

HERMENEUTICAL PARADOXES IN THE TRIAL OF SOCRATES

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Abstract

The logical role of the paradox is not to state a truth whose paradoxical nature lies in the difficulty we feel in maintaining it as true, but rather to state something that will cause to feel as false something else we previously believed to be true. The Socratic paradox, sometimes called the "moral paradox," is convincing and true because it implicitly raises the question about the true good. The drama of Socrates' trial and death indeed illustrates a dilemma, in which on the one hand the philosopher cannot accept the way of life prescribed by his tradition but on the other hand cannot offer an unquestionable alternative to it. The best approach to the Socratic problem is an eclectic one, using all the ancient sources instead of championing a single author at the expense of the rest.

1. Introduction and definitions

A paradox may be defined as a contradiction that follows correct deduction from consistent premises. This definition allows us to exclude immediately all those forms of "false" paradoxes that are based on a concealed error in reasoning or some fallacy deliberately built into the argument.

Paradoxes are members of a large family of logical phenomena that go by different names - antinomies, paralogisms, contradictions, logical aberrations like infinite regresses and vicious circles, heterodoxies or challenges to received opinion and conflicts in the criteria for classification. In general, a paradox is an argument which has a conclusion which strikes us as absurd. In logic, however, the word has been given a more precise meaning. A logical paradox is an apparently sound argument which leads to two conclusions which contradict each other (Moulder 1981).

Furthermore a paradox is something that implies the falsity of a common belief. Either actions or statements can present a

paradox, that is, go contrary to (παρά) a common opinion (δόξα). But not just any bizarre action or statement which contradicts common opinion counts as a paradox. Cicero implies that paradoxes may be either true or false. But what is a true paradox? Zeno's paradoxes have as their ultimate consequence the non-existence of motion. Perhaps a true paradox is a statement from which the falsity of some common opinion validly follows. In any case, the logical role of the paradox is not to state a truth whose paradoxical nature lies in the difficulty we feel in maintaining it as true, but rather to state something that will cause to feel as false something else we previously believed to be true. Thus the paradox shows as assumed something formerly held as unassumed. The "logic" of a paradox can at times be "felt" but not heard. In Plato's dialogues the Socratic paradoxes are never far from the surface, yet they are hardly officially challenged. The questioning of Meletus entails what may fairly be called a paradox rhetorically presented. It is also evident that Socrates' questioning of Meletus is a rhetorical presentation of the paradox that no one does wrong intentionally.

According to Santas (1979) there is a distinction between the prudential and the moral paradox. Plato uses two distinct pairs of terms to state the two paradoxes. In the first paradox (and its corollary, that men desire only good things) he uses *αγαθά* (good things) and *κακά* (bad things); in the second paradox he uses the words *δίκαια* (what is just) and *άδίκαια* (what is unjust).

The first doctrine is the prudential paradox, the second is the moral paradox. The first is concerned with situations where no questions of justice and injustice (or, more generally, right and wrong) arise, and it appears to deny the fact of prudential weakness. This version of the paradox is not far removed from ordinary thought, for we naturally assume that most people will on most occasions do what they take to be in their own interests. It is tempting to strengthen this assumption and claim that people always try to do what they think is good for them. From this it is a short step to saying that no one willingly does what is harmful to himself. The second is concerned with moral situations and appears to renounce the fact of moral weakness. It is the familiar claim that no one willingly does wrong. Although logically distinct from the prudential paradox, it is nevertheless, related to it. The moral paradox can be deduced from the prudential paradox taken in conjunction with the Socratic doctrine of good - that is the doctrine that our greatest good consists in being virtuous and that vice is the greatest evil which can afflict humans.

2. Paradoxes in the “Apology”

The Socratic paradox that no man does wrong willingly and that virtue is knowledge, is important to the Platonic commentator since it expresses the central point of the ethical theory developed by Plato out of the dictums of Socrates. It is also significant to the moral philosopher because that ethical theory has been defended and attacked on a continuous basis throughout the history of ethics. Academics and philosophers have almost on a regular basis separated themselves into a) those who held the view that Socrates was declaring in his paradox an important ethical insight, and b) those who have protested that what Socrates said was manifestly false and in conflict with common experience. Plato and Aristotle are the forerunners of these two camps. Plato utilizes the paradox as one of the main bases of his thinking on the nature of the good, and he repeats and promotes it in dialogues of every period of his life. Aristotle commits an important section of the *Nicomachean Ethics* to combating a serious misunderstanding of the nature of right action to which, according to his view, the acceptance of the paradox is likely to lead. Plato is the proponent of all who strive for universal answers to moral and political problems, for the general recipe from which all ethical and political judgments and decisions can be derived as logical consequences. Aristotle speaks for a party whose ambitions are more modest, and whose achievements are both less spectacular and less controversial. These are the thinkers for whom each separate ethical question is a separate challenge, who deal step-by-step with what the Platonist attempts to dispose of in one great enterprise. The whole conflict between these two groups can be represented as a battle between ἐνδοξα (things held in repute) and παράδοξα (things contrary to opinion).

