

## SOCRATES ON CIVIL DISOBEDIENCE

The *Apology* and *Crito* provide us with an excellent framework in which the issue of disobedience is raised. Socrates is a conscientious citizen and as such he does not want to take society and laws governing it lightly. Though he recognizes the value of social living, but at the same time he cannot ignore the dictates of his Conscience, which to him is the seat of divine command and as such the source of duty, morality and justice. The dictates of Conscience have a higher validity for him. Even his general habit of obedience to laws is itself in conformity with his Conscience. But if what the laws command were to come into conflict with the demands of Conscience, it is obvious that it is not the former which would have the claim to supremacy, but the latter.

It is more of a rule rather than exception that most men cherish some values, which are put on a higher level by them than their obligation to the laws of the state. In addition to Conscience, some other sources of this type of values have been : Morality, Reason, Justice or Voice of God. For the sake of convenience, we may denote this set of values by 'HV' (Higher Values). On the contrary, there are some values, such as 'social stability', 'law' and 'order', which an individual cherishes because of his being a member of a political society. These are necessary for the fulfilment of his basic needs. The political society is rather instituted for the realisation of these values and to accomplish this purpose, it works with a legal structure. If it is to work and yield the benefits which the individual citizens expect from it, then the latter must obey the laws of the state. We can denote this set of values by 'SV' (that is, State-Values). Since the individual as a citizen enjoys certain benefits and privileges in the political society, he has certain obligations towards the society of which he is a member. As a citizen, if an individual breaks the law, he is required to undergo certain designated penalties. A man who says, 'I do not obey the law nor do I accept the punishment' shows highly anarchistic tendencies, implying subversion of law, which if widespread, would ultimately ruin the state. This, however, is a consequence

which reasonable men would wish to avoid. Even the values designated as 'higher' by men are achievable only in a non-anarchic state. For instance, if there are anarchy, social disorder, constant fear of death and lack of security, the realisation of 'HV' would be highly doubtful or even impossible. However, our concept of good or noble living includes a reference to Higher Values, so that it will not be enough to remain satisfied only with the actualisation of 'SV'. For existence, which we consider human as contrasted to mere animal existence, the 'HV' are also needed. The fulfilment of 'SV' meets the material needs of men, whereas the realisation of 'HV' fulfils their spiritual/moral urgencies.

Considering the importance of both, in case there appears a conflict between 'HV' and 'SV', the individual may find himself in a difficult decision-making situation. If he opts for the former, he finds that this amounts to taking the ground off from under his feet. Besides, choosing 'HV' and sacrificing 'SV' may not even be a clear case of choosing morality over survival for there is the moral worry that as he has been enjoying the benefits of the political society, it would be far from fair for him to neglect altogether the socio-political obligations, which thus accrue to him. It seems he must find out some reconciliation between the two conflicting claims.

Looking at the *Apology* and *Crito*, we see that this exactly is the kind of dilemma which Socrates faces: What is his situation? If we leave aside *Crito* for the time being and concentrate on the *Apology*, it seems as if Socrates opts for 'HV' and altogether neglects the 'SV'. For example, he says, '.....I care not a straw for, death, and that my great and only-care is lest I should do an unrighteous or unholy thing.'<sup>1</sup> This clearly shows his willingness to sacrifice his life, if necessary, for the sake of 'HV'. Further, addressing Athenians, he remarks: '...Men of Athens, I honour and love you: but I shall obey God rather than you, and while I have life and strength I shall never cease from the practice and teaching of philosophy ... etc.'<sup>2</sup> From these lines, it could seemingly be concluded that whenever there is such a conflict, he will follow the voice of God or dictates of Justice but this will prove to be a misleading interpretation<sup>3</sup> as we proceed.

The *Crito* gives an entirely different impression of Socratic

position. Here Socrates gives vigorous arguments for the state and laws that one may be led to believe that he holds 'SV' to be supreme, that is, he will obey the Laws even if it means sacrificing his higher ideals. One thing is abundantly clear that even if Socrates is to be interpreted as holding this position, it cannot be on the basis of his fear of Punishment. This is clarified by him in both: The *Apology* and *Crito*. Indeed, this position is presented in prison by Crito, Socrates' friend. In this context, Socrates reminds Crito of the benefits that the former has enjoyed from the state as a citizen, and points out his obligations toward it. While convincing Crito about the position taken by him, he talks about his Agreement with the Laws, the education, which the state gave him and the parental care which it also rendered. These arguments may be erroneously interpreted to conclude that Socrates was an absolutist, advocating unconditional obedience to the state, but a careful scrutiny of facts reveals that such an interpretation is inconsistent with Socrates' theory and practice.

In our view, Socrates rejected both of these extreme positions. The position which seems to form the basis for Socrates' conduct is one which reconciles the two conflicting claims from the realms of 'HV' and 'SV'. His unique resolution of this conflict follows this pattern. As his obligation to the Higher Values necessitates a violation of the state law he disobeys the law (s) and does what he considers to be in accordance with his God's voice. However, the obligations which he has as a beneficiary of the political order and as a citizen, are met by him by his willing acceptance of punishment that the violation of law brings as a consequence. In this way, he manages to preserve both kinds of values from total dereliction. In the *Apology*, we find the disobedience-aspect, whereas in *Crito*, the other aspect, namely, the acceptance of punishment is brought to focus.

