question—why does this speech employ personification—seems to be subsumed within the first, but it is not. Socrates could have delivered a speech without personifying anything or anyone. In such a case, he himself would have been the speaker, like he is in the *Phaedrus*. Concerning the third question—why are the Laws, specifically, personified—the Laws are not the only candidate for personification. Three other possibilities present themselves: a god, the polis, or simply impersonating a renowned Athenian speaker. I shall return to the third of these possibilities later in the article.<sup>4</sup>

In what follows, I argue that the answers to the aforementioned questions define Crito as the protagonist and prototypical person Plato

wanted to explore in composing the *Crito*. There are individuals who value good deeds with no regard to their potential negative consequences or the need to employ illegitimate means. Crito in the *Crito* is a different kind of person. He believes that trying to jailbreak his friend is a good act. But his evaluation of himself as a just and moral man concerns not only *what* he does but also *how* he does it. This concern is manifested in two ways. Crito not only performs an act of justice (helping his friend); he ensures that this good action entails neither harming others nor using illegitimate means. On the surface, such a Crito seems entirely positive. But perhaps this is a façade, behind which things are completely opposite. He would then become a most dangerous person. It is such a person, I argue, that interests Plato in the *Crito*.

## 2. WHY A SPEECH (RHETORIC)?

The appearance of a speech at 50c5, where the Laws' speech begins, can be readily understood. This conversation has already seen speeches, such as those delivered by Crito,<sup>5</sup> and allusions to rhetoric and persuasion, such as the use of the verb *peithein*, which, in its active form, means 'to persuade', and, in its passive form, 'to obey'.<sup>6</sup> The frequent appearance of this word<sup>7</sup> in a conversation which has coercion as one of its pivots should raise the suspicion that the author of the dialogue intended a play on the double entendre.

The appearance of rhetoric, persuasion, and speeches on both 'sides' of the conversation, namely, the Laws' speech and what precedes it, has prompted scholars to regard the Laws' speech as an answer to the speech that Crito delivers at 44e1-46a9.<sup>8</sup> This approach focuses on the content of the speeches, and argues that the Laws are answering Crito's

arguments by using the same facts to reach opposite conclusions. Let us take one example. In *Crito*'s view, Socrates should attempt to escape from jail because, if he does not do so, his children will be orphaned (45c10-d4). The Laws use this very fact to persuade Socrates not to run away (54a2-8).<sup>9</sup>

My argument is of a different nature. Leaving aside for a moment the content of the speeches in the *Crito*, I want to focus on the use of a speech as the centerpiece of the dialogue. In jailbreaking Socrates, Crito pursues two main goals: the assurance of the wellbeing of his good friend and the maintenance of his own good reputation among the Many (44b6-c3). These goals cannot be achieved without Socrates being persuaded to accept Crito's offer and run away, and thus Crito has to use various means to make it easier for Socrates to make the 'right' decision. Among the means that Crito uses to persuade Socrates are his connections with the authorities (43a7), his wealth and that of others of Socrates' friends' (45a6-b7), and reliance on friends outside Athens (Thessaly), who will receive Socrates after the escape (45b7-c5). I would argue, a speech, especially a 'nice' (rhetorical) one, is no less a means of persuasion.<sup>10</sup> Socrates seeks to show Crito that persuasion accomplished through delivering a speech, especially a rhetorical speech, is a form of compulsion—and is thus illegitimate.<sup>11</sup> This was an important message in fifth to fourth century BCE Athens, where persuasion by means of a speech was considered not only a legitimate tool but also the best alternative to violence. For example, in defending Socrates from the accusation that he makes his students violent (*biaioi*), Xenophon answers (*Mem.* 1, 2, 10): "But I hold that they who cultivate wisdom and think they will be able to guide the people in prudent policy never lapse into violence: they know that enmities and dangers

are inseparable from violence, but persuasion (*to peithein*) produces the same results safely and amicably". Given their druthers, Athenians preferred persuasion to coercion. Hence, in 1, 2, 9, Socrates' accuser erred when he argued that Socrates' critique of democracy (i.e., that jobs are assigned on the basis of lots) leads to violence and a constitution conditioned on force.<sup>12</sup> As an Athenian, Socrates would not have chosen violence over persuasion because the dangers of such a choice would have been apparent to him.

