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**SOCRATIC CITIZENSHIP IN PLATO'S APOLOGY AND CRITO,  
A CRITICAL EVALUATION OF KENYAN LIVED CITIZENSHIP**

**A Long Essay Submitted in Partial Fulfillment of the Requirement for  
the Award of the Ecclesiastical Degree of Baccalaureate in Philosophy.**

**NAIROBI 2022**

## DECLARATION

I declare that this is my original work and has not been submitted to any other university or institution of higher learning for examination. All sources have been cited in full and acknowledged.

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## **DEDICATION**

I dedicate this work to my parents Mr. and Mrs. Mbolu, my brothers and sisters and all Kenyan citizens.

## **ACKNOWLEDGEMENT**

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## **ACRONYMS**

**COVID-19** – Corona Virus Disease 2019

**KPTC** – Kenya Posts and Telecommunication Corporations

**MPs** – Members of Parliament

**PSC** – Parliamentary Service Commission

**IEBC** – Independent Electoral and Boundaries Commission

**UDA** – United Democratic Alliance

**FGM** – Female Genital Mutilation

**EACC** – Ethics and Anti-Corruption Commission

**PS** – Principal Secretary

**DPP** – Director of Public Prosecutions

**NTSA** – National Transport and Safety Authority

**SSU** – Special Service Unit

**CBC** – Competence Based Education

**JSC** – Judicial Service Commission

**KNHREC** – Kenya National Human Rights and Equality Commission

## OPERATIONAL DEFINITIONS

**Justice** – is a system of law in which every person receives his/her due from the system including all rights both natural and legal.

**Ethics** – these are moral principles that govern a person's behavior or conducting an activity.

**Governance** – it is a system by which entities are directed and controlled by the leaders of a particular group or state.

**Political** – refers to something relating to the government or public affairs of a country.

**Theory** - it is a supposition or a system of ideas intended to explain something, especially one based on general principles independent of the thing to be explained

**Compromise** – it is an agreement in an argument in which the people involved reduce their demands or change their opinion in order to agree.

**Refutation**- it is the action of proving a statement or theory to be wrong or false.

**Democracy** – it is a system of government where by the decisions of the majority are given Priority.

**Virtue** - refers to a stable disposition in one's moral behaviour.

**Assimilation** – refers to the process of integrating a concept in a different context.

**Socratic citizenship** – is a concept used to refer to the Socratic conception on citizenship.

**Nyumba Kumi** – it is a phrase used to refer to clusters of ten households which was introduced by the government to as a solution to criminal behaviour and terrorism.

## ABSTRACT

This study seeks to address the problems which have been affecting Kenyan citizenship using the Socratic in conception *Plato's Apology and Crito* in which Kenyans can strengthen their lived citizenship. Since Kenya gained independence, we have experienced many challenges in attempt to live the citizenship described in the constitution. This essay endeavors to provide possible solutions to such challenges. It begins by examining the Socratic notion of citizenship then goes further to analyze the nature of citizenship portrayed by most of the Kenyans. It will point out the real problems hindering Kenyans from being good citizens. The study examines also Socratic citizenship as portrayed in *Plato's Apology* and *Crito* and how it can be used as a model of a good citizenship by the Kenyans. The study will employ contextual analysis method of philosophy to address the problems facing Kenyan citizenship. In addition, it will involve reflective and conceptual method of philosophy especially in concept of Socratic citizenship. In *The Apology and Crito*, Socrates is depicted as a role model in good morals, responsible citizen, and a citizen who knows how to exercise both democratic and political rights, patriotic, loyal, faithful and virtuous citizen. It is believed that using the Socratic model of a citizen, Kenyans will be able to build and solve the historical challenges they have been facing.

## **CHAPTER ONE**

### **GENERAL INTRODUCTION**

#### **1.1 Introduction**

This chapter discusses the background, statement of problem, literature review, relevance and justification of the study. The chapter will also state the objectives and the study questions. Additionally, there will be illustration of methodology applied, scope and limitations of the research.

#### **1.2 Background of the Study**

Being a good citizen is one approach to encourage peaceful coexistence in society. A good citizen is always considerate of others' needs. He or she should be dedicated to doing things that advance the welfare of all people. The citizens is supposed to have strong national pride and loyalty, which they can show by paying their taxes, safeguarding national assets, showing a special concern for the country's welfare, and being willing to make sacrifices for the good of the nation. Citizenship has been one of the major concerns in the history of man. In most cases, major conflicts in a state and society are rooted among the citizens themselves in accordance to how they live their citizenship.

The subject of citizenship is heavily debated in Kenya. Such citizenship encourages egotistical tendencies, corruption, disregard for the law, a weakened judiciary and legal system. There have been times where the court has ruled in favor of the stronger. In other words, the majority of judicial decisions are based on personal relationships. Such incidents have prompted people to question the integrity of the Kenyan citizens.

### **1.3 Statement of the Problem**

Since Kenya's declaration of independence on December 12, 1963, Kenyan citizenship has been a significant issue that has impacted several people. Citizens are expected to take the initiative to put the constitution, its norms, and obligations into practice once they are aware of them. Citizens are well versed with the constitutional requirements and the rules of law but surprisingly, violate the same rights. They neglect their responsibilities, abuse their democratic privileges, and push for constitutional changes in order to benefit themselves.

This has brought up the challenges of irresponsibility, political immorality, and violation of constitutional rights and abuse of free will. The goal of this essay is to analyze Socratic citizenship in *Plato's Apology and Crito* in order to address and remedy any gaps in the Kenyan citizenship. Hence, the status question in this paper is; can Socratic citizenship in *Plato's Apology and Crito* be of any relevance to Kenya?

### **1.4 Literature Review**

The question about citizenship has been discussed in depth by philosophers across periods. This paper will focus on a few including, Aristotle, Jean Jacques Rousseau, George W. Hegel and Thomas Hobbes. These philosophers have their own views on the conduct and character of a good citizen.

#### **1.4.1 Aristotle**

According to Aristotle, a person can only fully develop as a person and as a political animal by actively participating in the affairs of the *polis*. Therefore, the issue was who was allowed to participate and who was not. According to Aristotle, a citizen is a guy who has the right to participate in judicial office deliberations. Aristotle defines what citizenship is not before addressing who is a citizen. Aliens and slaves live alongside

citizens in the same city, he claimed, thus simple residence in the polis does not automatically constitute a person a citizen.

Aristotle asserts that this can vary depending on the type of governance, including monarchy, oligarchy, or democracy. However, women, foreigners, and slaves are never given this ability. Additionally, Aristotle defined citizenship as outside the purview of manual and servile laborers. He had good reasons for doing this, too.

He claimed that involvement in the state's deliberative and judicial processes necessitates a high level of moral and intellectual perfection, which he referred to as virtue. Not every person living in the state has this. Due to the lack of a deliberative faculty, slaves are not considered citizens. Women are not citizens because they lack the qualities that make citizens valuable. Because they are citizens of another city-state, resident immigrants are not eligible to become citizens.

According to Aristotle, a good citizen should be able to both rule and be subjected to authority. The idea that the ruler and the ruled must learn distinct things from one another occasionally circulates. The public must understand and participate in both, though. Every person who participates in the civic life of ruling and being governed in turn is a citizen. They must have the skills and information necessary for both ruling and being controlled. "Citizens may define as those who participate in judicial and deliberate office. This perhaps the definition of a citizen which is most appropriate to those who are called so"<sup>1</sup>

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<sup>1</sup> J.E.C Welldon, D.D (Trans), *The politics of Aristotle*, (Macmillan & CO. Ltd, 1932), 101.

### 1.4.1 Thomas Hobbes

Thomas Hobbes in his works, *Leviathan*, asserts that without a government in place to tame our bad and immoral tendencies, life would be solitary, poor, brutish, nasty and short. Therefore there is need to have a government.

...in such condition there is no place for industry, because the fruit thereof is uncertain, and consequently, no culture of the earth, no navigation, nor use of the commodities that may be imported by sea, no commodious building, no instruments of moving and removing such things as require much force, no knowledge of the face of the earth, no account of time, no arts, no letters, no society, and which is worst of all, continual fear and danger of violent death, and the life of man, solitary, poor, nasty, brutish, and short.<sup>2</sup>

In his view, Hobbes proposes absolute monarchy as the best form of government. In this form of government, the sovereign has no right to exclude any citizen but has a duty to educate them on civil and political matters. He is more concerned with the issue of social and political order in which he highlights the need to live peacefully without civil collisions with the sovereigns. Instead, citizens should be obedient to the decisions, rules, and obligations given by the sovereign.

### 1.4.2 Jean Jacque Rousseau

Jean Jacque Rousseau further elaborates the idea of citizenship in which he highlights three major conditions which bring people together. They include: standard of rationality, freedom of choice and an ethical incentive. By using their freedom, individuals are able to surrender their individual rights to the general will which establishes rules and social customs which govern the society. In his writing, "*The discourse on the origin of inequality*", Rousseau explains the roots of inequality among men. He says,

I conceive two kinds of inequality in human species; one that I call natural or physical, because it is established by nature and consists in the difference of age, health, bodily strength, and qualities of mind and soul. The other may be

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<sup>2</sup>Thomas Hobbes (author), Edwin Curley (editor), *Leviathan*, (United Kingdom: Hackett Publishing Company, Inc, 1994) 76.

called moral or political inequality, because it depends on a kind of convention and is established, or at least authorized by the consent of men.<sup>3</sup>

He makes a distinction between two types of freedom: personal freedom which results from human instincts and natural selfishness making individuals to long for personal gain, and social freedom in which individuals surrender their personal rights to the general will for the common good of every individual.

It is not a convention between a superior and inferior, but a convention between body and each of its members. It is legitimate because based on social contract, and equitable because common to all, useful because it can have no other object than the general good, and stable because guaranteed by public force and supreme power.<sup>4</sup>

For the laws established to be legitimate have to be agreed upon by the assembly then the sovereign has the duty to exercise them over the citizens. A good law enables the state to have good citizens and good citizens in turn will the good laws. In such states there is democracy, liberty, equality and everyone support that which promotes the common good. He affirms this in assertion that;

The argument is that the perfect state is not composed only: perfectly good men for such absolute goodness is incompatible with the different occupations or natural qualities of different: citizens, or their duties toward the government under which they live. All the citizens are not the same, and therefore the on? Perfect virtue of the good man cannot be attained equally by all of them. But they may all have a common interest in the salvation society, which is the virtue of a good citizen.<sup>5</sup>

#### **1.4.4 George Wilhelm Hegel**

According to Hegel, citizenship is comprised of the free will as well as a legal arbitrariness. The legal system and the ethical realms are where citizenship rights are ultimately realized. In order to achieve this goal, the journey from the family to the

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<sup>3</sup>Jean-Jacque Rousseau (author), Donald A. Cress (Trans), *The basic political writings*, (New York; Hackett Publishing Company, Inc, 1782), 45.

