Of the numerous books and articles dealing with the trial and death of Socrates the most significant (and substantial) recent contributions have been made by Richard Kraut and the partnership of Thomas Brickhouse and Nicholas Smith. Although these authors are clearly indebted to Gregory Vlastos for their inspiration, they have by no means followed similar paths or reached the same conclusions. The object of this paper is to determine whether or not these authors have resolved what might be called the *Crito* problem. That problem is concerned with the extent to which the arguments of the *Nomoi* in that dialogue require general submission to law or support a measure of disobedience.

One might wonder at the outset why such an issue, based on the interpretation of an admittedly slight Platonic dialogue, should have generated so many articles and books. In part, the *Crito* problem arose as an academic response to political issues involving civil disobedience (the civil rights movement, conscription for Vietnam, etc.) which were widely debated during the 1960s and 1970s; it also arose because of genuine intellectual puzzles concerning Socrates’ apparent advocacy of disobedience to law in the *Apology* and his apparent acceptance of absolute obedience in the *Crito*. With respect to the intellectual issues, the authors to be discussed here seek to uncover a consistency between Socrates’ utterances in the two dialogues, and as their conclusions conflict, it seems that both positions cannot be correct.

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The quotation in the title of this paper is taken from *Socrates on Trial* by Brickhouse and Smith, the first of the two books written by them on Socrates:  

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2. For Vlastos’ writings on Socrates, see, for example, *Platonic Studies*, 2nd ed. (Princeton, 1983); *Socrates, Ironist and Moral Philosopher* (Cambridge, 1991); and *Socratic Studies* (Cambridge, 1994).

POLIS. Volume 15. Issues 1 and 2, 1998
Socrates on Trial is primarily a close study of the Apology but contains a critique of the methods and conclusions of Kraut’s Socrates and the State which focuses mainly on the Crito. Brickhouse and Smith begin their examination of Kraut’s book by considering the numerous discussions of the relationship between the Apology and the Crito under three distinct headings. Under the first heading they list those writings which see a simple contradiction between the dialogues in that in the Apology disobedience is countenanced while it is rejected in the Crito. The second group tends to see the dialogues as having different objects, with the Apology representing an accurate account of Socrates’ trial and the Crito having a more rhetorical object of showing Socrates’ relationship with Athens in a favourable light. Because of these differences the two dialogues may not contradict each other. Among the numerous sources listed for this category is George Grote’s Plato and the Other Companions of Sokrates. Grote sees Socrates as an individualist and dissenter in the Apology, which he regards as a fairly accurate portrayal of Socrates’ character and ideas. The Crito, however, enjoins Socrates to absolute submission to the laws of Athens, and is thus inconsistent with the portrait of Socrates in the Apology. Despite these differences Grote rejects the argument, advanced by some German scholars, that the Crito was not an authentic Platonic dialogue. He believes that one can accept a wide range of different dialogues and classifies the Crito as ‘rhetorical’ in its object rather than ‘dialectical’. The elenctic arguments of other dialogues are not present in the speeches of the Nomoi, but the dialogue is important in por-

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4 Socrates on Trial, p. 138.
5 As examples, the following are cited as holding this position: G. James, ‘Socrates on Civil Disobedience and Rebellion’, Southern Journal of Philosophy, xi (1973), 119–27; Rex Martin, ‘Socrates and Obedience to Law’, Review of Metaphysics, xxiv (1970), 21–38; Richard W. Momeyer, ‘Socrates on Obedience and Disobedience to the Law’, Philosophy Research Archives, viii (1982), 21–53; James Whyte Stephens, ‘Socrates on the Rule of Law’, History of Philosophy Quarterly, ii (1985), 3–10; Howard Zinn, Disobedience and Democracy (New York, 1968). Although the articles listed here were published in journals of philosophy, the writings in this category are distinguished from those in the third category which are considered ‘philosophically worthy’ presumably because there is no attempt to provide a consistent interpretation of a number of Platonic dialogues and derive from that interpretation a philosophical argument. In other words, no attempt is made in this first group to construct an argument from the dialogues which is comprehensible as a modern philosophical argument.