

# The Crito: The Duties of the Social Contract

by Sophia



## WHAT'S COVERED

The *Crito* continues Plato's account (begun in the *Apology*) of Socrates' trial, conviction, and eventual death sentence. It takes place in the prison where Socrates awaited execution. Crito, one of Socrates' wealthy students, used his influence to provide Socrates with an opportunity to escape. Socrates did not immediately seize the opportunity.

Remember that, as described in the *Apology*, Socrates was unwilling to compromise his ideals and use rhetoric (instead of reason), to present his defense during his trial. His subsequent conviction, sentence, and imprisonment did not increase his willingness to compromise them. Socrates stated that he would only escape if it was the right thing to do (i.e., the "right thing" in a moral, rather than legal, sense).

Crito tried to convince him to leave with arguments based on popular opinion regarding his (Crito's) efforts (or lack of efforts) to free his friend, and the intrinsic value of human life. Socrates rejects Crito's arguments and makes a compelling argument of his own: one that may be the first expression of the Social Contract in history.

This tutorial examines Socrates' view of the duties of the social contract in three parts:

1. Whose Opinion Counts
2. The Value of Human Life
3. The Social Contract

## 1. Whose Opinion Counts

In trying to free his friend Socrates, Crito first presented an *argumentum ad populum*—an appeal to the majority. He told Socrates that people would think ill of him (i.e., Crito) if he, with all of his influence, allowed his friend

Socrates to die. (Note that Crito's appeal implied that public opinion may have shifted after Socrates was convicted and condemned to death.) Crito told Socrates that, *"the opinion of the many must be regarded."*

Socrates, as always, begins to formulate his reply by asking the philosophical question: why? Instead of immediately accepting the majority view, he referred to a concept that he discussed in the *Apology*: difficult endeavors require expertise. We shouldn't listen to the majority in complicated situations; we should listen to the experts.

⇒ **EXAMPLE** If you want to know about economics, ask an economist. If you want to know about climate change, consult a climate scientist.

In this case, the question involved a matter of *ethics*. To gain the knowledge needed to answer it rightly, an expert in ethics must be consulted (e.g., a philosopher). Socrates stated:

*"In questions of just and unjust, fair and foul, good and evil, which are the subjects of our present consultation, ought we to follow the opinion of the many and to fear them; or the opinion of the one man who has understanding?"*



#### THINK ABOUT IT

Does ethics require expertise? Would cases involving abortion and capital punishment be best resolved by experts—without the input of people who are not experts? Would this provide better results than Crito's call for ethical decisions based on majority vote? As you consider this, remember that Socrates' position wasn't that non-experts can't say *anything* about ethical matters, but that their input is opinion, while the contribution of experts is knowledge. Socrates pointed out that we must always distinguish times when (and situations in which) we possess knowledge, from those when all we can contribute is our opinion. Would it be better to begin a debate on abortion with, "I don't know, so this is only my opinion, but..." than with an emotional, inflexible statement? This approach might at least reduce the shouting.

## 2. The Value of Human Life

After failing to convince Socrates to follow the will of the majority, Crito tried a different (and familiar) approach. He made an appeal based on the intrinsic value of human life: *"Nor can I think that you are at all justified, Socrates, in betraying your own life when you might be saved; in acting thus you are playing into the hands of your enemies, who are hurrying on your destruction."* He went on to tell Socrates that escaping would enable him to accomplish much good. He would be able to continue to teach philosophy and instill ethics in his pupils.

Socrates once again responded in a way that might seem strange to contemporary readers. He asked Crito the following questions:

*"...will life be worth having, if that higher part of man be destroyed, which is improved by justice and depraved by injustice? Do we suppose that principle, whatever it may be in man, which has to do with*

*justice and injustice, to be inferior to the body?"*

Socrates took a position that was commonly held in ancient Greece: not all life has value. Only the *good life* has value. As a result, it is absurd to put the value of a life above what is right.



#### THINK ABOUT IT

Is all life worth saving? Does all life have *intrinsic value*? Does something beyond our actions (and potential actions) add value, or are we only the sum of what we do and might do? Saying that life has intrinsic value has important repercussions in discussions regarding moral worth (e.g., discussions about capital punishment). For example, was the state of New York wrong to execute Albert Fish, one of the vilest serial killers of all time? If human beings have intrinsic worth, what gives them that worth? Your answer to this question will inform your view on euthanasia and other topics. What is the "right" solution when someone who is suffering, and can only look forward to more suffering, wants to die? What about a coma patient who will never regain consciousness? What about someone who is severely mentally disabled?

If Socrates was correct in believing that only the good life is worth saving and escaping from prison was in opposition to the principles of the good life he'd tried to live, then escaping from prison would make his life one that was not worth living. This returns us to the original topic: it must first be determined whether escape is the right thing to do before proceeding.