<sup>4</sup>G.D.H. Cole (Trans), *The social contract and discourses*, (United States of America: The colonial press Inc, 1950), 30.

<sup>5</sup>Benjamin Jowett, *The politics of Aristotle*, (Chicago: Oxford University Press Warehouse Amen Corner, E.C, 1885), 114.

state will be traveled through civil society. Hegel states that citizenship “consists not just in a legal arbitrariness, but in the free willing. Right as citizenship in turn is realized in the laws and spheres of ethical life. To carry out this purpose will traverse the path that leads from the family to the State, through civil society”<sup>6</sup>

Hegel is aware that the process of self-realization of the free will entails the process of internal self-differentiation of the moral schedules and of the levels of sociability in accordance with various compromises, schedules, expectations, and normative notions. According to Hegel, a citizen will be able to express his free will only if he is conscious of himself as a subject and this is attained through self-realization. A citizen who is aware of himself will be able to recognize other forms of consciousness. In his writings on *philosophy of Right*, he explores this concept more in a way that;

Citizenship has the function to develop the principle of subjectivity, which in the *Philosophy of Right* is designed as the existence of free will between three great paradigmatic configurations of free will, (i) the immediate universality of the family, first ethic root of *ethicality*, (ii) universality lost in its extremes as movement of the exercise of the citizen [Burger] in the world of work and economic relations, and (iii) the effective universality of the citizen, participate of the State, the moment when the citizen recognizes himself institutionally in the institutions as determinations of his will which objectified, that is, the citizens recognize themselves in the institutions and among themselves, because they recognize them – the Institutions – as really theirs, result of their mediated action.<sup>7</sup>

### **1.5 The Relevance of the Study**

The challenges and difficulties surrounding Kenyan citizenship have long been in the spotlight. Many Kenyans have suffered a lot because of irresponsibility, misuse of power and misuse of democratic rights of the citizens. This in turn has affected the way

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<sup>6</sup>Agemir Bavaresco, Danilo Vaz-Curado R. M. Costa. *Hegel and Citizenship*, International Journal of Philosophy. Vol. 4, No. 4, 2016, pp. 18-23.

<sup>7</sup>Agemir Bavaresco, Danilo Vaz-Curado R. M. Costa, Vol. 4, No. 4, 2016, pp. 18-23.

of living among the citizens. The unscrupulous and greedy utilize unethical and unfair measures to make a living have always been on the receiving end of mistreatment, exploitation, and misuse of the poor and the marginalized.

Leaders are pushing for changes to the constitution that will benefit and suit them. Whatever Kenyans claim to believe when they profess "justice be our shield and defender" has lost all meaning.

Parents and people who abuse their children physically, psychologically or sexually do so while tacitly covering up the incidents. Kenyans have lost their sense of accountability. They abuse their freedom and democratic rights, moral principles are no longer cherished, corruption permeates every industry, and unfairness is pervasive. Most of the citizens are willing to compromise the law for their own interests and this has led to their loss of trust in the legal system.

### **1.6 Justification of the study**

The purpose of this philosophical research paper is to deal with the aforementioned problems. Since 1963, when Kenya gained independence from colonial authority, the issue of Kenyan citizenship has been a major source of debate. By taking responsibility for our actions, this study places emphasis on the principles that strengthen citizenship in democracies like Kenya. Democracy and freedom go hand in hand hence, people are encouraged to think about, adopt, and exercise sound political principles as well as make thoughtful decisions when exercising their democratic rights.

It is therefore believed that when Kenyan citizens inculcate responsibility, good use of the freedom given, good political morals and be loyal to the authorities they will have attained good citizenship. The paper is going to analyze these issues using the new Socratic model of a citizen. Therefore, the paper is very significant and timely in filing

the gaps in the Kenyan republic especially in helping Kenyan citizens to strengthen their lived citizenship.

### **1.7 Objectives**

1. To examine the notion of Socratic citizenship portrayed in *Plato's Apology and Crito*.
2. To evaluate the Kenyan understanding on citizenship and the nature of citizenship portrayed by most of the Kenyan citizens.
3. To illustrate how Socratic citizenship can be a model in which Kenyans can strengthen their lived citizenship.

#### **1.7.1 Study Questions**

1. What notion of citizenship does Socrates portray in the *Plato's Apology and Crito*?
2. What is the understanding and nature of citizenship portrayed by most of the Kenyan citizens?
3. How can Socrates be a model of a good citizen in which Kenyans can strengthen their lived citizenship?

#### **1.7.2 Research Hypothesis**

Socratic citizenship is an exemplary model on how Kenyans can strengthen their lived citizenship. Many Kenyans are well versed with the obligations of citizen as stipulated in the new constitution which was drafted in 2010.

Relating the Socratic model of citizenship with the stipulations of Kenyan constitution on citizenship, such relation can help to fill the gaps which already exist in the republic of Kenya. It can be a solution to many challenges which many citizens are facing in the contemporary world, thus it will be of great help.

## **1.8 Methodology**

This paper uses conceptual analysis as a method of philosophy in which it will combine the concepts of citizenship in *Plato's Apology and Crito* with the concept of Kenyan citizenship in the constitution of Kenya and evaluates the findings. It will also employ reflective method which entails thinking (reflecting) again especially in concept of Socratic citizenship. In addition since it is a philosophical paper, it will rely on material from primary sources which include philosophical books, the constitution of Kenya and other internet sources.

## **1.9 Scope and Limitation**

This philosophical research paper focuses on how Kenyan citizens can strengthen their citizenship using Socratic citizenship as a model of a good citizen as portrayed in *Plato's Apology and Crito*.

The research is not limited to any age, social status or political status of any individual but will touch a number of sectors where Kenyans have failed as citizens. These sectors include, health, economic, political where various case scenarios on misuse of freedom and democratic rights exist. The upshot of this is the apparent irresponsibility, political immorality and many injustices.

This study paper also focuses on how the Kenyan government has set a bad example to the citizens by engaging on injustices and neglect of responsibility. Although the research has its goals, there are unavoidable limitations; first of all because of time limit this research will rely on sources such as, books, journals, internet sources, newspapers, magazines and the constitution of Kenya.

## **Conclusion**

To sum up, this chapter has been dealing with the general introduction to the long essay. It provides a foundation and other basics of addressing the problem at hand. We have looked at different philosophers over the history and their understanding on citizenship. This leads us to the next chapter which will give an analysis on Socratic citizenship.

## CHAPTER TWO

### THE SOCRATIC NOTION OF CITIZENSHIP IN *PLATO'S APOLOGY AND CRITO*

#### 2.0 Introduction

This chapter will explore more on; the life of Socrates, the political context of *Plato's Apology and Crito*, the charges brought against Socrates, the clouds challenge on new citizen model proposed by Socrates, Socrates significant movement, the new kind of citizen in *Plato's Apology*, Socratic citizenship in *Plato's Crito*, the Socratic policy of principled disobedience, the correlation between *Plato's Apology and Crito*, the significance of the law in a state as presented by *Plato in the Apology and Crito* and the Socratic virtues in *Plato's Apology and Crito*.

#### 2.1 The life of Socrates

Socrates was an ancient Greek philosopher, who lived between 470 BC and 399BC. He lived in Athens and was one of the most original, influential and notorious figure in history of Greek thought. Even though Socrates never wrote anything, a group of his followers, Plato and Xenophon in particular, have written about him in dialogues. In Plato's writings, he is portrayed as a man with tremendous knowledge, morality, self-control, and persuasive ability.

He was put to death by swallowing hemlock after being found guilty of disobeying the state's established gods, establishing new divine powers, and corrupting the youth, according to *Plato's Apology*. He was the turning point of most successive thinkers and direct inspiration of Plato. Socrates wrote nothing on philosophy and this rose up the debate known as the Socratic problem. The philosophical character of Socrates is found in Plato's dialogues.

He lived at Athens during the transitional period, which is typically considered as the heyday of Athenian culture, when Athens was defeated by Sparta in the Peloponnesian War. He had a significant impact on Athens' youth at the time. Since Socrates never wrote down his ideas, his contemporaries are the only ones who have left us with a record of his life and ideas. Socrates seems to have led a humble life, forgoing money and keeping his distance from political ambitions, choosing instead to mix with the people in public areas of Athens and engage as many people in discussion as possible. He stood out for his tenacity and boldness.

Socrates was tried before a jury of about 500 Athenians in 399 on charges of rejecting the state-recognized gods, creating new gods, and corrupting the city's youth. He was put on trial as a result of his close relationships with several guys who had lost Athens' political favor. However, the system demanded that the defense submit an alternative penalty proposal and the prosecution provide a proposed sentence.

His first request is that he be granted complimentary meals at the Prytaneum, an honor often reserved for Olympian athletes. In the end, Socrates suggests a fee, but the harm has already been done. The jury decided in favor of the death punishment by a greater margin. Socrates was 70 years old at this point. He claims that passing away is like an everlasting, fearless sleep or that it opens up a place in the afterlife where he can continue his philosophical pursuits. The *Apology* records,

Let us reflect in another way, and we shall see that there is a great reason to hope that death is a good; for one of two things either is a state of nothingness and utter unconsciousness or as men say, there is a change and migration of soul from this world to another (40b).<sup>8</sup>

He later took hemlock and died in the company of his friends, as Plato describes in the *Phaedo*.

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<sup>8</sup>Plato (author), Benjamin Jowet (Trans), *The dialogue of Plato*, (Chicago: Oxford university press, 1952), 211.

## 2.2 The Political Context of the Apology

*Plato's Apology* portrays Socrates as a refuted political science founder. In *the Apology*, Socrates defends his way of life to the jury in addition to explaining himself. Socrates is shown arguing in the forum for the relevance of philosophy to political life. It illustrates how political philosophy is predisposed to the influence of the metropolis and political power. Not only does the *Plato's Apology* put Socrates on trial, but also philosophy itself.

*Plato's Apology* has become synonymous with the violation of free speech for many years. It brings people together who are committed to living life critically and fighting the prejudice of the masses.

On his writings *On Liberty*, John Stuart Mill writes,

Mankind can hardly be too often reminded that there was a man named Socrates, between whom and the legal authorities and public opinion of his time there took place a memorable collision. Born in age and country abounding in individual greatness, this man has been handed down to us by those who best knew both him and the age as the most virtuous man in it; while we know him as head and prototype of all subsequent teachers of virtue, the source equally of the lofty inspiration of Plato and the judicious utilitarianism of Aristotle.<sup>9</sup>

Socrates never uses the principle of unrestricted speech to argue for himself. He does not assert the general usefulness of freedom or unrestricted speech, but rather questions whether life itself is worthwhile. Only those who actively pursue mental clarity in order to eliminate causes of conflict and incoherence can be said to have worthwhile lives. For Socrates, only the pursuit of self-improvement is important. The issue of who should educate Athens' future leaders and residents is debated in the *Apology*.