One of the well-known stories told by Herodotus (8, 111) is about Themistocles. In response to the refusal of the people of Andros to give him and his army money, Themistocles threatens them and declares that the Athenians will fight them with two gods, Persuasion and Necessity/Compulsion (*Peithō te kai Anangkaiē*): "For the men of that place, the first islanders of whom Themistocles demanded money, would not give it; When, however, Themistocles gave them to understand that the Athenians had come with two great gods to aid them, Persuasion (*Peithō*) and Necessity (*Anagkaiē*), and that the Andrians must therefore certainly give money, they said in response, "It is then but reasonable that Athens is great and prosperous, being blessed with serviceable gods."<sup>13</sup>

In Plutarchus, we find Theseus trying to unite Attica: "He visited them, then, and tried to win them over to his project township by township and clan by clan .... Some he readily persuaded (*epeithen*) to this course, and others, fearing his power, which was already great, and his boldness, chose to be persuaded (*peithomenoi*) rather than forced (*biazomenoi*) to agree to it".

An even more sophisticated treatment of the tension between persuasion and compulsion can be detected among those engaged in

teaching rhetoric. Gorgias seems to agree that verbal persuasion enslaves, but justifies the act by claiming that the person so persuaded has entered into the agreement voluntarily. This at least, is the testimony of Plato's Protarchus in *Philebus* 58a7-b2: "I have often heard Gorgias maintain, Socrates, that the art of persuasion (*hē tou peithein technē*) far surpassed every other; this, as he says, is by far the best of them all, for to it all things submit, not by compulsion (*ou dia bias*), but of their own free will (*di' hēkontōn*)."<sup>14</sup>

A final example is taken, again, from Xenophon's *Memorabilia*. At 1,2,40-46, we find Alcibiades and Pericles in conversation, the former arguing that rich Athenians are governed by violent compulsion, and not by law. Consider, in this regard, the following quotations: "But force (*bia*), the negation of law (*anomia*), what is that, Pericles? Is it not the action of the stronger when he constrains the weaker to do whatever he chooses, not by persuasion (*mē peisas*), but by force? ... Then whatever a despot by enactment constrains the citizens to do without persuasion (*mē peisas*), is the negation of law? ... And when the minority passes enactments, not by persuading (*mē peisantes*) the majority, but through using its power (*kratountes*), are we to call that force (*bia*) or not? ... Everything, I think, that men constrain (*anagkazei*) others to do 'without persuasion,' (*mē peisas*) whether by enactment or not, is not law, but force (*bia*)".

What becomes clear is that a superior can make an inferior do his bidding, be it through persuasion or violent compulsion. In the case of a tyrant who writes down his demands, the instructions are not considered law because they are not conveyed through persuasion. The rich of Athens obey the rules by violent compulsion because their obedience has not been shaped by persuasion. Accordingly, someone who is persuaded to follow the law, and does so, acts freely. It might appear, then,

that it is persuasion that transforms an edict into law, and that a law-abiding society is, by definition, free. Putting so much emphasis on a speech (the Laws' speech), and especially a speech which subverts another speech (Crito's speech at 44e1-46a9), is itself a proof that Socrates' critique aims not necessarily at what the speech says but at the very use of a speech to achieve obedience. It is this idea—speech and rhetoric as a legitimate means of persuasion—that Socrates seeks to subvert in the *Crito*.

Let us summarize our findings in this section. The Laws place before Crito a mirror. They take every theme that Crito used in his speech to persuade Socrates to escape and turn it on its head, now persuading Socrates to remain in jail. The message is that when violence is a means, one can never be sure who will emerge the winner. In other words, by presenting his answer in the form of a speech, Socrates informs Crito that two can play the game of violence, and that the second player—here, the Laws—can beat the first at his own game. Crito, who enters the ring with an arsenal of arguments wrapped in an impressive cloak of rhetoric, finds himself defeated.<sup>15</sup> But it is not only Crito who is vanquished; it is rhetoric, proven illegitimate, which is bested as well.

Taking all the above into account, we can now answer our first question in the beginning of this article—why does Socrates choose to respond to Crito in the second part of the conversation by using a speech. I suggest that in composing the *Crito*, Plato sought to undermine the prevailing notion of persuasion, by means of a compelling speech,<sup>16</sup> as the preferred legitimate tool for decision-making, reflecting a free action that characterized Athenian democracy in the days of Plato and his audience. For Plato in the *Crito*, using a rhetorical speech is similar to using violence.

