Drinking the Hemlock: Socrates and Free Speech

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Published in C.L. Riley, ed., *The Free Speech Wars: how did we get here and why does it matter?* (Manchester University Press, 2020), pp. 95-102

One recurring motif in recent claims about the illiberal cultures of universities has been the deployment of the figure of Socrates, the fifth-century BCE Athenian philosopher. "From Socrates to Salman Rushdie, heretical figures have been persecuted by powerful authorities, whether by the church or the state," proclaimed the blurb for a discussion of 'The Dangerous Rise of Academic Mobbing', featuring Professor Nigel Biggar, as part of a UK *Battle of Ideas Festival* in October 2019. In his account of 'academic mobbing', including his own experience, the sociologist Noah Carl offered a similar view:

> Persecution of intellectual dissidents is not a new phenomenon. In 399 BC, Socrates was tried and put to death, based on the charge that "he busies himself studying things in the sky and below the earth", which it was claimed would "corrupt the youth". In 1633, Galileo...[i]

"Socrates would be aghast at how few of us are willing to stand up for academic freedom if it risks arousing an angry mob," commented Jonathan Haidt in an email to the writer of a profile of Jordan Peterson.[ii] And within an hour of the news that Peterson had been denied a visiting fellowship at Cambridge in 2018, one of his admirers had tweeted: "Since when did the pursuit of knowledge and intellectual enlightenment have to conform to the latest fad or zeitgeist orthodoxy of the student body? You have become Athenian jurors to @jordanbpeterson's Socrates: you should drink the hemlock yourselves".[iii]

While such references are incidental to the substantive arguments about free speech and its allegedly endangered status, I want to argue here that they are central to the rhetorical presentation of the wider ideological project. In this regard they serve two main functions. Firstly, Socrates has long been seen as the great martyr for secular truth, a man of unimpeachable virtue willing to die rather than disown his beliefs or agree to be silent. Implicitly or directly ("Jordan Peterson is one of the few fearless professors", Haidt's email continued), the comparison with Socrates heroises figures like Biggar, Carl and Peterson as martyrs in the same tradition. It bestows on them the same aura of courage, integrity and nobility, equates their loss of a platform or receipt of criticism to a formal death sentence, and puts their critics into the role of the ignorant, irrational Athenian mob, enemies of reason and science. It seeks to present the debate about their views as one in which no right-thinking person would ever choose to be on the other side.

Secondly, above all in the United States, Socrates is understood as a model teacher, representing the true essence of education, and especially university education, which is now being attacked or desecrated.

> There's a saying common in education circles: Don't teach students what to think; teach them how to think. The idea goes back at least as far as Socrates. Today, what we call the Socratic method is a way of teaching that fosters critical thinking, in part by encouraging students to question their own unexamined beliefs, as well as the received wisdom of those

> around them. Such questioning sometimes leads to discomfort, and even to anger, on the way to understanding.[iv]

This too builds on a long tradition; the 'Socratic method' of education – based, according to Plato, on Socrates' belief that he was wise because he *knew* he knew nothing – was how John Stuart Mill was taught by his father, and adopted as a method of training in critical thought at Harvard Law School in the late 19th century. The essential Socratic spirit of the university was already identified as under threat from relativism and post-modernism in Allan Bloom's 1987 *The Closing of the American Mind*, a title that is deliberately evoked by Lukianoff and Haidt; their book is simply a continuation of that culture war.[v] But there has also been a subtle shift in emphasis, from the need for students to be helped to think critically and ask questions themselves, to the idea that deluded students must be confronted with the harsh but necessary truths possessed by the all-knowing professor, and with people and views they may find objectionable. The modern Socrates is wise because he knows the truth, especially that of science, and knows that his students are trying to hide from it with their talk of safe spaces and microaggressions.

