

PUNISHMENT
A Socratic Dialogue
By BRENT SILBY

BACKGROUND

On a sunny Saturday afternoon, Socrates is walking through the streets of Western Heights, a small town in the country of New Zealand. Feeling rather hungry, he decides to visit a café for food and coffee. As he is about to enter, he bumps into his old friend Greg, the owner of the café.

PERSONS OF THE DIALOGUE

Socrates

Greg

SOCRATES: It is good to see you Greg. It has been too long, my friend.

GREG: Two years I think.

SOCRATES: I remember last time we talked, you told me about your interest in opening your own café. Did you go ahead with this?

GREG: Yes indeed. This is my place. I have been running this café for nearly a year. It's been hard work, but I think I'm now on top of things.

SOCRATES: I hear there are long hours involved in running cafés and other such businesses.

GREG: It is a seven-day a week job.

SOCRATES: If that is the case, it is no surprise that you say it is hard work. You surely deserve to take some time off. Do you employ staff?

GREG: Yes, I have a few part-time employees.

SOCRATES: Well, perhaps they can take care of business while you have a day off. You can turn a seven-day a week job into a six-day a week job.

GREG: I wish I could, but I can't rely on the staff. I have had a bad run with employees. On more than one occasion I have caught them stealing from me.

SOCRATES: I am sorry to hear that, my friend. To suffer an injustice can be a troubling experience. May I ask, what was your response?

GREG: I sacked them. I was very angry. The legal system didn't give them nearly the punishment they deserved. People get off lightly these days.

SOCRATES: What would you have preferred?

GREG: I don't know. Something more than a few months in prison, that's for sure. They stole a lot of money from me. Thousands of dollars.

SOCRATES: Why isn't a few months in prison sufficient?

GREG: I didn't feel that justice had been served. They really deserved a heavier punishment.

SOCRATES: These words, "justice" and "punishment" are big words. I wonder what they mean. Shall we talk over coffee?

GREG: That sounds like good idea. My treat.

They enter the café. Socrates gazes out the window, watching the passers by while Greg makes coffee. After a few minutes Greg brings two cups of coffee to the table.

SOCRATES: This coffee is very good. You have clearly mastered the art.

GREG: Thank you. As I said, it's been hard work, but I've learned a lot.

SOCRATES: We were talking about justice and punishment. You seemed to suggest that in your case justice had not been served because the wrongdoers had not received a suitable punishment. Are you saying that justice is connected to punishment?

GREG: Yes, Socrates. There is no justice if they get let off too easily.

SOCRATES: It sounds like you are suggesting that a suitable punishment is *required* for justice. Is that what you're saying, or am I misunderstanding? I am often wrong about these things, so please do confirm that this is your position.

GREG: It is quite simple. If there is no punishment, there is no justice. Criminals need to be paid back for their crimes in my opinion. A suitable punishment restores balance and brings about justice.

SOCRATES: This is an interesting proposition. I have, for many years, been interested in the nature of justice. You are linking justice to punishment. This deserves examination. Would you be willing to help me explore this issue, my dear friend?

GREG: I have played your logic games before, Socrates. I know what to expect. Let us explore the issue.

SOCRATES: Excellent. We shall proceed. Your proposition is that punishment is required for justice. In other words, if there is no punishment, there is no justice. Is this what you are suggesting?

GREG: Yes, this is what I believe.

SOCRATES: Good. Let's work with this proposition. Tell me, Greg. When we speak of justice, what exactly are we speaking of?

GREG: Justice is about making things right. Correcting wrongs.

SOCRATES: This seems like a reasonable definition. Let's consider an example: If I give food to a hungry, innocent homeless person, would you agree that in doing so I have corrected a wrong?

GREG: Yes, Socrates. Helping a homeless person would be a good thing to do.

SOCRATES: Then it seems that we have an example of justice that involves no punishment. So we may need to rethink your initial proposition that punishment is required for justice.

GREG: You have made a fair point, Socrates. Punishment is not always required to bring about justice. Still, my point about justice remains unchanged. Justice is about putting things right.

SOCRATES: You are suggesting that justice is achieved when things are brought back into balance.

GREG: Exactly. I am pleased that you understand. I expected this to be more difficult.

SOCRATES: The examination need not be difficult. If we follow our logic, we should come naturally to a conclusion. In my experience difficulties only arise when people resist where the logic of the argument is taking them.

Let's talk about the wrongs that people commit, and our attempts to put things right. Do you consider the wrongs that people commit against others to be *unjust* acts?

GREG: Indeed I do, Socrates. If a wrong is committed intentionally, it is certainly unjust.