### 3. WHY PERSONIFICATION (JUSTICE)

Socrates could have given a fine speech *in persona propria*, but he does not.<sup>17</sup> Instead, he has the Laws speak, ostensibly criticising him for trying to destroy the polis and themselves. Crito is supposed to give Socrates advice on how to answer the Laws' arguments. From a logical standpoint, the fact that Socrates chose to personify the Laws might hint to the idea that until this personification, Crito—to whom this speech is really directed—does not treat the Laws as human beings. But then, the question arises as to why Crito should have treated the Laws as human beings. The answer, I suggest, has to do with Crito's concept of justice, and especially the entities to whom this justice applies.

In helping his friend, Crito sees himself as performing an act of justice. At 45a1-2, we find Crito declaring that he and Socrates' other friends will be *dikaioi* in rescuing their friend, and a bit further, at 45c6-7, Crito asserts that not accepting his offer will be an *ou dikaion* act.<sup>18</sup> Socrates is also shown to understand that, for Crito, saving him is an act of justice. At 48b10-c2, he states that everything hinges on the question of whether such an escape is an act of justice. As to the nature of this justice, scholars have noted that Crito's act rests on the common code of behavior, 'helping friends and harming enemies'.<sup>19</sup> This code appears almost verbatim in Crito's words at 45c7-9 ("and you are eager to bring upon yourself just what your enemies would wish and just what those were eager for who wished to destroy you"), which echoes the version of this code found in the *Meno* (71e2-5).<sup>20</sup> My interest lies in the question of to whom this justice applies. Checking all appearances of the verbs 'committing justice' or 'injustice' (*dikaia prattein* / *adikein* respectively) throughout the *Crito*,

which always refer to human beings and never to the polis or the laws, suggests that, for Crito, breaking the law and harming the polis is surely illegal but never an act of committing injustice (*adikein*).<sup>21</sup> A polis, however, is the sum total of its citizens, and its laws reflect the will of its citizens. This concept seems to be embodied in Greek thought, especially in democracies (and the *Crito*'s background is evidently a democratic polis). A few exceptions, all of them from opponents of democracy (Thrasymachus, for example, in the *Republic*) are exceptions that only testify to the rule. Recall, for example, Thucydides' famous words at 7.77.7.5: *andres gar polis, kai ou teichē oude nēes andrōn kenai* ("men make a city, not walls or ships empty of men"). Hence, breaking the law harms our fellow citizens by not following their will. However, Crito never reaches this conclusion. If he had, he would have understood that harming the polis (=violation of its laws) is actually harming human beings, i.e. his fellowmen in the polis. For Crito, as it turns out from the analysis of the dialogue, the polis becomes something separate from the collection of the citizens that comprise it. In my view, Plato molded Crito in our dialogue as someone who might, on a theoretical level, consider the polis as the sum of its citizens, but on a practical level, when it comes to breaking the law, see the polis as something else entirely. This 'something else entirely', whatever it may well be, is not a human being. Thus breaking the law is disconnected from committing injustice (*adikein*), which remains exclusively applicable to human beings. The result is that a polis cannot harm (*adikein*) a citizen and a citizen cannot harm the polis, although he can, indeed, break its laws or even destroy it.<sup>22</sup> This complex status of the polis in Crito's worldview can be proved in various ways, but I shall focus here on two.

At 44e1-46a9, in his third speech, Crito marshals a number of arguments in trying to persuade Socrates to escape from jail. Socrates would be neglecting his children if he did not do so (45c10-d7); he ought to prove his *aretē* (45d7-9); he has a place of refuge (45b6-c5). Left unsaid, however, is that Socrates has the right to flee, because the polis committed injustice against him by wrongly adjudicating his case. Someone who is harmed has every right to retaliate. I suggest that the reason for Crito not using this obvious excuse is simply that he cannot use it, since (as shown earlier) in his worldview, committing injustice (*adikein*) is applicable only to human beings, and the polis is not [yet] a human being. It is Socrates who will remind him of this possibility at 50c1-3. Indeed, only when Socrates personifies the polis and suggests this response to the Laws, who might accuse him of attempting to destroy them and the polis, does Crito accept the possibility.<sup>23</sup> Once Crito accedes to the idea that the polis harmed Socrates, the Laws can continue with their speech.