The conflict over who has the right to rule or to govern, whether it is the people of Athens or Socrates the philosopher king is one of the major concerns that run through the dialogue. In *Plato's Republic*; Socrates held a great conversation about justice and

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<sup>9</sup> John Stuart Mill, *On Liberty*, (Canada: Batoche Books Limited, 2001), 25.

injustice with Glaucon. Glaucon asks Socrates whether it is good to be just or have a reputation for justice. Socrates in response says that it is better to be just even if it results to persecution and death. The trial is not only a timeless representation of right versus wrong, but it is also a significant historical incident that has an impact on both the argument for and against Socrates.

Socrates' trial lasts 399 days, which is referred to be common error. It immediately followed the infamous Peloponnesian War, which involved the two major Greek powers of Sparta and its allies versus Athens and its allies. Unquestionably, Athens possessed Athenian democracy.

The Peloponnesian War was a war fought in ancient Greece between Athens and Sparta—the two most powerful city-states in ancient Greece at the time (431 to 405 B.C.E.). This war shifted power from Athens to Sparta, making Sparta the most powerful city-state in the region.<sup>10</sup>

Socrates was little under forty years old at the start of the Peloponnesian War. The battle lasted for a long time, and Athens' defeat in 404 marked the end of the conflict.

Democracy was later reestablished after the war, and Anytus, Meletus, and Lycon presented accusations against Socrates. The accusations included corrupting the youth and denying the city's gods. “Socrates is a doer of evil who corrupts the youth and does not belief in the gods of the state, but has other divinities of his own.”<sup>11</sup> The Apology then becomes, a representation of the violation of free speech, with Socrates defending the relevance of philosophy to political life and defending his way of life as a philosopher.

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<sup>10</sup> <https://education.nationalgeographic.org>. Peloponnesian-war, accessed on 14<sup>th</sup> Sep, 2022.

<sup>11</sup>Plato (Author), Benjamin Jowett (Trans), *The dialogues of Plato*, (Chicago: Encyclopedia Britannica, Inc, 1984), 203.

### 2.3 Charges Brought Against Socrates

The first accusers spread rumors that Socrates was a sophist and had studied the nature of philosophy. One of Socrates' accusers makes a point of mentioning that the philosopher was an Aristophanes, a comic poet who published a book about the *clouds*. Aristophanes claims that Socrates instructs students to be unethical and make the worst argument seem better. But Socrates refutes his own fabrications at his trial.

Meletus, Anytus, and Lycon, the present accusers, who were members of the democratic resistance movement, made other charges against Socrates. They accused Socrates of corrupting the youth, not believing in the gods of the state but instead introducing new divinities. The *Apology* is therefore a Socrates defense against these charges.

It was a conflict between philosophy and poetry which is deeply political. This raises the question of who is most suited to train the next generation of city officials and citizens. Or, to put it another way, who is the real lawmaker for humanity a philosopher or a poet? Up until the times of Homer and Hesiod, poetry instruction had a long history in Greek culture. This list provided some heroic virtue and civic life examples. Socrates' teaching style is distinct from poets'. Poets have an oracular character; they invoke the gods to give them inspiration and give them superhuman strength and courage. Their claims are often unexamined, unreflected and are based on common beliefs and opinions. Socrates' approach, on the other hand, is dialectical or argumentative.

Socrates offers arguments and invites others to dispute them with him to see which one can best withstand reasonable examination and discussion. He asks ongoing questions whose main focus is political education rather than story telling or lyric recital. Poets

including Homer sing about the virtues of men as a result. Socrates wants to create a new class of citizen, which he calls a citizen of virtues, to take the place of the warrior citizen. The first Socratic citizen engages in verbal conflict, with the strongest argument being deemed the winner. The new Socratic citizen receives instruction in dialectic and argumentation.

### **2.3.1 The Clouds' Challenge on New Citizen Model Proposed by Socrates**

The poets and the long standing legacy of poetic education in Greek tradition were challenged by Socrates' new vision of a citizen. In the Apology, Socrates presents a new concept of a citizen. He confronted the poets because of the contempt Aristophanes and which his earlier accusers had leveled against him. In his play the *Clouds*, Aristophanes challenges and mocks Socrates' approach to education.

Socrates is portrayed by Aristophanes as an investigator of the sky and the earth who strengthens the weaker argument. Socrates is pictured as a natural scientist and a philosopher. He argued that, "Socrates is an evil doer and a curious person who searches for things under earth and in heaven, he makes worse arguments appear the better cause and teaches aforesaid doctrines."<sup>12</sup>

In order to examine the *clouds* and objects in the air, Socrates is depicted hovering and flying above the stage in a basket. It represents his separation from the thing that is happening on earth. According to Aristophanes, Socrates is a man in the air with his feet off the ground. He is presented as teaching incest and other behaviors that break every moral taboo, in addition to ridiculing god by doing so.

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<sup>12</sup>Plato, 203.

### 2.3.2 Socrates' Significant Movement

Socrates' response to his second accusers brings us back to an event that happened prior to his trial and changed the course of his life. He recalls a tale about his friend Chaerephon, who had inquired of the Delphic oracle as to whether there was anyone wiser than Socrates and been, informed that there was none. Plato in the *Apology* records;

I will refer you to a witness who is worthy of credit; that witness shall be the god of Delphi. He will tell you about my wisdom, if I have any and of what sort it is. You must have known Chaerephon; he was a earlier friend of mine and also of yours for he shared in the recent exile of the people and returned with you. Chaerephon as you were very impetuous in all his doings, and went to the Delphi and boldly asked the oracle to tell him whether as I was saying, I must beg you not to interrupt, he asked the Oracle to tell whether anyone was wiser than I was and the Pythian prophetes answered there was no man wiser.<sup>13</sup>

Socrates stated his doubt in the oracle when he heard this information. He started a lifelong search to locate someone wiser than himself in order to disagree with the Oracle's assertion. He questioned politicians, poets, and craftspeople and everyone who was believed to be knowledgeable as a result of his investigation.

This investigation kindled Socrates' enthusiasm to inquire about the values of people and of a citizen. These inquiries centered on ethical and political matters. The legendary Socratic turning is represented by this episode. Socrates' life is in the process of transitioning from studying natural phenomena to studying human, political, and moral issues. From youthful Aristophanic Socrates, who searches for things above and below the earth, to platonic Socrates, the father of political science, who inquires about moral and political issues, which was a shift in perspective.

Socrates' divine calling to philosophy characterized this extraordinary outcome from his study of natural events. He was convinced that his calling came from God. He went

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<sup>13</sup>Plato, 201.

around doing nothing but convincing people of all ages to care more about the soul's well-being than about their bodies and their material possessions. This was his service to God. He argued,

Know well then that, the god orders me this. And I suppose that until now no greater good has arisen from you in the city than my service to god. for I go around and do nothing but persuade you both younger and older, not to care for bodies and money before, nor vehemently as, how your soul will be the best possible. I say not from money does virtue come, but from virtue comes money and all of other good things for human beings both privately and publicly.<sup>14</sup>

#### **2.4 The New Kind of Socratic Citizen in Plato's Apology**

The accusations leveled against Socrates by Anytus and Meletus differ from those made by Aristophanes. Aristophanes accused Socrates of looking into things above and below the earth, while Anytus and Meletus accused him of impiety and corrupting the youth. Impiety during the time of Socrates was disregard for and blasphemy against the values that the society held most dear. So when Socrates was accused of being impious, it meant that he had disrespected those values that the society placed a high value on.

Every community relies on some form of religion or belief to function. These beliefs are found in the country's fundamental texts such as the constitution and bill of rights, which outline the duties and obligations of every citizen. These convictions serve as a sort of innate creed for particular people in various regions. Most people adhere to these beliefs out of a sense of faith or conviction since they learned about them as children or from a higher power. Questioning these ideas is a sign of civic impiety or lack of civic faith.

According to Socrates, piety or faith is a citizen's inherent quality. Every civilization, regardless of the type, needs some level of faith in its guiding principles and core

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<sup>14</sup>Thomas G. West, *Plato's Apology of Socrates*. (Canada: Cornell university press), 13.

values. First, your skepticism in the dominant perspective because you disagree with it could be a challenge to these ideas. Second, philosophy poses yet another danger. The desire to replace opinion with knowledge or with reason gives rise to philosophy. One must be able to provide a rational justification for their beliefs; simply holding them on faith is insufficient. Once more, philosophy seeks to replace civic faith with reasoned understanding.

Because they are loyal to a particular political system, the average citizen may embrace some doctrines on faith. But a philosopher never considers this to be enough. As part of their quest for knowledge, philosophers aim to evaluate beliefs according to what is always and everywhere true. Cities are held together by the essential conflict between philosophy and civic piety; in other words, philosophy and belief. Socrates is accused of impiety since he doesn't pay any attention about what his fellow citizens think. This is quite clear from his opening remarks to the jury. He quotes,

I would ask you not to be surprised and not to interrupt me on the account. For I am more than seventy years and appearing now for the first time in court of law, I am quite a stranger to the language of the place and therefore I would have you regard me as if I were really a stranger whom you would excuse, if he spoke in his native tongue and after the fashion of his country.<sup>15</sup>

He continues by saying he has no idea what Athenians are concerned about. He instead asserts that he is passionately concerned about his calling to encourage both young and elderly to care less about their physical well-being and more about how the soul might be best served. He asserts that a person who genuinely works for justice will endure, even for a brief period of time. He must consequently conduct a private life rather than a public one. This type of personal virtue should interest the new Socratic citizen since it is a virtue of the soul.

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<sup>15</sup> Plato (Author), Benjamin Jowett (Trans), *The dialogues of Plato*, (Chicago; Encyclopedia Britannica, inc, 1984), 200.

## **2.5 Socratic Citizenship in *Plato's Crito***

Socrates challenges the conventional Homeric view of what it means to be a citizen and offers a new definition. Citizens of Homer promoted ideas like allegiance and patriotism. Socrates seeks to substitute it with a new kind of philosophical or sensible citizen. This new kind of a citizen is one who trusts his own faculties of impartial reasoning and judgment. He claims that he has purposefully avoided public political issues throughout his life, focusing instead on private matters. He relied on his own abilities of reason and judgment, not on any authoritative figures or traditions, by choosing to lead a quiet life.

He meant to pursue the principle of abstinence from public life when he says he has pursued a solitary existence. He refrained from citywide measures that, in his opinion, may amount to complicity in societal injustice. Socrates emerges as a morally upright person, a trait of the new Socratic citizen.