SOCRATES: And would you agree that putting things right requires one to act justly?

GREG: Yes.

SOCRATES: Then, if justice is making things right, it must therefore be achieved only through *just* actions, correct?

GREG: That follows.

SOCRATES: Well, I am afraid we have a problem, my friend. If we claim that punishment can be a component of justice, and we also hold that justice is only achieved through *just* actions, then we are saying that acts of punishment can be *just* acts.

GREG: I don't see why this is a problem, Socrates. In situations where a person has suffered an intentional wrong doing, I think punishment *is* needed to achieve justice.

SOCRATES: We shall see. I am wondering, can you think of an example of an unjust punishment?

GREG: I would suggest that torture is an unjust punishment.

SOCRATES: Is torture unjust even when it is inflicted upon someone who has intentionally committed a wrong against another person?

GREG: Yes. Torture is too extreme. It is unjust.

SOCRATES: I agree. You are a wise man. So we have an example of a punishment that is unjust. This shows us that punishment does not always bring about justice in cases in which someone has suffered an intentional wrong.

GREG: I follow your reasoning, but I think you are treating me unfairly, Socrates. Only a fool would suggest that an unjust punishment would deliver justice. My thought is that justice is served through a *suitable* punishment – one that matches the crime. That is what I have been saying. I suggest that *some* punishments are just and *some* punishments are unjust. It depends on the circumstances. And in some cases, justice can be achieved without punishment. So the relationship between punishment and justice is that justice *sometimes* requires a suitable punishment.

SOCRATES: I understand. You are describing an intersection, or crossover, between punishments and just actions. Where punishments and just actions intersect, we find a set of just punishments.

GREG: This sounds right, Socrates. I couldn't have put it better myself.

SOCRATES: It may *sound* right, but is it right? Let us continue our examination.

GREG: Have we not yet resolved the issue?

SOCRATES: I don't know. Perhaps we have. Further analysis will answer that question. We need to take a closer look at the notion of just punishments.

GREG: Okay then. For the sake of good conversation, Let's continue.

SOCRATES: You are as enthusiastic as ever, my friend. I think we should consider the concepts of harm and evil. Is committing evil just or unjust?

GREG: It is surely unjust.

SOCRATES: You are wise indeed. We would be hard pressed to find an example of a just evil. The words "just" and "evil" seem quite opposed. Now, when I commit a harm against someone, I am either committing a good or an evil against them. A harm is, by definition, not a good. Therefore, if I harm someone I am committing an evil against that person. Am I right? Please correct me if I am mistaken.

GREG: Your logic sounds good to me.

SOCRATES: We are following the logic to a conclusion. Our next step is to take another look at punishment, for we have not yet defined this term. Am I correct in thinking that punishment involves committing a harm against a person?

GREG: It seems to me that punishment must involve something undesirable. It introduces a noxious, unwanted event into person's life. So yes, Socrates, punishment involves committing a harm against a person.

SOCRATES: We have agreed that to commit a harm against a person is to commit an evil against them. If punishment involves committing a harm against a

person, then it follows that punishment involves committing an evil against that person.

GREG: I am following you reasoning Socrates.

SOCRATES: Do you see where our argument is leading us, Greg? If committing an evil is unjust, and punishment involves committing an evil, then punishment is unjust.

GREG: This is not what I thought originally, but your reasoning is leading me to agree with this conclusion.

SOCRATES: Our work is nearly done, but we have one question remaining. Is it ever just to commit an injustice?

GREG: Maybe under some circumstances?

SOCRATES: I am not so sure about that. Answer me this: can the world be spherical *and* non-spherical?

GREG: No. It can only be one. It would not make sense for the world to be both spherical *and* non-spherical. That would be a contradiction.

SOCRATES: Can a horse be dead *and* alive?

GREG: You are joking with me, surely. Of course a horse cannot be both dead *and* alive.

SOCRATES: Your wisdom tells us that a thing cannot exist simultaneously in its two opposing states. So when I asked if it is ever just to commit an injustice, I

was asking if an action can be just *and* unjust. Based on what has been said, surely the answer is “no”. It would not make sense to speak of a just injustice.

GREG: I understand your point.

SOCRATES: Our logic has reached its conclusion. Punishment cannot be just, for if it were, it would be an example of a just action that is unjust. This is clearly a contradiction. Therefore, punishment cannot be required to achieve justice.

GREG: Your logic is impeccable Socrates. I can see clearly how we have reached this conclusion.

SOCRATES: We got here together, my friend.

REFERENCES

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