Crito's difficulty with seeing the polis and the Laws as human is evident also from Socrates' question at 49e9-50a3. This question caps a long section where Socrates attempts to elicit Crito's agreement that one should not commit injustice (*adikein*) even in retaliation for injustice (*antadikein*).<sup>24</sup> Assuming Crito's agreement, Socrates asks: "Then consider whether, if we go away from here without the consent of the polis, we are doing harm (*kakōs tinas poioumen*)<sup>25</sup> to the very ones to whom we least ought to do harm, or not, and whether we are abiding by what we agreed was right, or not" (emphasis mine). Crito is noncommittal: "I cannot answer your question, Socrates, for I do not understand". That question implies that a human being would be harmed in the process of jailbreak, and

this is not clear to Crito. Note the words "to the very ones" (*tinas*), and "to whom" (*hous*). Crito, who apparently agreed that one should not harm anyone, even in retaliation, does not see any *one* being harmed by Socrates' escape. The polis or the Laws are not candidates for this identification.<sup>26</sup>

Let us sum up our discussion of this part, and answer our second question in the beginning of the article—Why does Socrates employ personification in this speech. The aim of using personification is to remind Crito of what he apparently knows but somehow forgets, namely, that the polis and the Laws are indeed human,<sup>27</sup> and hence, breaking the laws entails performing an act of injustice (*adikein*)—which, as we have already learned at 49b4-5, harms first and foremost the doer himself.<sup>28</sup>

#### 4. WHY THE LAWS (FRIENDSHIP)?

As noted previously,<sup>29</sup> it is unclear why the Laws are the entity delivering the speech in which Socrates is accused of improper behavior. This is puzzling, primarily because there are seemingly equally plausible candidates, such as a certain goddess (Athena?) or even the polis itself. After all, it is not just the Laws but also the polis that is affected by the escape of Socrates (50b1-2). Why, then, did the Laws deliver the speech?

To address this question, we first need to decide where exactly the speech begins. The Laws are first cited at 50a8, but I argue that their speech starts only at 50c5. The entire passage at 50a6-c3 serves as an introduction to the speech. As we have already noted, at 50a4-5, Crito does not understand how by running away he will harm *someone*. In an effort to make this clear to Crito, Socrates raises the hypothetical possibility that the Laws<sup>30</sup> might



accuse him (Socrates) of attempting to destroy them, and then suggests an excuse: “The polis harmed (*hēdikei*) me and did not judge the case rightly”. The implication is that Socrates is justified in retaliating against the polis for this injustice. Only then, when Crito accepts this excuse (50c4), do the Laws reappear and deliver their speech—which is almost entirely aimed at refuting this excuse. It is, therefore, the polis—against whom Socrates retaliates—who should have been personified and shown to attack Socrates.<sup>31</sup> That the Laws deliver the speech requires explanation.

First, let us note that the polis is present throughout the Laws’ speech, mainly as a beleaguered entity.<sup>32</sup> It thus appears that the Laws are defending the polis, in parallel to Crito defending Socrates. The Laws seek to protect the polis from Socrates; Crito seeks to protect Socrates from the polis. I argue that juxtaposing these two spheres can shed light on friendship, since Crito considers himself Socrates’ friend and what he does is precisely what friendship is all about. In like manner, the Laws can be seen as the friend of the polis, and its speech reveals to Crito the nature of true friendship.<sup>33</sup>

Each sphere consists of three components. In the first sphere, we find Socrates, Crito, and the polis, while in the second sphere we find Socrates, the Laws, and the polis. In the first sphere, Socrates is attacked by the polis, and Crito tries to help him. In the second sphere, the polis is attacked by Socrates and the Laws come to its aid. In both spheres, those who come to help the one under attack perceive themselves as also attacked. Crito and the Laws come to assist their friend but they experience themselves as under attack by the same entity. Crito is attacked by the polis, and the Laws are attacked by Socrates. In one sphere only is the effort to help a friend

successful, namely, the Laws’ effort to save the polis from Socrates’ attempt to destroy it. Crito fails to save Socrates. Why? The answer seems to be in the motives of each. Crito feels attacked by the polis not only because his friend is attacked. Crito has a motive that is independent of Socrates. Crito’s reputation would be imperiled if Socrates died, but Crito knows that reputation among the Many is of no account to Socrates.<sup>34</sup>

In the second sphere, the Laws’ only private motive is to save their friend, the polis. They also feel attacked, but only because the polis is being attacked. This should teach Crito what friendship, true and pure, is.