## **2.6 The Socratic Policy of Principled Disobedience**

In the *Apology*, the topic of whether a citizen can decide which laws to obey and which to ignore was brought up by Socrates' decision to abstain from participating in public debates. He intended to focus more on his personal moral integrity, though, by engaging in civil disobedience. His abstinence policy sends a powerful message to the city. He describes himself as a gadfly who enhances the city's quality of life. He states,

I am not going to argue for my own sake, as you think but for yours that you may not sin against the God by condemning me who is a gift to you. For if you kill me you will not easily find a successor to me, who, if I may use such ludicrous figure of speech, am a sort of gadfly given to the state by God and the state is great and noble who is tardy in his motions owing to high very size and requires to be stirred into life.<sup>16</sup>

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<sup>16</sup>Plato (Author), Benjamin Jowett (Trans), *The dialogues of Plato*, (Chicago; Encyclopedia Britannica, inc, 1984), 207.

He claims to be God's gift and serves as a wonderful example of a person with a strong moral code who puts the good of society ahead of himself. He continues by saying that he is powerless to change the situation because he is required by god to carry out this philosophical task. In terms of religion, he constructs his own type of citizen.

The limits of tolerance for free speech are brought to light by Socrates' quest to persuade people to care more about their souls than their bodies. Socrates believes that an unexamined existence is not worth living since Athens' civic life requires revolutionary thought. He argued that,

You will not believe that am serious, and if I say again that daily to discourse about virtue, and of other things about which you hear me examining myself and others, is the greatest good of man and that the unexamined life is not worthy living, you are still less likely to believe in me.<sup>17</sup>

When given the chance to stop philosophizing, he rejected it on the basis that he was doing it by divine mandate. In the *Crito*, Socrates argues against himself in favor of the honor of the whole city. He thought that the good of the *polis* is greater than that of individual.

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<sup>17</sup>Plato, 210.

## **2.7 The Correlation Between the *Apology* and *Crito***

While *Crito* is occurring in a jail cell, the *Apology* is taking place in an Athens court. Moreover, in contrast to *Crito*, who depicts Socrates' trial and sentence as a case of justice done, the *apology* portrays Socrates as the first person to die as a result of philosophy.

In *the Apology*, Socrates makes the case for rational citizens to take the place of civic citizens who are bound by authority, while *Crito* makes the case for the city against Socrates, who promotes civic disobedience and engages in private moral and intellectual life.

*The Apology* argues the politics of abstinence and disobedience to political life, while *Crito* makes the argument for obligation and obedience to the laws.

While in *Crito* Socrates appears to submit to the authority he had previously rejected, the *Apology* depicts Socrates defending himself and his life as a gift of god.

## **2.8 Significance of the Law in a State as Presented by Plato in the *Apology* and**

### ***Crito***

Socrates is urged to pay the guard in order to escape, which is against the law, by Crito, a friend and student of Plato. This strengthened the argument against breaking the law. Since no state can exist without laws, civil disobedience is a search for the nature of laws. Citizens therefore have no choice regarding which laws to follow and which to ignore. Laws provide a form of fraternal control over the populace, and breaking any rule leads to impiety. As opposed to the *Apology*, Socrates does not defend breaking the law in the *Crito*.

Socrates submits to the power he had previously resisted because he acknowledges that rules need complete obedience from citizens. Conflict between two important moral

norms is seen in the *Apology and Crito*. First off, Socrates believes that the individual's sovereign reason is the ultimate form of authority. Additionally, philosophers' reliance on their own reason sets them free from the perils of official authority, protecting them from injustice and the negative aspects of political life. Thus, Socrates' claim that, an unexamined life is not worth living.

Secondly, the discussion of legislation where it is stated that communal laws are mandatory and even supersede individual rights. As the highest vocation for humans, creating peace, legislating, and deliberating should be central to citizen life. As a result, obeying the law for the benefit of everybody should be based on reason. Because he wished to defend philosophy, or the principles of reason, as well as to highlight the need of abiding by the laws of the state, Socrates decided despite his companions' suggestion to break out of the prison.

## **2.9 Socratic Citizen Virtues in *Plato's Apology and Crito***

### **2.9.1 Justice**

The *Apology and Crito* portrays Socrates as a good person who strove for a just society and opposed injustice in his day. Socrates believed that injustice was bad and disgraceful to the state's laws. He believed that despite any wrongs we may have experienced from someone else, one should never exact revenge or do evil for evil. He states that, "Then we ought not to retaliate or render evil for evil to any one, whatever evil we might have suffered from him."<sup>18</sup>

Moreover, in the *Crito* Socrates predicts his death and thinks that he is going to die after the arrival of the ship. Plato quotes, "I will tell you I am to die on the day after the

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<sup>18</sup>Plato (Author), Benjamin Jowett (Trans), *The dialogues of Plato*, (Chicago; Encyclopedia Britannica, inc, 1984), 216.

arrival of the ship.”<sup>19</sup> Consequently, *Crito* thinks that people will not be persuaded by the fact that he would let his friend die and so he advised Socrates to escape for there were people willing to facilitate his escape at any cost. Socrates being a statesman who is well verse with the laws of the state refused Crito’s persuasion. He confronts Crito saying,

Dear Crito, your zeal is invaluable, if right one, but if wrong, the greater the zeal, the greater the danger and therefore we ought to consider whether I shall or shall not do as you say. For I am and always have been one of those creatures who must be guided by reason, whatever the reason may be which upon reflection appears to me to be that best.<sup>20</sup>

### **2.9.2 Obedience**

Socrates represents the obedient citizen in the city of Athens. He believed that he had a special calling and a mission to fulfill and that he was a gift from god to the city. His vocation was philosophy in which he had to continuously keep on reminding people on matters they should care most. He argued that,

I am a sort of gadfly, given to the state by god and the state is a great and noble steed who is tardy in his motions to his very size and ought to be stirred in to life. When I say am given to you by god, the proof of my mission is this; if I had been like the other men, I would not have neglected all my own concerns or patiently seeing the neglect of all these years, I have been doing yours coming to you individually like a father or elder brother, exhorting you to regard virtue; such conduct I say would be like human nature.<sup>21</sup>

Additionally, when he is persuaded to flee to Thessaly so as not to be killed, he rejects this persuasion because of his obedience to the laws of the state. For this reason, his stand signifies that he valued the good of the state as compared to that of individual.

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<sup>19</sup>Plato, 213.

<sup>20</sup>Plato, 214.

<sup>21</sup>Plato (Author), Benjamin Jowett (Trans), *The dialogues of Plato*, (Chicago; Encyclopedia Britannica, inc, 1984), 207.

### 2.9.3 Courage

Socrates was very firm especially in defending whatever he believed in, moral principles concerning the good and bad, just and unjust and good and evil. In *Plato's Crito*, Socrates argues that;

I cannot repudiate own words; the principles which I have hitherto honored and revered I still honor, and unless we can at once find other better principles, I am certain not to agree with you; no, even if the power of multitude could inflict many more imprisonments, confiscations, deaths frightening us like children with hobgoblin terrors.<sup>22</sup>

He was courageous enough to say no when he was advised to escape the death sentence because his friends were ready to have him out of the country at any cost. Furthermore, when Socrates was sentenced to death, he did not express fear of death as many would have done. For him death could have been the highest good. Plato in *Crito* quotes;

Let us reflect in one way and we shall see that there is great reason to hope that death is good; for one of two things; either death is a state on nothingness and utter unconsciousness or as men say there is a change and migration of soul from this world to another. Now suppose there is no consciousness', but a sleep like the sleep for him who is undisturbed even by dreams, death will be unspeakable gain.<sup>23</sup>

### 2.9.4 Wisdom

Socrates was a wise man, a person whom in other words would be boldly called a philosopher. When he was accused of corrupting the youth, he attached this reputation to a certain kind of wisdom which he possessed. This wisdom was confirmed by the god of Delphi when, Chaerephon his friend inquired from the oracle whether there was anyone wiser than Socrates and the Oracle confessed that there was no one wiser. In *Plato's Apology* Socrates reports that;

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<sup>22</sup> Plato, 214.

<sup>23</sup>Plato (Author), Benjamin Jowett (Trans), *The dialogues of Plato*, (Chicago; Encyclopedia Britannica, inc, 1984), 210.

Well, Chaerephon, as you know, was very impetuous in all his doings, and went to Delphi and boldly asked the Oracle to tell him whether as I was saying, I must beg you not to interrupt, he asked the oracle to tell him whether anyone was wiser than I was, and the Pythian prophetes answered there was no man wiser.<sup>24</sup>

However, Socrates does not rest his inquiry on the Oracle's confession for what he says unexamined life is not worthy living. He goes further to examine the kind of wisdom he is claimed to have. After cross examining those refuted to have wisdom: the poets, politicians and the artisans he found that, the politicians were not wise as many thought but they were not. They knew nothing but thought that they know. In the poet's case, he found that, not by wisdom do poets write poems but a sort of genius and inspiration. Finally, he went to the artisans and after examining them, he found that because they were irrefutable in crafts, they thought they knew all sorts of high matters and this overshadowed their wisdom. From these cross-examinations, Socrates found himself to be wiser.

### **2.9.5 Loyalty**

In the *Crito* Plato presents Socrates as a loyal and patriotic citizen to Athenian city. This is well depicted when Socrates accepts the city's verdict of his execution rather than escape when he has the opportunity escape. Considering the laws of the state; Athens, if Socrates escaped, he would have committed injustice to the state.

Secondly, Socrates unveils his loyalty in the way he valued the state more than an individual. This is evident when he asks the question, "has philosopher like you failed to discover that our country is more to be valued and higher and holier far than mother

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<sup>24</sup>Plato, 202.

or father or any ancestor, and more to be regarded in the eyes of gods and of men understanding?”<sup>25</sup>

### **2.9.6 Tolerance**

Socrates represents those individuals who stimulate others to think for themselves. However, the Athenians did not tolerate him for they thought that he was corrupting the youth. He represents those individuals in the society, who value the freedom of speech. *The Apology* challenges those states and individuals who are not ready to be challenged in their way of life. It is an appeal for toleration of people like Socrates to challenge peoples' way of life morally, politically, cultural beliefs and the foundation of their authority. A healthy society would cherish freedom of speech for the greater good and also accept critical challenges.

### **2.9.7 Responsibility**

The *Apology* of Plato presents Socrates as a responsible citizen, who being aware of his mission takes the responsibility of teaching the youth of Athens on what is more important in life. He believes that nothing surpasses his service to god which he fulfils by teaching the young and old to care more on how the soul will greatly be improved rather than money. He says,

I believe that no greater good has ever happened in the state than my service to God. For I do nothing but go about persuading you all, old and young alike, not to take thought for your persons or your properties, but first and chiefly take to care about the greatest improvement of the soul. I tell you virtue is not given by money, but that from virtue comes money and every other good of man, public or private.<sup>26</sup>

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<sup>25</sup>Plato (Author), Benjamin Jowett (Trans), *The dialogues of Plato* (Chicago: Encyclopedia Britannica, Inc, 1984), 217.

<sup>26</sup>Plato, 206.

Socrates challenged people's way of live in his time, their moral standards, their beliefs and their political way of life for the common good. By doing so, he emerged as a responsible citizen in the history of ancient Greek.