The Socratic paradox implied in the *Apology* is thus that no man intentionally (εκών) does wrong. Its felt consequence may be expressed in the assertion that law is self-invalidating. It is the manner in which we hold the validity of law that the Socratic paradox questions. The paradox forces upon us a disturbing problem contained in law as law. Aristotle gives us a clue that suggests that the paradox here is somehow of fundamental importance. In speaking of paradoxes used by Socrates he states that leading someone into paradoxes of this sort is the same as leading him into the opposition between what is according to nature and what is according to law; for law is an opinion of the multitude, but the philosophers speak according to nature and truth. Now the “*Apology*” is Plato’s choice of the political context, going to court

(νόμον εισάγειν), the context in which the Socratic paradox will have its most powerful effect on law or rather on our notion of what law is. Thus in examining the rhetorical use of a paradox our first responsibility will be to follow Socrates' words while never forgetting the context. We will then be in a position

- a) to tell what philosophic bearing these words have on Socrates' defence,
- b) to state the most compelling philosophic difficulties which the paradox leads to, and ultimately
- c) to say with accuracy why these difficulties lie at the centre of Plato's thought.

At the beginning Socrates had carefully stated how he understood the accusation: he is accused of doing wrong. But he has argued that no man intentionally does this. The Socratic paradox that no man intentionally does wrong is therefore presupposed by Socrates' argument. We must remember that Socrates also makes an implicit distinction between two kinds of culpability, **moral**, whose remedies are teaching and reproof, and **legal**, whose remedy is punishment. Socrates brought in the pressure of law at the precise point where intention was first mentioned. The premise that Meletus must accept, and which Socrates must assume, is that the law punishes intentional wrongdoing. But if law punishes intentional wrongdoing and no man intentionally does wrong then it is either the case that no wrongs (αδικήματα) are ever committed, or that the law cannot punish wrongdoing, namely law is self-invalidating. The Socratic paradox, sometimes called the "moral paradox," is convincing and true because it implicitly raises the question about the true good. It can be argued that the Socratic paradox entail that *mens rea* cannot exist when the charge is wrongdoing simpliciter. It is that speculative claim that constitutes the defence of Socrates against his accusers. Socrates, that is, construes "moral guilt" to mean "acting with knowing intent" and he denies that a man can intentionally do wrong in that sense. Socrates strikes at the root of the accusation by appealing in his argument to the heart of the public spiritedness of Meletus, the deep belief that the laws of Athens benefit all who are its citizens; no citizen would with intent do wrong to a fellow citizen without knowing both that he would thereby transgress the laws and make that other citizen a bad man to live with. Socrates' whole argument presupposes love of the common good. One's notion of *mens rea* depends on how one views this, the boldness of his argument. At least three difficulties lie at the heart of Socrates' argument and its felt consequence, difficulties which extend beyond

the mere words of the argument and prevent us from accepting it as valid (Stalley 1986). These are the fact that the argument

- (i) contravenes ordinary usage about what the law does,
- (ii) contravenes ordinary usage in the practice of law and
- (iii) endangers the existence of law itself.

The image of Socrates as a "stranger" is a deliberate paradox, juxtaposing Socrates with sophists, who were a) clever speakers b) strangers and c) financially motivated. The statement that he will be likely to be found conversing at the commercial heart of Athens is in my view a piece of irony, juxtaposing his own interest (conversation) with the financial one of the Athenians. Elsewhere in the Apology, he represents himself as urging the citizens to "exchange" their concern with money for a concern with things of the soul. The use of the word *κεκτήσθαι* (to have acquired) at 29e 5 seems to be a similar irony (Overman 1976).

Besides offering a protective guise for Socrates, the image of the stranger is used to highlight the important theme of identity. Meletus turned out to be *αμελής* (25c 3); the judges were only "pretending to be judges" (41a 1); those who seemed wisest were the most foolish, while the *φαιλότεροι* were in fact *επιεικέστεροι* (22a 5). Similarly, Socrates must show the jurors that he, too, is not what they think him to be. He must be "made strange," so that he can be truly "seen" again. To do this, he uses the techniques of paradox and oxymoron, forcing together opposites in sharp juxtaposition. He is the "stranger" - who has rarely left Athens; the wise man - who knows his own ignorance; the "atheist" - who is the servant of Apollo. These paradoxes stretch in mind, much as do his rapid shifts from one heroic model to another. It is on this moment of disarray that Socrates seizes, when the suspension of old beliefs creates, as it were, a vacuum, which a new idea might fill. His purpose is to make "hero" a flexible mould into which his new concept of it may be poured.