Let us sum up this section and answer our third question in the beginning of the article—Why are the Laws, specifically, personified? As Crito wants to save Socrates from the polis, which seeks to destroy him, the Laws want to save the polis from Crito (or formally, from Socrates), who wants to destroy it. Crito does seek to save Socrates but, apparently, is even more motivated to save his reputation among the Many. The Laws want to save the polis, but they also want to save themselves. The difference between the two cases is that while Crito and Socrates are distinct entities, the Laws and the polis are one and the same.<sup>35</sup> Crito fails to save Socrates (his good friend, in his view) and himself (his reputation among the Many); the Laws apparently save themselves and the polis, and they succeed exactly where Crito’s fails, and by the same instruments—rhetoric and speeches.

## CONCLUSION

Taking together the three themes—friendship, personification, and speeches—we can now point to their common denominator: justice.

Justice is the thread that runs through the entire conversation that takes place between Crito and Socrates. As we showed earlier,<sup>36</sup> it is in the name of justice that Crito encourages Socrates to accept his plan. Crito even claims that for Socrates not to do so would be *ou dikaion*. It is justice that Socrates invokes in considering his escape, and it is justice that the Laws invoke in urging Socrates to reject Crito's offer.

Friendship, personification of the laws, and the form of a speech, I argue, are in our conversation all aspects of justice. Friendship reflects the *object* of justice—helping Socrates escape from jail. The personification of the Laws reflects the *scope* of justice for Crito—committing injustice is applicable to human beings alone. The use of a speech reflects the *means* by which Crito exerts justice—a persuasive speech reflects free will and thus is a justifiable tool.

The Laws' speech shows Crito three things. First, unlike the Laws, whose wish to help the polis comes from a pure place, as the Laws and the polis are one and the same, Crito's wish to save Socrates is tainted. Second, by breaking the laws, Crito in fact harms humans. And third, what seems to be a justified tool to effect Socrates' escape—speech—is revealed as a terrible tool that fails to find justification.<sup>37</sup>

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## ENDNOTES

- 1 The personification of abstract concepts is certainly not a novelty of Plato's *Crito*. In poetry, we encounter the personification of *nomos* in Pindar, and even in Plato's own works, justice is personified in the *Parmenides*. What intrigues me here is precisely how the personification of the Laws aids Socrates in addressing Crito's problem.
- 2 The secondary literature often fails to distinguish between these three questions. Instead, the 'personification of the Laws' is seen as a single question (e.g. Polansky, 1997, p. 63; Weiss, 1998, p. 84; Moore, 2011, p. 1021; Garver, 2012, p. 2). To the best of my knowledge, mine is the first treatment in the scholarship of the question of why the laws, specifically, are personified (Mahoney, 1998, p. 1-22 explains why the Laws appear as the main speaker, but not as against another candidate). But beyond all this, as far as I can tell, no one has taken all three questions together, to convey a single message. See my Conclusion on p. 125-126.
- 3 Importantly, in each case, only a thorough analysis of the whole dialogue can determine one opinion or another. But even without going into an in-depth analysis, it is easy to see that the speech of the Laws is unlike other speeches that appear in other dialogues of Plato. It is also the only speech in Plato's dialogues that deals with what Socrates should do, or in an Aristotelian taxonomy, a deliberative speech. See Harte, 1999, p. 130; Brouwer, 2015, p. 20.
- 4 See p. 124-125 below.
- 5 Crito delivers three speeches at 43b3-9, 44b6-c5, and 44e1-46a9.
- 6 A point emphasized also by Garver, 2012, p. 6 and n. 12-13.
- 7 This word has received a great deal of scholarly attention since the appearance of Kraut's (1984) famous thesis, which tries to find a way for a citizen to disobey the law provided that he attempts to persuade the authorities of his righteousness (esp. pp. 71-73). Even before the Laws' speech, however, the word *peithein* appears regularly (45a3, 46a8, 46b5, 47c1, 47c6, 47d10). On Kraut's view, see Penner, 1997, p. 157.
- 8 See Allen, 1972, p. 562: "The speech also meets, point by point, the prudential considerations that Crito urged in favor of escape"; Garver, 2012, p. 4:

"Socrates' representation of the speech of the laws ... rebuts Crito's own arguments point by point".