### **Conclusion**

The paper has essentially studied Socratic citizenship in *Plato's Apology and Crito* in this chapter. It has explained how Socrates approached the topic of his new model of citizen, and this highlights several principles we ought to incorporate into our modern citizenship.

## CHAPTER THREE

### AN EVALUATION OF KENYAN UNDERSTANDING ON CITIZENSHIP AND THE NATURE OF CITIZENSHIP PORTRAYED BY MOST OF THE KENYANS

#### 3.0 Introduction

The idea of Socratic citizenship as it appears in *Plato's Apology and Crito* has been discussed in the preceding chapter. In accordance with the same problem, this chapter moves further to assess the Kenyan prescribed notion of citizenship in her Constitutions' norms. The chapter will by and large evaluate the Kenyan understanding on citizenship and the nature of citizenship portrayed by most of the Kenyans. It will also highlight the inconsistencies in the Kenyan lived citizenship.

#### 3.1 The Constitution of Kenya

The Republic of Kenya's constitution is the only source of final authority. Kenya's constitution has undergone three substantial revisions, with the most recent one becoming effective in 2010. "The constitution was presented to the Attorney General of Kenya on 7 April 2010, officially published on 6 May 2010, and was subjected to a referendum on 4 August 2010."<sup>27</sup>The new redraft of Constitution was accepted by 67% of Kenyan voters.<sup>28</sup>

Thereafter, "The constitution was promulgated on 27 August 2010."<sup>29</sup>The new constitution is broken down into eighteen chapters where the rights, responsibilities, and values of a Kenyan citizen are further explained. Additionally, it describes the repercussions of breaking the relevant laws to the individuals. Among the major issues

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<sup>27</sup>Kramon, Eric; Posner, Daniel N, *Kenya's New Constitution*", Journal of Democracy. Vol.22: 89–103, 2011. 18-24.

<sup>28</sup> <http://www.voanews.com/english/news/africa/Kenyas-New-Constitution-Ratified-100158209.html>, accessed on 5<sup>th</sup> May, 2022.

<sup>29</sup><https://www.ictj.org/publication/institutional-reform-new-constitution-kenya>, modified on 10<sup>th</sup> July, 2022.

of concern in line with the topic of discussion are; national values and principles of governance, leadership and integrity, rights and fundamental freedoms and the national symbols.

### **3.2 National Values and Principles of Governance**

The constitution of Kenya highlights the national values and principles of governance which citizens ought to possess in chapter five. They are;

patriotism, unity, sharing and devolution, rule of law, democracy and participation of people, human dignity, equity, social justice, inclusiveness, equality, human rights, non-discrimination, protection of the marginalized, good governance, integrity, transparency and accountability.<sup>30</sup>

According to the 2010 Constitution, a decent citizen should uphold the Constitution and demonstrate these ideals. If a leader, he or she should defend policies that foster unity, be inclusive so that no one feels left out, and, most importantly, have love and respect for his country.

However, Kenyans being aware of the laws of the country, they break the same laws and others bend the laws to their own advantage. A good example is when COVID-19 cases were reported in Kenya, the ministry of health lifted up curfew to curb the spread of the virus. Surprisingly, a big number of citizens could break these rules and travel even in places where the government has declared total lockdown. The nation news recorded that;

More than 2,400 suspects were arrested over the weekend for flouting various Covid-19 regulations, including breach of the 10pm-4am curfew order. Official statistics yesterday indicated that 1,325 suspects were found to be in general contravention of the guidelines, while 1,160 were found not wearing masks between Friday and Saturday night. The crackdown was announced by Inspector-General of Police Hilary Mutyambai on Thursday. The suspects were freed on cash bail and are expected to appear in various courts today. Additionally, 130 bars have been closed countrywide after they were found

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<sup>30</sup> *Laws of Kenya, the constitution of Kenya*, 2010, (published by the national council of law reporting with authority of Attorney General), 27.

operating past 9pm, while more than 103 public service vehicles were detained at various police stations.<sup>31</sup>

Disobedience to such laws of the country illustrates how some Kenyans are not patriotic enough to their own country. It also shows that they are not sensitive to the fellow citizens since these rules are made for the common good.

### **3.3 The Values of Good Governance in the Kenyan Constitution.**

Chapter two of the 2010 Constitution, Article 10, states the values of good governance which are; “patriotism, national unity, sharing and devolution of power, the rule of law, democracy and participation of people; human dignity, equity, social justice, inclusiveness, equality, non-discrimination and protection; integrity, transparency, accountability and sustainable development.”<sup>32</sup> Both the rulers and the ruled should use these values as a point of reference. Such values support the peaceful coexistence of the populace as well as the political, economic, and social advancement of the nation. It implies that, any instances of dishonesty, corruption, and financial misappropriation will have a severe impact on people's lives as well as the political, economic, and social standing of the state.

There have been cases of corruption and embezzlement of public funds in Kenya. For example,

Kenya received Sh16.2 billion from Italian bank Intesa San Paolo for the construction of Aror and Kimwarer dams in a period when investigations into the misuse of funds in the project were ongoing. The Treasury's public debt registry shows that the Italian bank wired the billions in the year starting July 2019, just days after former Treasury Cabinet Secretary Henry Rotich was arrested on suspicion of financial misconduct related to the construction of the two dams. This suggests that the arrests or ongoing probe of a suspect loan deal

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<sup>31</sup><https://nation.africa/kenya/news/thousands-arrested-for-flouting-covid-19-rules-3015642>, accessed on 10<sup>th</sup> July, 2022.

<sup>32</sup>*Laws of Kenya, the constitution of Kenya*, 2010, (published by the national council of law reporting with authority of Attorney General), 27.

to finance the construction of Aror and Kimwarer dams did not stop Intesa San Paolo from releasing additional debt for the project.<sup>33</sup>

It is unfortunate that the funds which are allocated by the government to establish projects like the Kimwarer dam are misappropriated. Citizens end up suffering due to scarcity of water, while some people enjoy at their expense. While the government is working hard to ease the standards of living for everyone, few individuals driven by selfish interests are thinking of how they can get away with such benefits. As a result, many government initiatives are left unfinished and others are never realized, and this has reduced their effectiveness.

The governance structure is undoubtedly inconsistent due to corruption and a lack of accountability in development programs. As a result, the economy of the nation has stagnated, and living standards in Kenya have decreased.

### **3.4 The Legislation on Land**

Chapter five of 2010 Constitution outlines the guidelines of land ownership and land acquisition in Kenya. It states; “land in Kenya shall be held, used and managed in a manner that is equitable, efficient, productive and sustainable in accordance with the following principles; equitable access to land security of land and transparent and cost effective administration of land.”<sup>34</sup>

Kenya's land commission is tasked with determining whether public land is legitimate. It means that the commission directs the Registrar to revoke titles to such lands if there is an illegal method or irregularity in the acquisition of property. We have seen cases where multiple parties file claims for illegally obtained property. For example,

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<sup>33</sup><https://nation.africa/kenya/news/kenya-got-sh16bn-loan-aror-during-fraud-probe-3573270>. Modified on 12<sup>th</sup> May, 2022.

<sup>34</sup>*Laws of Kenya, the constitution of Kenya*, 2010, (Published by the national council of law reporting with authority of Attorney General), 64.

Mobile services provider Telkom Kenya has sued Attorney General Kihara Kariuki and national Lands Commission over a Ksh 15billion parcel of land. In a case that was filed on December 15, 2021 before Justice Anthony Mrima, Telkom Kenya is aggrieved by governments move to compulsorily acquire 90 acres along Ngong Road to built Posta Sports Grounds. In its case, the Parastatal has also roped in sports, culture and Heritage Ministry, arguing that the compulsory acquisition was illegal. Telkom acquired the contested land from the defunct Kenya Posts and Telecommunication Corporations (KPTC).<sup>35</sup>

Similar events occurred when the government forcibly removed people from illegally occupied land in the Mau forest. This forest has been one of the water catchment zones. The Kenyan government took the lead in the eviction process, which began in 2004 in order to reclaim this land. Further development into the forest may result in flooding and drought. The government's goal was to reclaim land on Mau that had been unlawfully occupied by locals for the reasons mentioned:

A land official in Narok said that the government aims to reclaim land that residents unlawfully occupied in block 222, the Maasai Mau, on the side of Narok County. Kenyan authorities allocated forest land to group ranches- tracts of 200-250 hectares for group farming and commercial activities, which is provide under Kenyan law- and to individuals between 1973 and 1985. That was followed by another round of allocation 2001. But land ministry officials say that some group ranches extended boundaries unlawfully into forest areas or subdivided the land to individuals, contrary to regulations.<sup>36</sup>

The preceding examples demonstrate unequivocally how Kenyan citizens have violated land ownership regulations with which they are familiar. It also demonstrates how Kenyans are to blame for climatic changes as a result of deforestation and meddling with water catchment areas. Such activities are in violation of the Kenyan constitution's requirements for citizens.

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<sup>35</sup>Kamau. M, “*Telcom sues AGover 15b land acquired for Posta sports ground*”, the standard, 28<sup>th</sup> December 2021.

<sup>36</sup><http://www.hrw.org/news/2019/09/20/kenya-abusive-envictions-mau-forest>, accessed on 20th July, 2022.

### 3.5 The Kenyan national Anthem

Among the symbols of national unity for Kenyans is the national anthem. In the first stanza of Kenyan national anthem, Kenyans profess that justice will be their shield and defender. It also upholds other values such as peace, unity and liberty.

O God of all creation  
Bless this our land and nation.  
Justice be our shield and defender  
May we dwell in unity  
Peace and liberty  
Plenty be found within our borders.<sup>37</sup>

These principles, which citizens pledge to believe in and uphold in the national anthem, are intended to be fostered in them. However, there have been many incidents of injustice, defiance of the law, and carelessness throughout the nation. There are now more instances of unrest and instability among the community. This points to the morally lip service of Kenyans reciting the national anthem.

Injustices in Kenyan court system have become a normancy because of compromised judicial system in which the “stronger” benefit in the expense of truth. A manifestation of Thrasymachean political Ethics in *Plato’s Republic Book I*, “justice is nothing else than the interest of the stronger”<sup>38</sup> in Kenyan loyal systems. This has resulted to loss of faith and trust in the judicial system. Citizens are afraid of going to the court to claim for justice because in most of occasions they labour for nothing.

In the parliamentary level, MPs enact bills based on their affiliations. In such cases, the political party with the majority ends up passing bills which are in favor of the stronger. For example,

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<sup>37</sup> *Laws of Kenya, the constitution of Kenya*, 2010, (Published by the national council of law reporting with authority of Attorney General), 244.

<sup>38</sup> Plato (author), Benjamin Jowett (Trans), *The Dialogues of Plato*, (Chicago encyclopedia Britannica, Inc, 1984), 304.