Either of these positions may be interpreted to be the Socratic position. Some philosophers<sup>4</sup> for instance, interpret him to be a champion of absolute obedience. This interpretation of Socratic position may be based on the notions of (a) parenthood and (b) agreement, as presented in the *Apology* and *Crito*.

(a) In *Crito*, Socrates imagines the situation in which he is about to run away. The Laws appear before him and remind

him of the parental care which they took of him : " 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... etc"<sup>5</sup>.

Socrates is aware of the fact that as he as a citizen has received many benefits from the state, he is having certain obligations towards it. He further knows that his escape would involve total neglect of those obligations. If he escapes he is proclaimed a destroyer of Laws, as the Laws themselves point out : " Tell us, Socrates, what are you about ? are you not going by an act of yours to bring us to ruin-the laws, and the whole state, as far as in you lies ? "<sup>6</sup>

Here it is pertinent to point out that destruction of laws is considered to be the consequence of Socrates' running away from prison. Socrates does not intend to destroy Laws as they are his ' parents '. He fulfils his obligations towards them by not escaping, that is, by accepting the punishment and thus remaining in prison. If Socrates dishonours the judicial decision by his escape and does not accept the punishment, the law is harmed. A state cannot subsist in which the decisions of law are nullified and are trampled upon by individual citizens.<sup>7</sup> That Laws are deemed by Socrates as his parents, from this it could mistakenly be concluded that he is bound to obey them unconditionally, whereas the fact is that all talk between Socrates and the Laws centres round his escape from prison. The Laws are made to say that if Socrates escapes it would mean that he "... pay (s) no respect to us the laws, of whom you are the destroyer ... running away and turning your back upon the compacts and agreements of your citizenship which you made with us."<sup>8</sup>

(b) The second argument concerns the notion of ' agreement '. Here we want to point out that Socrates can never have an agreement to obey all laws unconditionally, nor any moral man can afford to have an agreement to obey all laws just or unjust, right or wrong, and good or bad. What in these circumstances is required is a thorough analysis of ' agreement '.

In *Crito* the Laws say : ' And was that our agreement with you ? Or were you to abide by the sentence of the state ? ' It is clear from the given context that here ' that ' refers to the fact of Socrates' escape. The question is whether it is Socrates'

agreement with Laws that he would escape punishment if he got it. Clearly, it is not the agreement that he would run away from the punishment that the Laws pronounced against him, and this obviously is the reason that he chooses to stay inside the jail, in spite of being persistently requested by his friend Crito. At every step, we have to keep in mind the context of Socratic escape and the subsequent dialogue with the Laws of Athens, otherwise we are very likely to be misled. The Laws frequently allude to this fact. For instance, they say, 'Or were you to abide by the sentence of the state?' The agreement was broken had Socrates escaped. If we penetrate deep and deep into the mysteries of this little dialogue, viz., *Crito*, we find that the Laws' sole concentration is on this issue. They say: "You, Socrates, are breaking the covenants and agreements which you made with us ... And now you refuse to abide by your agreements."<sup>10</sup>

If the escape breaks the agreement, then non-escape keeps the agreement of Socrates with Laws. What could then be the nature of such an 'agreement'? The only sane agreement, which we can reasonably make with Laws is : Either we obey the law (s) or accept the designated penalties in case of disobedience. The Laws frequently remark this, 'Or were you to abide by the sentence of the state?' The 'agreement' then implied that Socrates should not run away from punishment, once it was given. Thus the 'agreement' of Socrates or of any moral individual to the laws of the state is not that of unconditional obedience. In other words, 'agreement' with laws does not mean that it is an agreement to obey this or that, good or bad, right or wrong, just or unjust, or all laws, but it is only a general acceptance and allegiance towards the legal system as a whole. For instance, if we accept and owe allegiance to Indian legal system, then we are not bound to accept the laws which are discriminatory, as obedience to each and every law is not a part of such an 'agreement'. It is only a general sort of agreement and as a general view of something does not concentrate on any particular, similarly, such agreement in general does not concentrate on this or that particular case of obedience. Further, this sort of interpretation of 'agreement' would imply unconditional obedience to tyrannies, dictatorships and to the whims of the tyrants, which Socrates, as a man of Reason, as a follower of Conscience, as

a listener of his God's voice, and as a doer of *only right*, would never accede to. In other words, not only Socrates, but no moral man can accede to any agreements which require blind obedience to law (s). However, if Socrates made an agreement for unconditional obedience then his disobedience becomes incompatible with this sort of agreement. If the 'agreement' were of the unconditional type then by breaking the law but accepting to remain in prison, Socrates could not claim that he was keeping his agreements, because it demands that the individual may not break the law at all. The Laws allude to this fact off and on that the agreement would be broken if Socrates managed to escape. Whereas the agreement for unconditional obedience is broken regardless of the fact whether he runs away from prison or stays inside. Thus only if we interpret Socrates' 'agreement' with Laws in the way we have indicated above, viz., 'to obey the law (s) or accept the punishment', can we do justice to the Socrates' position?

