

Considering the Right and Necessity of Civil Disobedience

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What are the duties of a citizen to obey the law? Socrates in Plato's "The Crito" and Martin Luther King, Jr. in his "Letter from Birmingham Jail" answer this question from conflicting perspectives. According to Plato (399 BCE), Socrates made the argument that it is his duty to obey the law of his city, Athens, on all occasions, whereas King (1963) made the argument first put forth by St. Thomas Aquinas that "an unjust law is no law at all" (p. 399). The reason for the differing opinions on this subject lies in the times and places in which these two men existed. Considering that there is no evidence of perfect justice throughout the history of civilization, including in modern times, it is imperative that citizens practice civil disobedience in the face of unjust laws. Not only is this approach necessary for the betterment of society in that government is made aware that its citizens will not obey all laws unquestionably and without retort, but it is also crucial for each citizen to utilize his or her disobedience as a way to help create a more just society, city, state, and world.

According to Plato (399 BCE), Socrates believed that as a citizen who had benefited greatly from his city, he had entered into a contract of sorts that required him to obey all laws, regardless of their fairness or aims (p. 339). However, this argument becomes circular as Socrates never defined what is actually right or wrong to his friend Crito. His argument was that all men should do what is right all the time (Plato, p. 337). Assuming that there is a general understanding of "right," then Socrates' argument would be almost impossible to argue against, much less defeat. Certainly one who has lived a long life within a society, benefitting from it in many ways and choosing to stay while having knowledge of the laws of that society, would owe his allegiance to that city. Socrates fits this description as he explained to Crito (Plato, 339-342).

However, Socrates, or rather Plato, never fully explains why it is *right* to obey the laws of one's city or state. It is simply assumed that the good person will obey the laws that have been set forth by that city. This assumption is problematic in that there is no justifiable reason why one must obey the laws, other than the assumption that to disobey creates problems that can lead to the breakdown of law, causing anarchy. This argument is certainly valid, yet it is not explicitly made; it is only implied throughout the conversation between Socrates and Crito. The larger assumption being made is that men are like beasts, or slaves, who must be ruled by one of a variety of political systems; otherwise, each person as well as the city or state itself would suffer. In Socrates' day and place, the open democracy was based on laws that created a council of men deemed worthy of a vote and set in place to represent all citizens. The general consensus that Socrates and Crito seem to agree upon is that it is always right to obey all laws and always wrong to disobey. If one makes this assumption along with Socrates and Crito, it is easy to be persuaded that Socrates has made a very strong argument as to why he must remain in jail and accept his sentence of death, as a good citizen should.

King, however, makes a more powerful case as to what a citizen should and should not endure from his city, state, or nation. Writing his letter from a jail cell in Birmingham, Alabama in 1963, King was in the midst of extreme injustice placed upon black citizens of America, emanating not only from fellow white citizens but from the government itself. When his letter was written, it was impossible for King to respond to the laws of the nation in a just and responsible manner, as the very nation he lived in was poisoned with corruption, racism, and violence towards blacks. Although Socrates was unpopular with many Athenians, at least he was regarded as an equal by his fellow citizens; however, many blacks in America in the 1960s did not share in the equal opportunities that existed for Socrates in ancient Athens. In the United

States in the mid-twentieth century, millions of African-Americans, including King, lived as second-class citizens, unable to enjoy the many opportunities and benefits of America for no other reason than their race. King (1963) said, “But when you have seen vicious mobs lynch your mothers and fathers at will and drown your sisters and brothers at whim... hate-filled policemen curse, kick, and even kill your black brothers and sisters,... then you will understand why we find it difficult to wait” when responding to the advice of many white clergymen that King and the supporters of the Civil Rights Movement should wait until a better time to advance the cause of civil rights and equality (p. 398).

In King’s time and place, his obligations to his country were of one sort--to improve race relations and to eliminate the horrible injustices that existed then, and which had existed for blacks for over three hundred years in America. It may have been noble for Socrates to respect his city so much that he would rather die obeying its laws, despite believing in his innocence of the crime that invoked his death sentence, than to break the laws; nevertheless, King lived in very different circumstances. In King’s society, one which constitutionally guaranteed specific rights to all citizens yet in the most vulgar manner denied these rights to blacks, it was most righteous for him to practice and encourage civil disobedience to confront the injustice imposed upon him and all blacks during his time.

According to Dr. Brickhouse (2008), civil disobedience can be described as the “willful breaking of duly enacted laws.” With this definition, one should consider to what extremes one should go in the act of civil disobedience. Brickhouse quoted King, stating that if the act is done peacefully, in the open, with prior notice to the proper authorities, and with love, then the act of civil disobedience is permissible. This interpretation would go against the beliefs of Socrates,

who would not find any situation where civil disobedience is acceptable. However, Socrates never saw or experienced the same types of injustices that King lived through.

Therefore, the major question to consider is whether or not a citizen's duty to obey the law is universal or circumstantial. Certainly, people who have suffered violence, humiliation, injustice, or murder at the hands of their own city, state, or nation would say that it is absolutely a question of circumstance. While citizens do have an obligation to honor the laws of the land, citizens also have a higher obligation to ensure that those laws are just. When citizens try unsuccessfully to amend the laws to conform to true justice but in fact the situation deteriorates further, as was the case during the Civil Rights movement, it is the duty of all citizens to band together to force their will upon the authorities, provided that will is aimed at peace and represents a universal quest for justice. If realizing this goal involves breaking laws, so be it. Anything less would be to give the city or state or nation the idea that it can hold some of its residents as slaves or beasts and treat them however it pleases, despite the good intention behind their actions.

While Socrates would argue that to confront the city with acts of civil disobedience is not right, King would make the stronger argument that to do nothing or to wait for the state to change its ways is a crime not only to all other citizens suffering from the injustice(s) of the state, but a crime against the state itself, as the state is given the right to grow more unjust and more indifferent to the satisfaction and liberty of the citizens who comprise it.

References

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