Mps approved the parliamentary pensions (Amendment) Bill, transferring Management on their retirement benefits to the parliamentary Service Commission (PSC) and not treasury. They will take control of their pension payments from the treasury following charges to the law that will see law makers influence their retirement benefits.<sup>39</sup>

This points out how Kenyan citizens are controlled by egocentric tendencies. Justice is no longer their shield and defender as they profess in their National Anthem for it is to the advantage of the stronger.

Additionally, there have been numerous instances of disunity among the citizens. Most of these divisions have resulted from tribal differences, political differences, conflicts of interests, and cultural diversity. Recently, in Kenya, prior to the general election, citizens were divided, with some supporting the United Democratic Alliance and others supporting Azimio La Umoja. During the presidential election tallying, there were disagreements between the IEBC chairman, Wafula Chembukati, and the four commissioners, causing a lot of tension in the country and a manifestation of disunity among the leaders.

Furthermore, political unrest has erupted in many parts of Kenya, particularly in the counties; Tana River, Wajir, Mandera, and Garissa, as a result of constant attacks by pastoralists. Banditry attacks have been ongoing due to competition for grazing areas and water. The standard nation records that,

For one year now, residents of Mandongoi, Mwanzele and Kasiluni areas in Kitui County near the border of Tana River County have not known peace, as they endure constant attacks by pastoralists. Every so often, armed herders from Tana River, Garissa, Wajir and Mandera counties cross over to Kitui with thousands of their livestock in search of pasture, attack the poor farmers, and leave a trail of death, injuries and destruction. In the past year alone, 33 people have been killed, some in the most cruel of ways. Other than being shot at, some, especially men, are beheaded with pangas and their heads carted away.<sup>40</sup>

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<sup>39</sup> <https://www.businessdailyafrica.com>, accessed on 12<sup>th</sup> October, 2022.

<sup>40</sup> <https://www.standardmedia.co.ke/counties/article/2001242175/forgotten-areas-in-kenya-where-armed-bandits-kill-and-maim-at-will>, accessed on 14<sup>th</sup> August, 2022.

As a result, many people have died, property has been destroyed, and others have been displaced. Schools have also been closed as students and teachers have fled for their lives. Citizens are no longer free to live in their own homes and lands for fear of being killed. There is no place for the peace and liberty that Kenyans passionately proclaim in their national anthem.

### **3.6 Cases of Injustice in Kenya**

One of Kenya's political, social, and economic systems' worst flaws is injustice. The judicial system has frequently fallen short of providing the people with justice. Numerous cases involving land grabbing, theft, corruption, gender-based violence, misappropriation of public funds, and other issues are still pending in the courts. In order to provide individual citizens with justice, the judiciary must resolve and decide on these cases when they are brought before the court.

We live in a country with a corrupt judicial system, and the majority of court verdicts are based on corruption. It is unfortunate that the poor suffer at the expense of the wealthy class when they file cases in courts. The rich, able and the average in most cases manage to bribe the corrupt judges. Thus, there is few or no wins for those who are mostly poor. Among the traffic officers cases of bribery are very common. For instance,

In Kenya's traffic stops, bribery is a means to cope and fit within the elaborate network in the police hierarchy. It is an outcome of indoctrination by older timers. There are set rules of the game, some of which are not clearly defined or are loosely regulated. Motorists pay bribes to circumvent traffic regulations, while the police maximize illicit incomes for personal and institutional gains. Dissidence is rare and may come at a great cost, especially within the police service. But even if dissent occurs in the form of whistle blowing, no significant punishment is meted out on the culprits.<sup>41</sup>

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<sup>41</sup> <https://theconversation.com/the-art-of-bribery-a-closeup-look-at-how-traffic-officers-operate-on-kenyas-roads>, accessed on 15<sup>th</sup> August, 2022.

It is clear that injustices and cases of corruption exist not only in the judicial system, but also in other sectors, including transportation. As a result, it is one of the major hindrances to Kenya's economic, social, and political development. It also reflects the type of citizens Kenyans are that is, citizens who violate the constitution and do not uphold the rule of law.

### **3.7 Irresponsibility and Misuse of Public office**

One of the prevalent traits in Kenyan families is irresponsibility. In actuality, there have been numerous instances of family violence caused by parents who try to shirk their responsibilities. There are more fatalities as a result of family violence, with parents murdering their children instead of loving, caring, and fostering harmony and peace inside their homes. For example,

A woman who scalded her husband with boiling water in a domestic fight after he allegedly returned home with a female companion has pleaded guilty in a Kibera court to charges of causing him grievous bodily harm. Pamela Mwendwa admitted causing the injuries to Sebastian Irukan on July 23. The couple are married and have a child. Ms Mwendwa told Principal Magistrate Sharon Maroro that her husband returned home with another woman and told her she had found the right one. That is what triggered the attack.<sup>42</sup>

These occurrences are pretty prevalent in today's society, particularly in Kenya. The new Socratic model of citizens, however, allows Kenyans to adapt and restore their lost family values.

In Kenya, gender-based violence is also a grave problem. Kenya has recently seen an increase in gender-based violence-related murders, severe injuries, and assaults on intimate relationships. These situations include,

For 4 days, Juliet M., a 16-year-old Kenyan, was held captive by a man and sexually assaulted. She was rescued by neighbors and is now being cared for in a safe house in Nairobi. The attacker reportedly said he kidnapped her because

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<sup>42</sup> <https://nation.africa/kenya/news/gbv-how-lack-of-family-values-is-siring-cycle-of-violence-3690462>, modified on 12<sup>th</sup> September, 2022.

he needed female company to get through the government-imposed COVID-19 lockdown.<sup>43</sup>

Female genital mutilation (FGM), rape, and domestic violence all constitute sexual maltreatment of both women and young girls. It is regrettable that some parents are implicated in some situations of sexual harassment. The query, "In whose hands are the children safe?" is being raised by this. Kenyan citizens are faced with the difficulty of revisiting their lived citizenship and reclaiming these family values.

On the other hand, there are more instances of official misconduct. Most top members of the government have been implicated in scandals involving bribery, corruption, fraud, and the misappropriation of public monies. They end up destroying their own nation rather than building it. These occurrences include,

The Ethics and Anti-Corruption Commission (EACC) last August recommended the prosecution of at least 20 public officials, including a Principal Secretary (PS), for alleged abuse of office, fraud, theft of public funds, and bribery. Those whose files were forwarded to the Director of Public Prosecutions (DPP) included the PS in the State Department of Fisheries, Aquaculture, and the Blue Economy over procurement irregularities in one of President Kenyatta's key legacy projects for the Coast region. The file involves inquiry into allegations of irregular procurement of the Sh1 billion ultra-modern fish hub at Liwatoni Fisheries Complex in Mombasa County.<sup>44</sup>

Leaders must be responsible for the positions they have been given. Accountability will increase the effectiveness of government initiatives, allowing citizens to benefit from good governance.

### **3.8 The Loyalty Pledge**

In the loyalty pledge, Kenyans express their commitment, devotion, patriotism and faithfulness in serving the country. Kenyans profess that, "I pledge my loyalty to the President and Nation of Kenya My readiness and duty to defend the flag of our

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<sup>43</sup> <https://www.hrw.org/news/2020/04/08/tackling-kenyas-domestic-violence-amid-covid-19-crisis>, accessed on 16<sup>th</sup> September, 2022.

<sup>44</sup> <https://nation.africa/kenya/business/civil-servants-pinched-sh227m-last-year>, accessed on 20<sup>th</sup> September, 2022.

Republic. My devotion to the words of our national anthem. My life and strength in the task our nation's building”<sup>45</sup>

Over time, the citizens' sense of allegiance has become weaker. The nation no longer makes investments in the abilities of its own people. Ironically, Kenya has a large number of engineers with the necessary expertise in infrastructure-related sectors, but the nation hires investors, expatriates and engineers from China and other nations, leaving their own unemployed in the majority of construction projects. The citizens' willingness to promote the nation's good and their faithfulness in serving the country remains questionable in this case.

Patriotism is one of the essential values that allow a country or nations to thrive. It entails total devotion, sacrifice for one's country, and support for one's country. Kenyans have not been patriotic enough toward their homeland. Many evils that are present in their lived citizenship attest to this. These evils include, among others, aversion to paying taxes, disobedience to the country's laws, failure to honor the words of the national anthem, corruption and bribery, tribalism and nepotism, dishonesty and self-centeredness, greed and injustices, and destruction of the environment.

## **Conclusion**

This chapter has examined the 2010 Kenyan Constitution's conception of citizenship and the loyalty pledge and has highlighted the inconsistencies on how Kenyans actually practice citizenship. It has identified historical issues that have been major factors in undermining Kenyan lived citizenship. Corruption, irresponsibility, a lack of transparency, issues of illegal land ownership, violations of human rights, abuse of office, injustices in the court system, violations of traffic rules, increased compromise

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<sup>45</sup> <http://www.kenyamycountry.com/web/loyalty-pledge>, modified on 10<sup>th</sup> September, 2022.

in law enforcement, and alarming cases of gender-based violence have all been documented. Such case scenarios question the integrity and patriotism of Kenyans. The government has worked tirelessly to combat these flaws that have weakened Kenyan citizenship but to no avail.

The cases are still rampant, visible and evident. These efforts have been geared toward Kenya's Vision 2030, which aims to transform Kenya into a newly industrializing, middle-income country capable of providing an excellent standard of living to all of its citizens in a clean and safe environment by 2030. However, the government's efforts have not been sufficient; the state should also ensure that the constitution is implemented in order for Kenyans to improve their lived citizenship. The various arms of government should identify these gaps in Kenyan citizenship and propose possible solutions.

## CHAPTER FOUR

### HOW SOCRATIC CITIZENSHIP CAN BE A MODEL IN WHICH KENYANS CAN STRENGTHEN THEIR LIVED CITIZENSHIP

#### 4.0 Introduction

This chapter will address the issues highlighted by Kenyan citizenship that were raised in the previous chapter. This is consistent with the Socratic notion of citizenship as depicted in *Plato's Apology and Crito*. After investigating Socratic concepts of citizenship and having identified the inconsistencies in Kenyan citizenship such as injustices, disobedience to the rule of law, irresponsibility, misuse of office, insecurity, lack of unity among citizens, land grabbing, reluctance in applying governance principles, disloyalty and unfaithfulness to the nation. The main goal of this chapter is to provide possible solutions to the problems stated above and in the preceding chapters using the Socratic model of a citizen.

#### 4.1 Incorporation of Socratic Virtue on Justice to the Kenyan Citizenship

The paper focused heavily on the Socratic concept of citizenship in chapter two. Among the major areas of interest were *Plato's Apology and Crito's* Socratic virtues. As a result, incorporating the Socratic virtues discussed in chapter two will aid in combating the majority of the major problems encountered in the realm of citizenship in Kenya.