A careful study of the *Apology* and *Crito* reveals that Socrates does only that which his Conscience guides him to do. Obedience to the command of God is for him a necessity. Socrates regarded it to be the command of God that he is to cross-examine people. In this path, even the fear of death could not hinder his pursuit. He says to Athenians: "... either acquit me or not; but whichever you do, understand that I shall never alter my ways, not even if I have to die many times."<sup>11</sup>

This is tantamount to saying that no matter what, he would not disobey his God. This loyalty to his Conscience, which revealed to him the Will of God, led him many times to disobey the Athenian Law. Once Socrates refused to obey the 30 Tyrants. As is well-known, in the year 400 B. C., the Athenian democracy was destroyed and an oligarchy of 30 set up in its place by Critias with the help of the Spartan General Lysander. It was the reign of terror and injustice. The Generals, once, sent for Socrates along with four others, and commanded them to bring Leon from Salamis to Athens, for being murdered, disobedience to which probably entailed death penalty<sup>12</sup> Socrates boldly disobeyed them and went home fearlessly. However, it is not the political authority that he fears, nor disobedience, which may bring death to him, but his only concern is that he should not do anything that is unrighteous and unholy.<sup>13</sup>

In the context of adhering to state religion, Socrates further disobeyed the Law and what is more, acknowledged it in unambiguous words. The charges against him ran : “ ... Socrates is a doer of evil, inasmuch as he corrupts the youth, and does not receive the gods whom the state receives, but has a new religion of his own.”<sup>14</sup>

In Athens of Socrates' time, Apollo and Zeus and other such gods were regarded as the state-gods. Though Socrates was a religious man, yet his conception of 'God' was quite different. Thus although he believed in divinity, he did not believe in the 'state-divinities'. He says to Meletus, '... only you say that they are not the same gods which the city recognizes—the charge is that they are different gods.' Not only he believes in other gods, but he also teaches the youth not to believe in the 'state-gods' but to believe in his own gods. Socrates himself says to Meletus, 'I suppose you mean, as I infer from your indictment, that I teach them not to acknowledge the gods which the state acknowledges, but some other new divinities or spiritual agencies in their stead.' Meletus swears by Zeus,<sup>15</sup> which is different from the gods Socrates believes in. Not only Socrates believes in gods but he also believes that his gods are higher than the gods, any of his accusers believes in.<sup>16</sup> Thus staying true to his own conception of 'gods', Socrates committed disobedience to the laws concerning state-gods. It is amply clear from the instances cited above that the force of Socrates' argument in the *Apology* and *Crito* is directed not against disobedience but against *escaping from prison*, and thus escaping from the punishment.

Punishment may be accepted in various ways. Somebody may stay inside the jail and yet he may really not accept the punishment. This unacceptance of punishment may be evidenced in his behaviour. For example, he may sit for a fast-unto-death in jail protesting that injustice has been done in his case and that he has not accepted the punishment morally though physically he is in prison. Socrates' acceptance of punishment was both-moral as well as physical. In no way, he seems to have interfered with the attempts which might have put him into prison, when the opportunity to escape, he refused and finally with making any fuss about it drank the hemlock. Wondering at Socrates' calm acceptance of punishment, Crito remarks :

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... I wish I were not myself so sleepless and full of sorrow I have been watching with amazement your peaceful slumbers ... never did I see anything like the easy tranquil manner in which you bear this calamity.<sup>17</sup>

To sum : To follow one's conscience, to disobey laws which are considered unjust rather than give blind obedience to all laws, to accept calmly penalties which go with such a disobedience to desist from harming others, these then are *the* features worth noticing in the Civil Disobedience of this man of rare honesty and integrity.

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#### NOTES

1. see Jowett, B. (ed.) : *The Dialogues of Plato*, Oxford 1964, Volume I. the *Apology*, p. 357; and also p. 353. The *Apology* and *Crito* run respectively between pages 341-66 and 371-84.
2. *ibid.*, p. 354; Cf. also *Crito*, pp. 372, 374.
3. Even in the quotation given above there is the reference ' I honour and love you ', which can be taken as a clue to the fact that Socrates is not only worried about his morals but he also cherishes a certain sense of manhood and citizenship which he cannot afford to neglect altogether.
4. E. g. see Martin, Rex : ' Socrates on Disobedience to Law ', the *Review of Metaphysics*, Sept. 1970, p. 22.
5. Jowett, p. 380.
6. *Ibid.*, p. 379.
7. *Ibid.*
8. *Ibid.*, p. 382.
9. *Ibid.*, p. 379.
10. *Ibid.*, p. 382.
11. *Ibid.*, p. 355.
12. Socrates himself remarks : ' For which I might have lost my life, had not the power of the Thirty shortly afterwards come to an end. ', *ibid.*, P. 357.
13. in the same place, p. 357.
14. *Ibid.*, p. 348.
15. For all details see, pp. 350-1.
16. *Ibid.*, p. 360.
17. *Ibid.*, p. 371.