See also Brouwer, 2015, p. 23. Moore, 2011, p.

1021 argues that the whole of the Laws' speech is organized to address Crito's speech at 44b6-c5 and actually answers it with opposite conclusions in order "to persuade Crito to examine and work on his inadequate view of justice".

- 9 For a full list of parallels see Garver, 2012, p. 4.
- 10 Cf. Grg. 479c1-4: ὁθεν καὶ πᾶν ποιούσιν ὥστε δίκην μὴ διδόναι μηδ' ἀπαλλάττεσθαι τοῦ μεγίστου κακοῦ, καὶ χρήματα παρασκευαζόμενοι καὶ φίλους καὶ ὅπως ἂν ὦσιν ὡς πιθανώτατοι λέγειν. ("And hence they do all that they can to avoid punishment and to avoid being released from the greatest of evils; they provide themselves with money and friends, and cultivate to the utmost their powers of persuasion") (emphasis mine).
- 11 Moreover, rhetoric might be the most dangerous form of violence since the violent element in it is disguised under the cloak of free action.
- 12 Which I take to refer to tyranny. See context further on. Thus, the accuser considers democracy a defence against a regime which is based on *bia*.
- 13 See also Plut. *Them.* 21 where *peithō* is contrasted with *bia*.
- 14 Recall Socrates' statement to Crito at 48e4-5 that "it's very important to act in these matters with your consent (*peisas se*), but not against your will (*mē akontos*)".
- 15 Crito does not seem to fully accept the message of the Laws' speech, and responds in a vague way ("I have nothing to say, Socrates", 54d9). Yet, one thing is clear. The dialogue ends with Socrates still imprisoned.
- 16 Weiss, 1998, p. 84-95 points to the comment made by Socrates at 50b6-7: *polla gar an tis exhoi, allōs te kai rētor, eipein* ... ('For one might say many things, especially if one were an orator ...') and sees here a hint from Plato to the reader not to take too seriously what the Laws are about to say, as it is not Socrates' own view. From a dramatic perspective, however, this comment is addressed to Crito, who really believes that using a good orator is a legitimate and preferable means.
- 17 Scholars who hold 'the separation thesis' (as against 'the integration thesis', first introduced by Brickhouse & Smith, 2006), which does not see the Laws' speech as Socrates' mouthpiece (e.g. Hyland, 1968; Young, 1974; Brown, 1992; Miller 1996; White 1996; Harte 1999; Garver, 2012) must ascribe the speech to someone other than Socrates, but they still need to explain why the dramatist uses personification and not a character. On the need to personify the Laws, specifically, see the next section of this article.
- 18 This term - *dikaïos* - is usually translated in our context as 'right' (see Adam, 1888, p. 36), and still, like

