

OBEDIENCE UNTO DEATH: PLATO'S CRITO

In Plato's *Crito*, Socrates is awaiting his appointed time of execution (the Athenians had sentenced him to death for "corrupting the young" and "denying the gods of the state"). It turns out that his trial happened during a religious festival during which the Athenians did not carry out executions. At the beginning of this festival, the Athenians sent a ship to Delos; the festival officially ended whenever the ship arrived back at Athens. It is during this festival that Socrates' friend Crito visits Socrates and attempts to convince Socrates that he ought to escape. Crito points out that Socrates has many rich friends and that it is likely that, through some combination of bribery and political string-pulling, they could help Socrates escape and relocate to some other Greek city. Socrates argues that this would be unjust, however. The *Crito* is one of the first works of philosophy that explicitly addresses the questions "Is there a moral duty to obey the laws of the state?" and "What is the relationship between *morality* and *legality*?"

CRITO'S ARGUMENT: IT'S OKAY TO DISOBEY LAWS YOU DON'T AGREE WITH

CRITO: Besides, Socrates, I do not think that what you are doing is just, to give up your life when you can save it, and to hasten your fate as your enemies would hasten it, and indeed have hastened it in their wish to destroy you. Moreover, I think you are betraying your sons by going away and leaving them, when you could bring them up and educate them. You thus show no concern for what their fate may be. They will probably have the usual fate of orphans. Either one should not have children, or one should share with them to the end the toil of upbringing and education. You seem to me to choose the easiest path, whereas one should choose the path a good and courageous man would choose, particularly when one claims throughout one's life to care for virtue. (Plato, Crito 45c-d)

Crito begins the dialogue by offering to help Socrates escape and to avoid execution. He offers a multi-pronged argument that seems reasonably plausible (especially when compared to the arguments offered by some of Socrates's other interlocutors):

1. Socrates has not done anything wrong. He did not morally deserve to be sentenced to death.
2. Socrates would not be harming any of his friends or loved ones by accepting help. His friends have sufficient money and power to avoid any potential "blow-back" that might result from helping Socrates escape.
3. Socrates would be harming some of his friends and family by *not* agreeing to accept health. In particular, (a) most people would probably think less of Socrates's friends for *not* trying to help him escape when they obviously had the power to do so and (b) Socrates's sons would be harmed by growing up without a father.
4. Socrates would benefit humanity more by staying alive than by dying. For example, he could go to different Greek cities and continue his practice of asking people the tough questions and living the "examined life."
5. So, Socrates ought to agree to try and escape.

While Crito's argument is not spelled out in great detail, a contemporary philosopher might reasonably interpret it as appealing to a number of different moral reasons:

- **Choosing to escape does not violate anyone's rights (deontology).** Deontologists hold that we are morally obligated NOT to violate people's basic **rights**, such as their rights to life (murder), property (theft), or bodily integrity (rape, battery). Crito clearly thinks the Athenians did not have the right to kill Socrates, and Socrates would not be harming any of his friends/family by doing this.
- **Choosing to escape has better consequences (consequentialism).** All things being equal (i.e., if there are no rights or duties involved), most moral theorists would agree that it is usually morally preferable to choose an action that has the greatest overall benefit for *everyone* (and not just for ourselves). Crito thinks Socrates's philosophizing is an overall benefit to society.
- **Choosing to escape would meet Socrates's duties to other people.** Many moral theorists hold that we have specific duties (or obligations) toward those nearest and dearest to us. Crito argues that Socrates has duties toward his children.

- **Choosing to escape would be more virtuous than choosing death (virtue ethics).** Crito argues that choosing life would show more courage (one of the moral virtues) than choosing death. This is another common way of moral reasoning—you can ask yourself, “How would a morally perfect person act in my situation?” and then act accordingly.

Socrates will argue that Crito’s argument fails, and that choosing death is morally preferable on all of these grounds.

AGAINST RETRIBUTIVISM

SOCRATES: *Come now, should one injure anyone or not, Crito?*

CRITO: *One must never do so.*

SOCRATES: *Well then, if one is oneself injured, is it right, as the majority say, to inflict an injury in return, or is it not?*

CRITO: *It is never right.*

SOCRATES: *Injuring people is no different from wrongdoing.*

CRITO: *That is true.*

SOCRATES: *One should never do wrong in return, nor injure any man, whatever injury one has suffered at his hands. (49c)*

A **retributive theory of justice** is one according to which people who harm others “deserve” a harmful/unpleasant punishment, and the severity of this punishment should be *proportional* to their crime. So, a law that requires an “eye for an eye” is a classic (if very simple) example of retributivism. Retributivism is a highly intuitive and popular view of justice, and expressions of it can be found in a wide variety of societies and cultures, and in many different contexts. For example, many children (and adults) seem to be “natural” retributivists, insofar as they swiftly respond to being injured by trying to injure whoever injured them. Retributivism also suggests a *justification* for obeying laws, and accepting the punishment attached to breaking them. Basically, if you injure/harm someone, you *ought* to accept the punishment for this. While some religious and philosophical thinkers have rejected retributivism (think of the Christian commandment to “turn the other cheek”), retributivism has remained something like the *de facto* understanding of justice, law, and punishment for many people.