> The notion that a university should protect all of its students from ideas that some of them find offensive is a repudiation of the legacy of Socrates, who described himself as the "gadfly" of the Athenian people. He thought it was his job to sting, to disturb, to question, and thereby to provoke his fellow Athenians to think through their current beliefs, and change the ones they could not defend.[vi]

The great advantage of taking Socrates as a totemic figure is that there is relatively little historical data to get in the way of the mythologising. He wrote nothing – all we know about his thinking comes from the accounts of others – and so there are no mis-judged remarks or failed jokes to be dug up and quoted against him. Claims attributed to him by hostile sources, like the comic playwright Aristophanes, are easily dismissed; but so too are ideas which his pupils put into his mouth, if they prove inconvenient, such as the notorious argument in Plato's *Republic* (401b-c) in favour of the censorship of art and literature to make his ideal city a safe space. For Plato's Socrates, as for his modern disciples, freedom of speech meant freedom for *his* speech – but the idealised Socrates is innocent of such fragility and bad ideas.

This uncertainty extends to the reason why, after he had been annoying his fellow citizens with awkward questions for half a century, Socrates was suddenly brought to trial in 399 on a charge of impiety and corrupting the youth. Partly, it's a matter of the surviving evidence. Athenian laws were notoriously, deliberately vague; the law established that impiety was a crime, but left it to the citizens in the courtroom – 501 of them in Socrates' case – to decide, on the basis of the prosecution and defence speeches, whether the alleged behaviour was impious.[vii] Further, we have only the defence speech, which naturally presented the charges in a manner intended to minimise their plausibility – and not the speech as actually delivered, but later reconstructions or fictions by Socrates' students and admirers. So, we have to guess at how the prosecution would have made its case, but on the basis of the written record, it can be hard to understand why Socrates was accused, or why a majority found him guilty. He presents himself as someone who seeks knowledge and understanding through talking to others, who has loyally served the community, and who follows his conscience even when this might bring him trouble. He does indeed appear as the spokesman for individual conscience and freedom of expression.[viii]

Classical Athens prided itself on *isonomia*, equality of speech, the fact that every citizen could contribute to debates in the assembly and so help guide the whole community; every assembly meeting opened with the words "Who wishes to speak?".[ix] Socrates preferred to talk to people in the market-place and on the street and in private homes, but surely these conversations, making his fellow Athenians think about things more carefully, were just as valuable as those public debates? It's clear from Aristophanes' comic play *The Clouds*, performed back in 423, that there might be grounds for doubt; Socrates appeared there (unfairly, in Plato's view) as an example of the 'sophists', whose clever arguments and manipulative rhetoric could teach people to "make the worse argument appear better", undermining tradition and the basis of democratic deliberation. But still the majority of citizens were clearly willing to tolerate him for most of his long life.

In 404, however, Athens was utterly defeated at the end of its long war against Sparta; the democratic constitution was replaced by the brutal oligarchic dictatorship of the Thirty, said to have executed without trial more than 1500 citizens, nearly 10% of the total, in trying to consolidate its power. One of Socrates' most famous admirers, Alcibiades, had played an ignominious role in the latter part of the war, at one point switching sides to Sparta, and then agitating for a coup against the democracy. Another former student, Critias, was the ruthless leader of the Thirty. These were the most prominent "youths" whom Socrates was thought to have corrupted, and the corrupting ideas were not, as Carl implies, his proto-scientific researches, but his questioning of the founding idea of the democracy: that ordinary citizens could make a full contribution to ruling the community. In the view of the aristocratic circle around Socrates and his students, ruling required expertise, which only men like them possessed.[x]

In other words, prominent among the beliefs of the Athenians that Socrates thought should be abandoned, because they could not, in his view, adequately defend them, was democracy. The immediate aftermath of a period of violent anti-democratic rule was not a good time to hold such a view. But even this, it is argued, would not have condemned him, not least because crimes related to the rule of the Thirty were now covered by an amnesty; it was rather his refusal to take any responsibility for his words. The counterweight to Athenian freedom of speech was the possibility of being held to account for its consequences; the charge of *graphē paranómōn*, of persuading the assembly to make an illegal decision (which was, incidentally, abolished briefly by a short-lived oligarchic regime in 411, on the grounds that it would inhibit people from speaking honestly). In his defence speech, however, Socrates denied any responsibility for the actions of Alcibiades or Critias, and flatly refused to offer any undertaking to change his ways or modify his speech in future.