As a result of social injustices, there have been numerous conflicts between the government and the citizens. The judiciary is the arm government which has the mandate of ensuring that justice is served in accordance with the Kenyan constitution. The judiciary is expected to rule on cases presented to the court at the appropriate time, without deliberate delays that may impede the justice process, through the court system. However, statistics show that many court cases have been pending for a long

time. According to a recent statistic provided by Chief Justice Martha Koome, “At least 70 per cent of land cases in the country are still pending in Nairobi.”<sup>46</sup> Not only are there cases involving land, but there are also notable cases involving murder with violence, sexual abuse, and corruption that have yet to be resolved. This demonstrates the critical need for the Kenyan judicial system to reconsider the terms and conditions of administering justice.

One of the solutions is to incorporate the Socratic virtue of justice into their court system, ensuring that cases are heard on time and without deliberate delays. Providing mechanisms to reduce the number of cases in Kenyan courts and ways to ensure that the average or poor do not suffer injustices at the hands of corrupt judges willing to accept bribes will aid in the fight against injustice in Kenya.

Kenyans should be prepared to be good statesmen who promote the common good in society, just as Socrates battled against injustices of his time as described in *Plato's Apology*. Socrates' position on justice is clear, for example, when Crito convinces him to flee his own state. Crito tells Socrates that people are willing to help him escape at any cost. He tells Crito emphatically, “Dear Crito, your zeal is invaluable, if right one, but if wrong, the greater the zeal the greater the danger and therefore we ought not to consider whether I shall or I shall not do as you say”<sup>47</sup> Kenyans should therefore adopt Socrates' spirit of justice in promoting the greater good of the state.

#### **4.2 Assimilation of the virtue of Obedience in the Kenyan rule of law**

As described in chapter two on Socratic citizenship, Socrates' new model of citizenship places a high value on obedience to the rule of law. The Kenyan constitution goes into

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<sup>46</sup><https://www.standardmedia.co.ke/national/article/2001418865/justice-koome-courts-groaning-under-the-weight-of-land-cases>, modified on 2<sup>nd</sup> November, 2022.

<sup>47</sup> Plato, (author), Benjamin Jowett (Trans), *The Dialogues of Plato*, (Chicago: encyclopedia Britannica, Inc, 1984), 214.

great detail about the country's rule of law. The Kenyan constitution outlines the norms, beliefs, customs, rules, and obligations that citizens must follow, as well as the limitations. It also specifies the implications and punitive measures for breaking the laws in which the country believes and abides.

Disobedience is not motivated by ignorance because every Kenyan is familiar with the country's laws. Many instances of disobedience and violation of the country's rules have occurred as a result of citizens' selfish and individualistic tendencies. For example, when there was COVID-19 outbreak in Kenya, the government, in consultation with the ministry of health, enacted strict measures to prevent the virus from spreading throughout the country. Wearing masks, social distancing, vaccination, night curfews, and a ban on large gatherings were among the measures implemented.

On the contrary, many Kenyans were arrested as a result of violations of the COVID-19 measures put in place. As a result of disobeying such measures, the pandemic spread at a faster rate across the country. According to the daily nation,

At least 1,500 people have been charged in Nairobi courts with breaking Covid-19 rules. These offences, which are breach of curfew orders, include failing to maintain physical distance of not less than 1.5metres and failing to wear face masks to cover the nose and mouth while in a public places.<sup>48</sup>

Obedience to the constitution should help Kenyan citizens to live in harmony and promote the good of the state.

Socrates revered the rule of the country because he believed that disobeying the state would cause great harm to his fellow citizens. This prompted him to stay in Athens because fleeing the state in fear of death would have violated Athens' law. His response to the divine call to philosophize exemplifies such obedience. To encourage people to

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<sup>48</sup> <https://nation.africa/kenya/news/1-500-people-charged-with-violating-covid-19-rules-303630>, accessed on 3<sup>rd</sup> November, 2022.

care less about their wishes does not promote the well-being of the soul, which is virtue, but rather to care about what makes the soul most honorable. He says, "...I would not have neglected all my own concerns or patiently seeing the neglect of all these years, I have been yours coming to you individually like a father or elder brother exhorting you to regard virtue; such conduct I say would be like human nature."<sup>49</sup>This challenges Kenyan citizens to be obedient to the rules of the country and this will help them to build their lived citizenship.

### **4.3 Civic Responsibility**

Citizens' activities are what account for the development of society and country. A human being exists within a society and thus plays an important role in the development of the country. It implies that they must be accountable for everything he does, because his thoughts, actions, and social behavior all influence his output to the state. As a result, any decline in the country's economy can be traced back to individual failure to do what is right. As citizens, we have a responsibility to promote the common good of the country.

Giving justice to all, transparency, and not promoting or encouraging corruption at any level are all actions that benefit the country. The country's social welfare is heavily reliant on cumulative actions. Every true patriot has a role to play in preventing crime, corruption, and insecurity. Citizens must commit to their responsibilities in order to assist others and themselves. Many people have died as a result of road accidents caused by careless driving, which includes driving while intoxicated and speeding. According to recent statistics, the number of people killed in car accidents has increased.

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<sup>49</sup> Plato, (author), Benjamin Jowett (Trans), *The Dialogues of Plato*, (Chicago: Encyclopedia Britannica, Inc, 1984), 207.

Statistics from the National Transport and Safety Authority indicate. A closer look at the traffic data as of September 26, 2022, reveals that fatalities have increased compared to the same time in 2021. General statistics documented by the police and the NTSA show those road fatalities between January and September this year, increased by 7.8 per cent<sup>50</sup>

This demonstrates how Kenyans disregard their responsibilities even when they are aware of traffic regulations. As a result, many families have lost loved ones. Such incidents have weakened Kenyans' sense of living citizenship. As *the Apology* points out, Kenyans can strengthen their citizenship by drawing inspiration from Socrates, who is a model of responsible citizenship. It ultimately comes down to the moral standards of the country. Every citizen bears the responsibility of promoting what is morally acceptable in the country. Socrates advocated for a new type of Socratic citizen, a citizen of virtues.

#### **4.4 The Place of Patriotism and Loyalty in Strengthening Kenyan Citizenship.**

Patriotism is defined as love for and pride in one's country. Patriotic citizens are always willing to defend and defend their country at any cost. They also abide by the country's rules and actively support the country's development efforts. Kenyans can promote patriotism by condemning the nation's wide spread evils such as corruption, championing for equality without gender, ethnic, or racial discrimination, paying taxes to help fund government projects such as construction, promoting peace and harmony by resolving disputes among people, participating in development projects such as road construction, and exercising collective responsibilities such as raising funds to help sick people in society.

Loyal citizens are always willing to promote and serve the good of their country. The spirit of loyalty inspires citizens to use their talents and gifts to serve their country.

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<sup>50</sup><https://nairobinews.nation.africa/drunk-driving-walking-reasons-why-more-kenyans-died-in-road-accidents-ntsa>, modified on 6<sup>th</sup> November, 2022.

Road construction, for example, provides an opportunity for citizens to demonstrate their loyalty to the state. The Kenyan government recently awarded these tenders to the China Road and Bridge Corporation (CRBC) during the construction of an expressway in Kenya. The Kenyan government faces a challenge in empowering expatriates in their home country because doing so will benefit the development of the country.

*Plato's Apology and Crito* depicts Socrates as models of patriotic and royal citizens. He is said to have fought in the Peloponnesian War between Athens and Sparta, which Athens lost. "Peloponnesian War begins between Sparta and Athens. Athenians retreat within their city walls in hopes that their navy will win the war. Socrates serves as a hoplite (a heavy infantryman armed with a shield, a spear, and a sword), winning praise for his bravery."<sup>51</sup> This exemplifies Socrates' patriotism and loyalty in defending Athens during the war.

Furthermore, when brought before the jury, Socrates chose to die for what he had taught. His philosophical martyrdom reflects his love and devotion to his countrymen, as he did not want the moral standards he instilled in Athens to be watered down. He challenges Kenyans in his new model of citizenship through his unwavering patriotism and loyalty. Kenyans can improve their lived citizenship by faithfully integrating and living these values.

#### **4.5 Implementation of the Law**

According to the Kenyan constitution, there are three branches of government. These arms carry out various responsibilities with the goal of achieving governance at a level that benefits everyone. The three branches of government are the legislature, the executive, and the judiciary.

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<sup>51</sup> <https://www.famous-trials.com/socrates/835-chronology>, modified on 6<sup>th</sup> November, 2022.

The primary function of the legislature is to make laws. It ensures that laws are made in accordance with the constitution. It also ensures that laws are properly amended and reviewed on a regular basis, and it deliberates on laws before they become law in the country. Furthermore, it checks the other branches of government to ensure that they are operating in accordance with the guiding principles for the benefit of the citizens. According to the Kenyan constitution, there are three branches of government. The arms carry out various responsibilities with the goal of achieving governance at a level that benefits everyone. The three branches of government are the legislature, the executive, and the judiciary.

The primary function of the legislature is to make laws. It ensures that laws are made in accordance with the constitution. It also ensures that laws are properly amended and reviewed on a regular basis, and it deliberates on drafts before they become law in the country. Furthermore, it checks the other branches of government to ensure that they are operating in accordance with the guiding principles for the benefit of the citizens.

The executive is primarily responsible for state administration. It ensures that the legislature's laws are properly implemented by its members. It is led by the president and consists of police as well as armed forces from various ministries. The executive implements legislation passed by the legislature. It ensures that laws are followed, and upholds law and order in society. It also has the power to appoint ministers from various sectors.

If laws require clarification in order to be understood, the judiciary implements them. Furthermore, it settles disputes affecting people in order to bring harmony to the country. Despite their independence, all three branches of government collaborate to

promote the rule of law. However, there have been numerous observable gaps within the government's arms, particularly the judiciary.

Many cases have been reported in which the police, rather than enforcing the law, end up compromising them in order to benefit. One notable example is in the traffic sector, where citizens violate traffic rules but get away with it by bribing the law enforcement officers. In many cases, traffic officers violate these rules, which results in an increase in road accidents.

“A number of reports on police corruption in Kenya have been drawn up. However, first-hand data on corrupt transactions at police checkpoints and roadblocks are not easy to come by.”<sup>52</sup> Kenyans will be able to build their lived citizenship and the country will have ideal citizens if the legislature makes laws that promote the welfare of the citizens, the executive implements these laws, and the judiciary enforces these laws.

Furthermore, the number of extrajudicial killings in Kenya has been alarming. Several people are said to have vanished and then been discovered dead. Some are dumped in rivers, while others are dumped in forests. Among the notable cases are;

The alleged kidnapping by the since-disbanded Special Service Unit (SSU) of two Indians and their Kenyan driver, whose bodies were found dumped in a forest, has been followed by the fastest police investigation on extrajudicial killings in Kenya's history. Prior to the case, many other Kenyans had been found to have suffered the same fate and their bodies were retrieved in Rivers Yala and Tana and in the Savannah plains. A number of victims in Kenya in the recent past were killed under the guise of anti-terrorism measures without due process. The state, via its agent the police, has been responsible for the hundreds of Kenyans summarily executed, it has since emerged.<sup>53</sup>

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<sup>52</sup><https://nation.africa/kenya/news/the-art-of-bribery-inside-kenya-s-traffic-police-itchy-fingers>, accessed on 8<sup>th</sup> November, 2022.