In the *Crito*, Socrates reminds Crito that he has always rejected this retributivist theory of justice, because he believes that one should never intentionally injure *anyone*, no matter what they have done to you (in fact, he thinks something stronger than this: he thinks that intentionally harming someone will actually harm *you* more than anything that person could have done to you). He notes that it would be convenient for him to change his mind now, since retributivism might provide an easy justification for escaping (e.g., since the people of Athens did wrong in harming me, I’ll get my revenge by escaping and saying nasty things about them). However, he thinks this would clearly be unjust. While Socrates (and perhaps Plato, speaking through Socrates) clearly disagrees with retributivism, it’s not clear what his alternative is. Based on Plato’s work, he seems much sympathetic to a view according to which laws/punishment serve to *educate* and *improve* people (so, for example, parents don’t punish children in order to *harm* them; instead, they do it “for their own good.”).

SOCRATES’ ARGUMENT THAT ACCEPTING PUNISHMENT IS MORALLY REQUIRED

SOCRATES: *“Reflect now, Socrates,” the laws might say, “that if what we say is true, you are not treating us rightly by planning to do what you are planning. We have given you birth, nurtured you, educated you; we have given you and all other citizens a share of all the good things we could. Even so, by giving every Athenian the opportunity, once arrived at voting age and having observed the affairs of the city and us the laws, we proclaim that if we do not please him, he can take his possessions and go wherever he pleases. Not one of our laws raises any obstacle or forbids him, if he is not satisfied with us or the city, if one of you wants to go and live in a colony or wants to go anywhere else, and keep his property. We say, however, that whoever of you remains, when he sees how we conduct our trials and manage the city in other ways, has in fact come to an agreement with us to obey our instructions. (51 c-e)*

Socrates offers a short, but somewhat complex, argument that he is morally obligated to accept the state's punishment. He begins by pointing out that that "what the majority thinks" has very little to do with "what is true" or "what is morally required." Crito repeatedly worries about what the majority will think about Socrates dying (for example, he worries that they will think that Socrates' friends are cowardly, or that Socrates was somehow crazy or cowardly).

Socrates: "Popular" does not equal "morally right." Socrates begins by arguing that the majority's opinion shouldn't sway our judgment about moral issues. For a contemporary example, consider the issue of slavery: the mere fact that a many people approved of it didn't make it OK. Socrates's first (obviously correct) point here is that the mere fact that people would *consider* his choosing death a mark of ignorance or cowardice does not make this true. However, he also thinks something much stronger, and more controversial: Asking "What will other people think of me?" is *completely irrelevant* when they are making their moral choices.

Socrates argument for accepting his punishment. Socrates agrees with Crito that his sentence is unjust and that the jury should have voted not guilty. However, he does not agree that he ought to try to escape. Instead he argues that is *morally obligated* to accept the death penalty insofar as this judgment represented an instance of "the laws of Athens." His argument seems to go something like this:

1. **In general, we have special duties toward those who benefit us.** For example, most of us would agree that we have duties to help the people who cared for us as children that we do not have toward strangers. Socrates argues that the state (or "society") has done far more for us than our parents have. The state provides for common defense and protection from crime, for a functioning market that allows us to exchange goods and services, for the education of the children, for infrastructure such as roads and public buildings. So, if the state asks something of us, we have a strong *prima facie* obligation to comply (we have to pay our taxes, obey the speed limit, etc.). Only in relatively rare cases is it morally OK to ignore the law altogether.
2. **In general, we are morally obligated to keep our promises.** Socrates argues that, in his case at least, he has implicitly **consented** to obey the laws of Athens, so he would (in effect) be breaking a promise. Among other things, his consent was indicated by his choice not to move to another Greek city-state when he easily could have done so. This is especially relevant in Ancient Greece because many of these states (such as Sparta, which had a military government) had political and legal systems that were far different from that of Athens. Moreover, at his trial he could have proposed exile as a penalty (the jury likely would have voted for this). He didn't do this, however, even when he knew the alternative penalty was death, which suggests he "agree" to this.
3. **Breaking the law (even when you can get away with it) DOES harm other citizens.** While Socrates doesn't pursue this in detail, his comments suggest something like the following argument. If Socrates were to take advantage of the fact that he had rich, powerful friends to escape the death penalty, this would encourage the belief that the law has no real moral authority. It would encourage people to look at the law as simply one more way the rich people in society take advantage of the poor people. This would harm the citizens of Athens.
4. **Socrates could NOT do much good to his family, friends, or anyone else if he lived.** Socrates argues that his sons would not be well-served by his escaping, since this would (justly) make the Athenians think less of their father. He also argues that, should he choose to escape, it is likely that the governments (and the citizens) of other cities would think of him as a dangerous, dishonest person dedicated to undermining the state. And unlike the jury during Socrates's trial, they would be partially justified in this view.