## 3. The Social Contract

The last argument Socrates made in the *Crito* is the most important: He imagines a dialogue between himself and Athens, personified as the Laws, which ask him the following:

*"And was that our agreement with you?... What complaint have you to make against us which justifies you in attempting to destroy us and the state? In the first place did we not bring you into existence? Your father married your mother by our aid and begat you.... Or against those of us who after birth regulate the nurture and education of children, in which you also were trained? Were not the laws, which have the charge of education, right in commanding your father to train you in music and gymnastic?" Right, I should reply. 'Well then, since you were brought into the world and nurtured and educated by us, can you deny in the first place that you are our child and slave, as your fathers were before you?.... Then the laws will say: 'Consider, Socrates, if we are speaking truly that in your present attempt you are going to do us an injury. For, having brought you into the world, and nurtured and educated you, and given you and every other citizen a share in every good which we had to give, we further proclaim to any Athenian by the liberty which we allow him, that if he does not like us when he has become of age and has seen the ways of the city, and made our acquaintance, he may go where he pleases and take his goods with him. None of us laws will forbid him or interfere with him. Anyone who does not like us and the city, and who wants to emigrate to a colony or to any other city, may go where he likes, retaining his property. But he who has experience of the manner in which we order justice and administer the state, and still remains, has entered into an implied contract that he will do as we command him.'"*

Here we have a first approximation of an extremely important concept in political philosophy and justice studies, **the Social Contract**.

Based on the Social Contract, Socrates did not believe he should escape. Why?



Try to construct a Socratic argument, the conclusion of which is that Socrates should not escape, and the premises of which involve a social contract.

Consider that, of every entity on earth, your government is the *only* one that can legitimately (i.e., without doing anything wrong) take away your rights. It can (and does) claim some of your wealth, and can, in certain circumstances, limit your freedom and take your life. Few people believe that the government does wrong when it penalizes criminals and collects taxes, but where does the government's authority come from? A thousand years ago, someone may have claimed that a god gave a king his authority. Today, the answer is almost always the Social Contract, which is viewed as the sole basis for legitimate government authority. In this respect, Socrates' conclusions regarding his relationship to the laws of Athens were over 2,000 years ahead of their time.

What is the Social Contract? It is an agreement in which one side provides what the other receives. In most cases, the government gives the citizens internal and external protection (by means of police and armed forces), education (through public schools and universities), and infrastructure (roads, public utilities, hospitals, regulations to ensure breathable air and drinkable water, courts, and more). If you consider everything the government provides, you might conclude that the Social Contract is a very good deal for citizens. The government asks one thing in return: follow the laws.

As Socrates indicated, in a democracy, the agreement is even better than the description provided in the last paragraph. Citizens can leave the government's jurisdiction any time they want to do so, taking all of their property with them. If a law is unjust in the view of one or more citizens, (i.e., if a citizen—or citizens—does not like the current terms of the social contract, they can attempt to change it through a political process).

However, consider the situation in which Socrates found himself. The state had upheld its obligations. It had provided him with protection, education, and infrastructure. In addition, Socrates did not leave the jurisdiction and did not seek to change the laws (including the laws he was found to have broken). The state upheld its end of the contract, and Socrates made no effort to get out of, or change, it. As a result, *the Social Contract was still binding*. It would not only be illegal for him to escape but also *immoral*. Because the contract was still in effect, Socrates must abide by its terms.

Socrates' argument as to why he should not try to escape can be reconstructed as follows:

|  |         |
|--|---------|
| A contract is binding when the terms are agreed upon and the other party involved has met them.                            | Premise |
| By neither leaving nor seeking to change the laws, Socrates gives consent to the terms of the Social Contract with Athens. | Premise |
| Athens upheld its terms of the Social Contract.  | Premise |



## THINK ABOUT IT

Should Socrates have left Athens when he had an opportunity to do so? Answer by deciding when a Social Contract with the state is binding, and when it is not. Does the contract require anything of the government besides protection, infrastructure, and education? What about rights? A reasonable court of law? Are you bound to obey a law to which you have strenuously objected and tried to change? What is the role of civil disobedience and nonviolent protest with respect to the Social Contract?



## TERM TO KNOW

**The Social Contract**

An implicit agreement between the citizen and the state in which the citizen agrees to follow the law in exchange for benefits provided by the state



## SUMMARY

Crito wanted to save Socrates but could not convince him to save himself at the expense of his moral beliefs. Crito's argument did not convince Socrates that it would not be wrong to escape. When we must resolve difficult problems, we rely on experts, not popular **opinion**. In the Crito, the ethical expert (i.e., the philosopher, Socrates) concluded that only the good life—not all **life**—has **value**. So if it would be wrong to escape, it would not add value to do so. Socrates provided a compelling concept to support his position that escape would be wrong: a **social contract** between him and the state. Socrates demonstrated that the state had upheld its end of the contract. He believed that he must do his part by obeying its laws.

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## ATTRIBUTIONS

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## TERMS TO KNOW

**The Social Contract**

An implicit agreement between the citizen and the state in which the citizen agrees to follow the law in exchange for all the benefits provided by the state