<sup>53</sup><https://nation.africa/kenya/blogs-opinion/opinion/probe-extrajudicial-killing-claims-4003028>, modified on 10<sup>th</sup> November, 2022.

These occurrences have raised numerous concerns about citizens' safety. Unfortunately, some of the alleged perpetrators of extrajudicial killings are police officers entrusted with the duty of protecting the state. However, proper law implementation and enforcement will aid in combating these prevalent evils in Kenyan citizenship.

Socrates is a notable example of a citizen who fought for the country to ensure that just laws are made, implemented, and enforced well in the state without fear. He fought in several wars to ensure the safety of his home city of Athens. He is portrayed as a leader who fought for the supremacy of the state's laws. He refused to flee to Thessaly in order to demonstrate the importance of following the laws of the state.

#### **4.6 Education System**

Education is one of the most effective ways for Kenyans to develop their lived citizenship. Kenya's government has taken steps to help young people discover their areas of interest and abilities by instituting Curriculum Based Education. It enables students to advance based on their abilities and areas of interest. It provides learners with real-world skills and opportunities for competency development.

Kenyans can fill existing gaps in Kenyan citizenship by using the new curriculum of education. The inclusion of Ethics as a unit of study in the CBC at an early stage will allow Kenyan citizens to shape the morality of the state while also equipping them with knowledge of good and bad, moral and immoral, justice and injustice. Such knowledge will aid in combating the evils caused by moral decadence in the state, such as corruption, negligence of responsibility, injustices, and innocent killings, among other things.

Furthermore, if nationalism, citizenship, and good governance are taught in schools, they will be extremely important. Education should instill values such as loyalty and patriotism in young people. National Music Festivals, for example, should be used to educate people about aspects of good governance, citizenship, and nationalism. Such topics can be addressed through presentations such as plays, choral verses, poems, and oral narratives. Kenyans will be able to improve and better their citizenship as a result of this. For example, the theme of this year's Kisumu Music Festival was "Kenya My Future."

This year's theme is "*Kenya my future*" aimed at fostering the spirit of nationhood through music, dance and elocution. The song "*Tunajivunia Kenya nchi yetu*," a patriotic piece composed by the late Dr Arthur Kemoli, was performed as a special set piece for mixed voice.<sup>54</sup>

Such presentations and concerts are critical in promoting nationalism and citizenship values in the country. Socrates spent his time educating the youth on what was most important to him. In *the Apology*, he referred to it as a divine calling from God. As a result, his accusers accused him of corrupting Athens' youth. In support of this claim, Socrates stated,

I am a sort of gadfly, given to the state by god and the state is a great and noble steed who is tardy in his motions to his very size and ought to be stirred in to life. When I say am given to you by god, the proof of my mission is this; if I had been like the other men, I would not have neglected all my own concerns or patiently seeing the neglect of all these years, I have been doing yours coming to you individually like a father or elder brother, exhorting you to regard virtue; such conduct I say would be like human nature.<sup>55</sup>

Socrates is depicted as a citizen who promotes morality in society by teaching on virtue, questioning people's moral beliefs, and challenging them that it is better to be just than unjust. His followers, such as Thrasymachus, who believed that justice was

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<sup>54</sup><https://nation.africa/kenya/news/education/music-festival-kicks-off-with-heart-warming-pieces-3952496>, modified on 8<sup>th</sup> November, 2022.

<sup>55</sup> Plato, (author), Benjamin Jowett (Trans). *The dialogues of Plato*, (Chicago: Encyclopedia Britannica, Inc, 1984), 207.

for the stronger, must have benefited from Socrates' new model of citizen. As a result, incorporating the Socratic spirit into Kenya's new curriculum of education would be extremely beneficial to Kenyans in developing their citizenship.

#### **4.7 Symbols of National Unity**

Kenyans express a variety of values in the National Anthem and the loyalty pledge. Kenyans proclaim justice as the shield and defender for all citizens in the National Anthem. Furthermore, the national anthem promotes values such as unity, peace, and liberty. Kenyans, on the other hand, express commitment, devotion, loyalty, patriotism, and faithfulness to their country in the loyalty pledge.

These values can be effectively promoted and incorporated with the assistance of Barazas, which should be organized and promoted by the area chiefs and sub-chiefs. When citizens gather for public days or public gatherings, such as on Mashujaa Day, leaders should take advantage of these opportunities to revisit these values. Furthermore, the values that citizens believe in and profess in the National Anthem and the Loyalty Pledge should be reflected on, and this reflection should be accompanied by action. There is a need for praxis, not just a mere profession.

Furthermore, chiefs and “*Nyumba Kumi*” leaders should not be overlooked; they should be supported so as to promote these values in order to help close gaps in Kenyan citizenship. Such collaborations will aid Kenyans in the development of their own country. Kenyans will be good citizens in the same way that the new Socratic citizen is defined by good values such as loyalty and patriotism.

#### **4.8 The Role of Government Agencies in Promoting Good Citizenship**

A government agency can be defined as, “a permanent or semi-permanent organization in the machinery of government that is responsible for the oversight and administration

of specific functions.”<sup>56</sup> Such authorities have been vested with the mandate to address specific issues within the country. For instance, the Kenya Revenues Authority is in charge of collecting revenue on behalf of government. It is tasked by the government in collection of taxes which help in developing government projects.

Government agencies help in fighting evils such as corruption, injustices, violation of human rights, environmental among others. The Ethics and Anti-corruption Commission (EACC) was established “To combat and prevent corruption, economic crime and unethical conduct in Kenya through law enforcement, prevention, and public education, promotion of standards and practices of integrity, ethics and anti-corruption.” Its mission is “to promote integrity and combat corruption through law enforcement, prevention and education.”<sup>57</sup> Efforts made by EACC to curb cases of crime associated with corruption and also promoting integrity among the citizens has been fruitful although there is still much to be done to build up integrity among the citizens.

In addition, the Judicial Service Commission (JSC) “promotes and facilitates the independence and accountability of the judiciary and the efficient, effective and transparent administration of justice”<sup>58</sup> and ensures that there is no gender discrimination in the state. There have been notable failures of JSC and cases have piled in the most of the courts an indication that justice is not rendered to the citizens in appropriate time. This points out that there is reluctance in Judicial Service commission which is responsible for promotion of justice in the country. There is need to revive the government agencies to ensure that the common good of the country is attained.

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<sup>56</sup><http://www.environmentdata.org/archive/vocabpref:19109>, accessed on 8<sup>th</sup> November, 2022.

<sup>57</sup><https://eacc.go.ke/default/about-us>, modified on 9<sup>th</sup> November, 2022.

<sup>58</sup> *Laws of Kenya, The constitution of Kenya*, 2010. (Published by the National council for law reporting with authority of Attorney General, 2010), 155.

Moreover, the Kenya National Human Rights and Equality Commission (KNHREC) was created according to Chapter four, Article 59 of Kenyan constitution 2010 to “promote respect for human rights and develop a culture of human rights in the Republic, promote the protection and observance of human rights in public and to receive and investigate complaints about alleged abuses of human rights and to secure appropriate redress where human rights have been violated.”<sup>59</sup> However, cases of violation of human rights are still alarming in the country. We have experienced many cases on gender based violence, sexual harassment of the minors, extra-judicial killings, land grabbing among others. Thus there is need for this agency to step up and help in this menace.

For example, “In July, Kenyan organizations documented 15 cases of killings by the police across Kenya while enforcing Corona Virus control measures.”<sup>60</sup>

## **Conclusion**

In order for Kenyan citizens to fight the inconsistencies in their lived citizenship mentioned above and in chapter three, government agencies must make greater efforts to implement policies in various sectors of the state. The success of each government agency will be linked to the success of Kenyan citizenship. It will allow Kenyans to realize the new Socratic citizenship in their lived citizenship, which will be built within the limits of examined life.

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<sup>59</sup> *Laws of Kenya*, 62.

<sup>60</sup><https://www.hrw.org/world-report/2021/country-chapters/kenya>, accessed on 9<sup>th</sup> November, 2022.

## GENERAL CONCLUSION

To sum up, in chapter one, the paper gave a general overview of the entire research. We asked ourselves whether Socratic citizenship in *Plato's Apology and Crito* can be of any relevance to Kenya. The chapter also included the background of the study, statement of problem, literature review, relevance of the study, justification of the study, objectives and research questions, methodology, scope and limitations.

In chapter two, we examined the notion of Socratic citizenship in the *Apology and Crito*. We were able to realize that, the dialogue portrays Socrates as an example of a good citizen in Athens. He is depicted as a man of vast knowledge, morality, self-control and persuasive ability. He was a stepping stone for the majority of later philosophers, including Plato.

In addition, we were able to note some distinct characteristics of Socratic citizenship. They include: education of the young generation or later citizens on moral issues, emphasis on the significance of laws, good governance, and how to live a reflective life, citizen of virtues of Justice, obedience, loyalty, patriotism, courage, tolerance, responsibility, and wisdom, faith in the guiding principles and core values of the country, persuasion on private life whose goal is to make the soul more better, obedience to laws, a citizen who has the place for inclusivity, moral integrity, peace, good legislator and deliberator on matters of justice.

Chapter three set to evaluate the Kenyan understanding and nature of their citizenship portrayed by most of the citizens. We established that there are existing gaps and inconsistencies in Kenyan citizenship. In line with the constitution of Kenya, the paper noted the challenges in; national values and principles of governance, legislation on

land, the Kenyan national anthem, injustices, irresponsibility and misuse of public office and on the values they profess in loyalty pledge.

To establish possible long-term solutions to problems and conflicts in Kenyan citizenship, the essay proposes incorporation of the Socratic notion of citizenship, as discussed in the chapter four. Kenyans are expected to improve their lived citizenship if the Socratic model of citizenship is well integrated into the Kenyan system. They will be able to address the gaps in their own citizenship that have been identified in the research.

As a result, the constitution will be respected and properly implemented, the values Kenyans hold and profess in the national anthem and loyalty pledge will be practiced, that the court system will be able to render justice and clear filed cases at the appropriate time, citizens will be more responsible, there will be inclusivity, the system governance will integrate leadership values to ensure good governance, and most importantly, Kenyans will be citizens of virtues just like Socrates.

The research has acknowledged and appreciated the Kenyan government's efforts and initiatives to improve citizenship in the country. However, this is not enough for citizens must also play an important role. The government should work with other agencies to resolve issues affecting Kenyan citizenship. Although the essay suggests some potential solutions to the problem, it leaves room for further investigation.

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