- all relevant derivatives of *dik-*, is not disconnected from justice. For a discussion of this term within the range of meanings of justice, see my article (Liebersohn, 2023).
- 19 See Weinrib, 1982, p. 103; Weiss, 1998, p. 4; Emlyn-Jones, 1999, p. 7; Stokes, 2005, p. 93; Miller, 1996, p. 122; Congleton, 1974, p. 432-446. The fullest account of this code, its origin and derivative is still that of Blundell, 1989, p. 26-59.
  - 20 The similarity between *kakōs poiein anthrōpous* at 49c7 and the words *tous men philous eu poiein, tous d' echthrous kakōs* in the *Meno* 71e4 is striking. See also R. 332d7, 335a7, 362c1; X. Hier. VII2, 2, and Sol. fr. 13, 5. See also Dover, 1974, p. 180-184.
  - 21 My argument relates to these verbs alone. This is not the place to discuss the term 'justice' in the *Crito* in its own right (derivatives of *dik-* appear in the *Crito* no fewer than forty-eight times). Suffice it to say that *Crito* has a complicated worldview concerning justice (in its full range of meanings) and that this complexity is reflected in the terminological variants he uses (all have *dik-*). Within the wide range of meanings, all appearances of *adikein* and *dikaia prattein* in our dialogue - before the Laws' speech, of course (on which later) - refer to human beings alone (or do not refer to any object whatsoever: cf. 48c8-d6, 49c7, 49c10). Other terms, such as *dikaion*, or constructions, such as *dikaioi + eimi*, can relate to human beings.
  - 22 How *Crito* does not see in breaking the law an act of committing injustice is an interesting question, but one that is beyond the scope of our discussion.
  - 23 Indeed, the absence of this excuse during *Crito*'s speech, as against his acceptance of it when suggested to him by Socrates, proves his vacillation. On his own initiative, *Crito* could not even think of a polis harming (*adikein*) a citizen and vice versa. Only when the polis is first personified by others (Socrates) does it become a possibility. See immediately below.
  - 24 This is a long section - 49a4-e8 - which needs to be analyzed in its own right, especially the question of whether *Crito* does agree that retaliation is totally forbidden, but it need not concern us here. For a discussion of this issue, see Brown, 1992, p. 77. See also Harte, 1999, p. 233.
  - 25 Socrates' ultimate aim is to make *Crito* see that he (*Crito*) is committing injustice (*adikein*) to the polis. This occurs only at 50c1-3, so *adikein* is saved for 50c1-3, and *kakōs poiein* functions as a segue to *adikein*. Recall that these two terms, *adikein* and *kakōs poiein*, have been identified at 49c7-8: "So I suppose that harming people (*kakōs poiein*) is no different from behaving unjustly (*to adikein*) toward them. CR. You're right").
  - 26 The Laws, we should recall, are not yet personified. Indeed, immediately upon having been personified, we read at 50a9-b2: "Are you not intending by this thing you are trying to do, to destroy us the laws, and the entire state, so far as in you lies?".
  - 27 Garver (2012):4 seems to approach this idea: "Personification is a way of speaking to *Crito*'s social imaginary of persons. Personifying the laws has the advantage that it makes injury to them conceivable".
  - 28 "Is not wrongdoing (*to adikein*) inevitably an evil and a disgrace to the wrongdoer (*tō adikounti*)?" (49b4-5).
  - 29 p. 120 above.
  - 30 In fact, it is the Laws and the *koinon tēs poleōs* ("commonwealth"). I suggest that this term is inserted for the end of this section where Socrates claims "the polis harmed (*adikein*) us". This is achieved by three stages, each having the Laws with the word 'polis' accompanied by an addition, *to koinon tēs poleōs* (50a8), *sumpasa hē polis* (50b2), and eventually *polis* (50c1-2). Indeed, from now on (50c5) to the end of the speech, it is only the Laws who speak.
  - 31 Moreover, earlier in the question, and triggering the Laws' speech (49e9-50a3), the polis also appears alone: "Then consider whether, if we go away from here without the consent of the polis, we are doing harm to the very ones to whom we least ought to do harm, or not".
  - 32 E.g. 50d1, 51c1, 51d8, 51e3, 52b2.
  - 33 In the ongoing discussion, the term 'true friendship' refers only to an activity that is entirely intended for the benefit of the friend, devoid of any additional motives.
  - 34 *Crito*'s self-focus and concern for his own needs are evident from his very first speech at 43b3-9: "No, no, by Zeus, Socrates, I only wish I myself were not so sleepless and sorrowful". (43b3-4). *Crito* wishes he would not be in such a state. Why is that so? Because in spite of Socrates' *sumphora* (=calamity) of being about to die, *Crito* is also amidst a *sumphora* (=calamity) which is wholly about himself, though it is caused by his friends' impending death. The fact that Socrates is about to die is incidental. What matters is that *he* is going to lose a good friend. He will be deprived of something he loves dearly - but whether that is Socrates or, say, a piece of chocolate, is quite irrelevant. Moreover, in his second speech (44b6-c5) *Crito* specifies two reasons, his friendship with Socrates and his taking care of his good reputation among the Many. It is easy to see that the reputation reason outweighs the friendship. First, although the friendship reason appears first, the reputation reason gets more emphasis. Secondly, in his reply at 44c6-9 Socrates mentions only the reputation reason and tries to reject it, while ignoring the friendship reason. *Crito*, in his answer at 44d1-5, does not seem to notice the absence of the

friendship reason. Had this reason been important to him, he would have corrected Socrates.

- 35 The Laws themselves state that they are to be identified with the polis: “Thus it’s clear that the polis satisfied you far more than the rest of the Athenians, and presumably so did we the Laws. For, who would a polis without laws satisfy?” (53a3-6). The verb ‘to satisfy’ should not confuse us. The possibility of a polis without laws, even if it does not satisfy anyone, is impractical. The essence of a polis is its laws, regardless of whether or not these laws are good.

36 See p. 120, 123 above.

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