Whether this was enough to find him guilty divided the Athenians – there were, according to Plato, just thirty votes in it, out of the 501 – as it has divided modern commentators. This is why the case of Socrates should be at the heart of debates around free speech and its limits; not because either he or the Athenians were clearly right or wrong, but precisely because it tests the boundaries of different positions, and what happens when they come into conflict. Before the nineteenth century, of course, there was no such problem: democracy was known to be mob rule, with Socrates its blameless victim. But as members of more democratic societies we may now be wary of the political implications of some of his (or Plato's) arguments, and more conscious of the case that a community might legitimately set limits on an individual right, such as free speech, in the interests of its members.

The problem with evocations of Socrates in the current debate is that they ignore – and work rhetorically to obscure – the possibility that there is anything to be debated. They are profoundly, if not necessarily consciously, anti-democratic, simply assuming the superiority of an enlightened thinker over ignorant students who must be directed and discomfited, and who certainly are not qualified to judge them or their ideas. Now, as then, the concern of Socrates' admirers is to privilege the speech solely of those who supposedly possess superior understanding, themselves, and to reject any responsibility for the possible consequences, whether it serves to legitimise inequality and discrimination, or inspires others to act violently against their society.

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[i] Noah Carl, "'Academic mobbing" undermines open enquiry and destroys the soul of universities', *The Economist* 23/7/19: https://www.economist.com/open-future/2019/07/23/academic-mobbing-undermines-open-inquiry-and-destroys-the-soul-of-universities

[ii] Quoted in Tom Bartlett, 'What's so dangerous about Jordan Peterson?', *Chronicle of Higher Education* 17/1/18: https://www.chronicle.com/article/What-s-So-Dangerous-About/242256

[iii] https://twitter.com/adrian_hilton/status/1108383844087025664?s=21

[iv] Greg Lukianoff & Jonathan Haidt, 'The coddling of the American mind', *The Atlantic* September 2015, 42-52; here, p.45. Their 2018 book of the same title (New York: Random House) places still more emphasis on the theme by contrasting such critical rigour – the truths of ancient wisdom (p.4) – with the lessons of an imaginary visit to another Greek oracle, who of course, unlike noble Socrates, charges for teaching. See also Paul Corey, 'The Socratic Method in today's university', in Lee Trepanier, ed., *The Socratic Method Today: student-centered and transformative teaching in political science*, New York & Abingdon, Routledge 2018.

[v] Allan Bloom, *The Closing of the American Mind* (New York: Simon & Schuster, 1987); similarly, Dinesh D'Souza, *Illiberal Education: the politics of race and sex on campus* (New York: The Free Press, 1991), 189-90.

[vi] Lukianoff & Haidt, *Coddling*, 49.

[vii] See Josiah Ober, 'Socrates and democratic Athens', in Donald R. Morrison, ed., *The Cambridge Companion to Socrates* (Cambridge: CUP, 2010), 138-78.

[viii] See James A. Colaiaco, *Socrates Against Athens: philosophy on trial* (New York & London: Routledge, 2001)

[ix] See Ineke Sluiter & Ralph Rosen, eds., *Free Speech in Classical Antiquity* (Leiden: Brill, 2004), especially the chapters by D.M. Carter and Robert W. Wallace.

[x] See Jennifer Tolbert Roberts, *Athens on Trial: the antidemocratic tradition in western thought* (Princeton: Princeton University Press, 1994).