It is important to note that Socrates' argument here depends on the facts that (1) Athens was, in general, a well-functioning state that provided for the needs of the citizens and (2) the Athenians followed a reasonably just procedure when they sentenced Socrates (e.g., he received a trial, got to speak in his own defense, etc.). Of course, the *result* of this process was unjust, but this doesn't seem to bother Socrates. Importantly, though, Socrates's argument does NOT commit him to the idea that he would have had to obey the demands of an obviously evil or irrational government, such as the Thirty Tyrants (a group of rich people and military leaders who briefly ruled Athens, and who Socrates refused to obey, even at the risk of death).

QUESTIONS FOR DISCUSSION

Plato's *Crito* raises a number of crucial issues about the relationship between morality and the law, and what it means for us as citizens. For many of these questions, we still lack any agreed upon answers.

1. **Why Should We Obey the Law?** In the *Crito*, Socrates argues that we ought to obey the law (and the orders of the state/government) at least in part because we “owe” society obedience for what it has done for us in preparing us for our lives/careers (in education, marriage, etc.), and because (at least as adults) we have “chosen” to be in the society we are in. However, there are arguably LOTS of people to whom these conditions don't apply (e.g., those who society has failed to provide with opportunities for a good life, or who don't have any realistic way of leaving this society for a new one). What does this mean for these people's obligations to obey the law?
2. **Would Plato/Socrates Approve of Civil Disobedience?** Socrates' life, trial, and death has been an inspiration to generations of philosophical, political, and religious dissidents, as it seems to show the importance of staying true to your own conscience, even when the society around you disagrees, and even when it threatens to punish you. However, the *Crito* also seems to argue that it is *immoral* to break the law, at least in many cases. These two things seem to be in tension. In particular, Martin Luther King cited Socrates as an influence in his own advocacy of civil disobedience, which involved *knowingly* breaking a law and then *voluntarily* accepting the punishment in order to help *persuade* the society at large that the law needs to be changed. What do you think Socrates would have thought of this of Civil Disobedience as a method for attempting to change society? What do you think? (Scholars of Plato disagree on this.)
3. **At What Point Does the State/Government Itself Deserve Overthrowal?** Following from the two previous questions, a new question arises: at what point does the *state itself* become so unjust that it no longer deserves any love/respect at all? Socrates clearly thinks this *can* happen (he disobeyed the Thirty Tyrants, after all), but the fact that he feels obligated to obey the laws of Athens suggests it requires more than simple disagreement with the state, or even strong objections to the way it does things. When thinking about things like civil disobedience, this can raise tricky questions. For example, figures such as Gandhi and MLK argued for peaceful resistance to unjust laws, and these succeeded, at least in part, because the US and the UK were structured so that change was possible. However, it seems unlikely that these same methods would have worked in Nazi Germany. As citizens, how can we tell the difference between a basically just state that does unjust things (and which we should try to change through persuasion, civil disobedience, etc.) and a truly bad state that needs to be overthrown using any methods possible (perhaps including violence)?

LINKS: PLATO'S DIALOGUES ONLINE

These lectures are based on the following text: Plato, 2002, *Five Dialogues: Euthyphro, Apology, Crito, Meno, Phaedo*. 2nd ed. Trans. GMA Grube. Indianapolis: Hackett Publishing. (currently \$9 on Amazon). If you don't wish to buy the text, you can find free, electronic copies of Plato's dialogues at:

- **The Internet Classics Archive: Works by Plato--** This site has older translations of all of Plato's works--
<http://classics.mit.edu/Browse/browse-Plato.html>
- ***Crito***—A modern, scholarly translation of the *Crito* by Cathal Woods and Ryan Pack--
https://papers.ssrn.com/sol3/papers.cfm?abstract_id=1023145