Socrates repeats over and over again that he himself has no knowledge, possesses no truth, wherein lies his wisdom. But he acts as if, and occasionally says, that he does in fact possess knowledge and is a confident purveyor of truth. Both claims cannot be true at the same time. On the one hand, Socrates insists repeatedly that his reputation for wisdom lies in his recognition that "in respect of wisdom [I am] really worthless" (Apology, 23b). Socrates says that his conversations with others reveal that "neither of us has any knowledge to boast of" (Apology, 21d). On the other hand, at the same time and often in the same dialogue, Socrates speaks as if his

knowledge is secure and certain. In defending himself against his accusers, Socrates observes that for those who know him, "it becomes obvious that I have not the slightest skill as a speaker - unless, of course, by skillful speaker they mean one who speaks the truth" (Apology, 17b). Similarly, he notes that while he is ignorant of what shall come to pass after death, "I do know that to do wrong and disobey my superior, whether God or man, is wicked and dishonorable" (Apology, 29b). Here Socrates makes plain his clear possession of a moral truth: He shall not do wrong. On this he is unwavering to the utmost degree; his obstinacy brings him the death penalty.

The Apology thus gives a clear picture of a man of a certain type: a man very sure of himself, high-minded, indifferent to worldly success, believing that he is guided by a divine voice, and persuaded that clear thinking is the most important requisite for right living. According to Vlastos (1971) in Socrates we find a man who is all paradox. Other philosophers have talked about paradox but Socrates did not, for the paradox in Socrates is Socrates himself. Furthermore the man who came nearest to the aims of Socrates was not a Greek at all, but a contemporary in a distant land who knew nothing of him. It was said of Confucius that when asked what he would do first if he were given charge of the administration of a country, he replied by stating that it would certainly be to correct language. His hearers were surprised, as he explained that if language is not correct, then what is said is not what is meant; if what is said is not what is meant, what ought to be done remains undone; if this remains undone, morals and arts deteriorate, justice goes astray, and the people stand around in helpless confusion. With this may be compared the words given to Socrates by Plato (1947) in *Phaedo 115e*: "You may be sure, my dear Cebes, that inaccurate language is not only in itself a mistake: it implants evil in men's souls."

Towards the end of the "Apology" it appears that Socrates speaks more truthfully to those who voted against him than to those who voted for him. In order to understand Socrates, it is necessary to contradict him and those who accept what Socrates says without question will never learn the truth. Perhaps the Athenians who condemned him to death understood him better than those who voted for him. The message communicated through the experiences of Socrates was not that men knew nothing. It was that what they knew was of no real importance, that the technical knowledge men had, was no good to them; there were other important things to know, which the apparently wise men did not know, and which he

could not, and did not, claim to know. The drama of Socrates' trial and death indeed illustrates a dilemma, in which on the one hand the philosopher cannot accept the way of life prescribed by his tradition but on the other hand cannot offer an unquestionable alternative to it (Stone 1988). But as one examines Socrates' conception of the good, the Socratic moral paradoxes gain a new significance from their association with his conception of what is the good. Socrates does not think of them simply as the results of an analysis of the Greek's moral language, nor does he consider them to be true only in an analytic sense. He considers them to be true also as practical principles of moral behaviour and highlights his belief that the good life is the life of philosophy. According to Gulley (1968) both Plato and Aristotle were inspired by Socrates to find in the life of philosophy their ideal of human goodness, however, his influence on their thought was much more than an influence in shaping their respective moral ideals. He established to a great extent the direction of their philosophical inquiries as they discovered a paradigm for productive philosophical analysis in Socrates' method.

3. Concluding thoughts

The best approach to the Socratic problem is an eclectic one, using all the ancient sources instead of championing a single author at the expense of the rest. There is and always will be a Socratic problem since he wrote nothing. In spite of the application of the most scientific methods, in the end, we must all have, to some extent, our own Socrates, who will not be precisely like anyone else's. Ultimately the reason why a Socratic paradox continues to be a paradox, can be attributed, at least in part, to the fact that while moral philosophy is in a way detached from the person of the philosopher, the Socratic way of engaging in moral thought takes into account, considerations that are practical for the interlocutor.

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