

Obeying the law, crito and socrates essay examples

[Life](#), [Death](#)



Introduction

The dialogue that follows Crito's visit to his tutor Socrates in the early morning on the eve of his death is one that touches on fidelity to the law and the elements of the social contract in general. Socrates faces the death sentence for the crime of impiety and has resigned to his fate. Crito's visit is not to say goodbye, but rather to see to it that he escapes from his impending death because he regards his trial as an injustice. He argues that allowing himself to be killed would be an insult to him (Crito) and his friends who are willing to go to significant lengths to ensure that he escapes. Further, he reasons that his death would be an injustice to those that depend on him. This paper concurs with Crito's view of obeying the law, in the sense that the law must only be obeyed if it is right in the judgment of the person it applies to.

In response, Socrates considers that an escape would amount to injustice and a violation of the laws of Athens that he has tacitly consented to. He talks about fidelity to the law and does not accept Crito's reasoning that his trial was not fair. Crito, failing to convince his tutor about his need to escape respects his resignation to meet his death.

The Law and the Society

This conversation is largely themed on the coming into force of effective government and the authority that they wield over their subjects. It is reminiscent of the social contract as postulated by Thomas Hobbes and John Locke. The nexus between this conversation and the theory of the social contract as postulated by these two scholars lies in the fact that they; Crito

and Socrates hold similar opinion to those of Locke and Hobbes respectively. Thomas Hobbes in his argument about the formation of the social contract as an escape from the vagaries of the 'state of nature' advocates for absolute authority of the government and requires the populace to respect this authority in every measure, as its significance far much outweighs the ills of the 'state of nature'. Hobbes' argument in this regard connects with the views of Socrates. Whilst Crito's are that fidelity to the law should only be reciprocal to just laws and due process, Socrates looks at his escape as another breach of law because his trial and guilt came from a process of the law and moreover an escape would still brand him a 'lawbreaker'.

The social contract Socrates refers to is by no means a document signed by him and the state but rather an implicit contract that his continued stay in Athens upholds. The justification of the social contract is often a problem because there is never any evidence that a citizen acknowledges the protection of the state by signing a contract upon attainment of the age of majority. As a matter of fact save for immigrants, all naturally born citizens do not get to sign any document to get the protection of the state. Crito would want to convince Socrates that his allegiance to the state of Athens and her laws should be acquired by a direct consent. This is probably an implication that a citizen will only respect the laws that he accepts. This concept points to a fundamental principle that is often believed to have informed the formation of the social contract. In the modern societies there would be two classes of laws that an individual will be expected to abide. The most important and probably the ones that informed on the formation of the contract are those that posit a direct threat to an individual. The sort of laws

that one would not want breached to his detriment. Murder, rape, theft are criminal offences that would fit this class. Anyone who would not want these visited upon him must endeavor not to do the same to others. These alongside others, would, therefore, constitute ' Primary Laws.'

On the hand, as the society evolves, ' Secondary Laws' are formulated. These are those whose impact may not directly affect an individual but, nevertheless, are abhorred by the society. Prostitution, drug use, bigamy would be ideal examples. It is noteworthy to state that Socrates was found guilty of an offence that would be regarded as secondary, ' an immoral' offence whose punishment was death, and there probably lies the injustice in the eyes of Crito. But Socrates speaks of his contractual obligation to obey the law. In his view the law as it emanates from the government should be respected, and his continued stay in Athens all this time shows his acceptance, at the very least tacitly. This raises a question: Is it possible to leave ones birthplace because he does not agree with the laws or some of the laws of the land? Obviously this is not possible.

John Locke argues in his Second Treatise on Government that the authority wielded by government emanates from the people and should be exercised with the people's consent. He envisions a scenario where the subjects have a right to resist any law that they think does not serve their purpose or is oppressive. This ideology resonates well with Crito's. His advice to Socrates is to revolt against a law he considers unjust by escaping captivity and an impending death.

The Critical Evaluation

The evaluation that I can draw here is that both these thinkers hold divergent opinion about the law. But whilst they would die trying to defend their position both are not exactly true. If you were to ask Socrates today if he believes one should turn himself for using a particular illicit drug, his answer would surprisingly be a yes! Because he believes that breaking any law constitutes a dishonorable act. He sees the very act of not turning oneself in as a valid concern. Socrates crusade against poets of the day is premised on his belief that they poison the minds of people through their art. While Socrates may be regarded as a martyr who sacrificed his life for free speech, he, in fact, tried to muzzle these poets. But his arguments are even more baffling; we respect the law because violating the law is to violate the overall authority of the law as an overall controller of human conduct. In this regard, his obligation to the law is pedagogical and not contractual. But the more authoritarian argument probably comes from Plato. His version of an obligation to the law is that obeying unjust law, unfair punishment coming from the law is honorable and good for one's soul. He, therefore, regards Socrates' death as an honorable upholding of his end of the bargain. Plato is obviously wrong in his opinion that enjoying the protection of the state warrants absolute submission to its laws. This is clearly not tenable in any democracy. It is, therefore, easier to relate to Crito's reasoning because the Athenians will kill an innocent man because doing so ignorantly upholds democracy.

Conclusion

I would, and most people would; agree with Crito's course of dialogue. He reminds me of the Lockean hypothesis that if the government fails to serve the interest of the people, then they have a right to revolt. Such a government demonstrates a want of mandate and therefore takes an individual to a 'state of nature' with herself. The modern conception of democracy is not that, 'let the losers make their case and the winners have their way.' It is rather a balance of what seems justifiable based on the fundamental rights attendant to a human being. That is why we have opened more room for gay rights and allowed diversity of opinion to thrive.

Work Cited

Aristotle. Politics. Trans. C D Reeve. New York: Hackett Publishing, 1997.