

# Legal fictions (plato, xenophon and henry david thoreau)



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Ans According to Plato's "Apology" Socrates questioned the politics, poets and artisans in his quest to prove the truth of the Oracle. He found that all made the common error of considering their knowledge of their professions with wisdom; just because they had some knowledge of politics/poetry/craft they considered themselves wise in other matters, this pretence of wisdom actually proved their foolishness.

Ans. 2. Both Plato and Xenophon agree on many points in Socrates trial the first being his tone and manner of addressing the court. Xenophon describes Socrates tone as almost 'arrogant' and Plato also observes that the philosopher speaks from a 'high standing' and uses a 'lofty manner' in his address. Secondly both agree that Socrates used the Oracle in his defense. Socrates claimed that the Oracle had declared him the 'wisest' and 'most prudent' of all people. Furthermore both describe Socrates claim that a divine voice guides him in his mission.

Ans. 3. Socrates refers to his mission to find the wisest man as a 'labor of Hercules' in his speech of defense. He implies that he has wandered far and wide and made a Herculean effort to find a man wiser than himself. (Plato) About to die at the hands of his corrupt worldly judges, Socrates longs for true justice in the after life. He mentions three judges of Hades (the underworld) - Minos, Rhadamanthus and Aeacus.(Plato)

Ans. 4. According to Thoreau the only place in a slave state in which a free man can abide with honor is prison. Three groups that can find him there are the Mexican prisoner, the fugitive slave and the Indian come to plead his case. No man of honor can live without protesting the injustice done to these three groups by the government, and by law the state imprisons all dissenters. Thus the only abode of the true supporters of these oppressed  
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groups is prison.

Ans. 5. " Now what are they? Men at all? Or small moveable forts and magazines, at the service of some unscrupulous man in power?" This quote is taken from the essay ' Civil Disobedience'. Here Thoreau mocks the mentality of the soldiers who follow the law so strictly that they are ready to die and kill for it even when they know that a particular law or order is morally unjust.

" As they live and rule only by their servility, and appealing to the worse, and not the better, nature of man, the people who read them are in the condition of the dog that returns to his vomit". This quote is taken from the essay ' Slavery in Massachusetts. Thoreau is disgusted with the editorials and editors and readers who support slavery and the war on Mexico.

A semi-human tiger or ox, stalking over the earth, with its heart taken out and the top of its brain shot away." This Quote is from the essay ' A plea for John Brown'. Thoreau is angry at the US government especially the states of Massachusetts and Virginia for allowing slavery and condemning Captain Brown to death

Ans. 6. Socrates was old Greek philosopher renown for his ideals, logical thinking and simple teachings. He believed in the truth and thought it his divine duty to teach goodness and wisdom to all he met. He was accused of impiety by his detractors and tried and sentenced to death. Similarly John Brown too was devoted to the truth. He too believed it was his divine mission to fight for the abolishing of the inhuman practice of slavery. He too was prosecuted and sentenced to death for his anti slavery efforts.

Plato describes Socrates as fearless during his trial. He defends himself with great eloquence and pride. He is proud of his life's work and deems his life in <https://assignbuster.com/legal-fictions-plato-xenophon-and-henry-david-thoreau/>

this world as worthy, he displays an impatience to die and travel to the underworld where he may meet the ancient heroes and the revered judges of Hades. Till the very moment of death he is cheerful and dignified. Socrates refused to grovel and beg for his life saying “ I would rather die having spoken after my manner, than speak in your manner and live...The difficulty, my friends, is not to avoid death, but to avoid unrighteousness; for that runs faster than death.” (Plato)

Thoreau describes John Brown as an honest and upright man. Captain John did not tolerate degenerates in his camp. Only the highly moral and disciplined were recruited. Brown believed that all men should be free and that all forms of oppression were against the constitution and the law of God both of which decreed the equality of all men. When questioned about the rebellion Brown responds from the floor of the Armory, that: “ No man sent me here; it was my own prompting and that of my Maker. I acknowledge no master in human form.”(Thoreau) even during the trial and sentencing Brown did not budge from his convictions, but denounced the state for supporting the enslavement of fellowmen.

#### Bibliography

1. Plato, *The Last Days of Socrates* (Translated by Hugh Tredennick and Harold Tarrant. Edited by Hugh Tredennick. London: Penguin, 1993.)
2. Henry David Thoreau, *Civil Disobedience and Other Essays* (New York: Dover 1993.)
3. Xenophon, *Socrates Defense* (Translated and Edited by Robin Waterfield. London: Penguin 1990.)