The Trial of Sokrates – from the Athenian Point of View

By MOGENS HERMAN HANSEN

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Abstract

The purpose of the present study is to reconstruct the trial of Sokrates, especially the case for the prosecution. *Part I* is a discussion of the sources and in particular a reappraisal of Xenophon's account in *Mem.* 1.1-2 and *Apol*: first, the *kategoros* in Xen. *Mem.* 1.1-2 is probably one of the prosecutors in 399, and the accepted view that *ho kategoros* must be Polykrates is rejected as unfounded. Second, there is no reason to disbelieve the statement at Xen. *Apol.* 22 that Sokrates had *synegoroi* who addressed the jurors after he had made his own speech and may have answered the charges made especially by Anytos. Third, Xenophon's account of the trial is probably independent of Plato's and *vice versa*. Accordingly, ten striking similarities between Plato's and Xenophon's accounts are best explained on the assumption that both sources report what actually happened at the trial in 399. *Part II* is a reconstruction of the trial based on the new assessment of the sources. *Part III* is a discussion of the political aspects of the trial. It is argued that to bring political accusations against Sokrates was not necessarily a breach of the amnesty of 403, and a prosopographical study of the circle around Sokrates shows that a surprisingly high number of his »friends« were citizens who had joined the oligarchic revolutions of 411 and 404-3 and had been convicted of treason and/or impiety. Thus, the Athenians may have had reason to fear that Sokrates' criticism of the democratic institutions might constitute a menace to the restored democracy, even though Sokrates himself seems to have been loyal to the democratic constitution. Finally, part 3 includes a pseudo-Platonic dialogue between Sokrates and Anytos in which Sokrates has to admit that democracy is the best possible constitution.

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Introduction

In 399 B.C. Sokrates, the philosopher, was condemned to death and executed by the Athenians on a charge of impiety. Some years later his pupil Plato published an essay which purported to be Sokrates' speech in his own defence. Through Plato's *Apology* Sokrates has won the martyr's crown. In histories of western philosophy the execution of Sokrates is represented as judicial murder: the Athenians' attempt to stifle their voice of conscience by executing the cleverest and noblest of all Athenians. Sokrates is in focus, and Plato's *Apology* is seen as a true defence of Sokrates, no matter whether it is a historically correct report of what Sokrates actually said or not. I will turn my attention to the three prosecutors and the five hundred and one jurors who condemned Sokrates to death. Was the trial of Sokrates a disgrace to Athenian democracy, or was it an understandable and perhaps even justifiable treatment of a person who constituted a threat to the Athenian constitution? My approach is not far from that of I.F. Stone in *The Trial of Socrates* (Boston 1989), but since Stone's book is blemished by a number of misinterpretations of the sources, by omission of some important pieces of information about the trial, and by his hostile view of Sokrates, I feel that the present study has not been outdated by his book but may serve as a correction of his reconstruction of the trial.[1]

1 My own view of the trial of Sokrates goes back to my Danish article "Hvorfor Henrettede Athenerne Sokrates?," *Mus. Tusc.* 40-43 (1980) 55-82. I resumed my investigation when I was invited to submit a paper to the symposiun held in Athens in November 1992 to celebrate the 2500th anniversary of democracy. The symposium was arranged by the Athenian Academy under its president Prof. Michel Sakellariou. In spite of his very efficient organization of the symposium the publication of the acts has been delayed and I am most grateful to him for permitting me to publish my contribution in this form.

I. The Sources

Being a historian rather than a philosopher I will begin with an examination of our sources:

Plato's *Apology* is a contemporary source, since it was probably composed within a decade after the trial.[2] Furthermore it is an eyewitness account, since Plato says that he attended the trial and was among those who offered to go bail for Sokrates. The problems, on the other hand, are: first that Plato is biassed since he defends Sokrates instead of just telling us about the trial, and second that he is a poet, which is worse, since we cannot preclude the possibility that the *Apology* is fiction rather than fact.[3]

We have to face two problems (a) Is Plato's *Apology* essentially a faithful account of what Sokrates actually said in court. But even supposing that this is so, we still have to face another problem: (b) important charges brought by the prosecutors may have been passed over in silence by Sokrates, and some of the charges discussed in the *Apology* may have been misrepresented by Sokrates in his defence. How can we know whether Plato's picture of his beloved master is a faithful account of Sokrates' life and work? The only way of judging the defence is to reconstruct the prosecution. The historian is in the same position as the jurors. It is impossible to find the truth and give a verdict without having heard both parties in the case.

Apart from Plato's *Apology* what sources have we got for the trial of Sokrates? A good deal, but, alas, most of our sources do what Plato does: they defend Sokrates.

The sources in question are Xenophon's *Apology*,[4] and the first two chapters of the first book of his *Memorabilia*,[5] then Libanios *Apologia Sokratous* [6] and finally two lost treatises: an Apology by Lysias (of

2 See appendix 1 on page 32.

3 See appendix 2 on page 32-3.

4 Long sections of the *Apology* are repeated almost verbatim in *Memorabilia* 4.8.1-11.

5 Xenophon's *Memorabilia* is traditionally dated to the 360s, cf. Simeterre (1938) 13. A more complicated hypothsis is that the *Memorabilia* begin at 1.3, and that an earlier defence of Sokrates (1.1-2) was added later as a kind of introduction to Book 1. See Chroust (1957) 44-68.

6 *Declamatio* 1, ed. Foerster.

which only four fragments survive, all worthless for our purpose here)[7] and an *Apology* by Demetrios of Phaleron (of which six fragments have come down to us).[8]

I have the following brief comments to make about the four surviving treatises.

In Plato's *Apology* the fiction that the treatise is a forensic speech is upheld all the way through. It is worth noting that Plato has even omitted the typical introduction: "The other day I met NN in the Agora, and he said that he had recently attended a dialogue between Sokrates and X in which Sokrates argued as follows ...". The reason for this omission may be that Plato had been present in court when Sokrates delivered his speech.[9]

Xenophon's *Apology* is not fiction like Plato's. Only the central part (11-21) purports to be Sokrates' defence, and even this part is only a summary reported in indirect speech. The first and third parts are Xenophon's account of the trial.

In Xenophon's *Memorabilia* there is not even a summary of what Sokrates said. It is Xenophon's apology on behalf of Sokrates rather than Sokrates' own defence. On the other hand, it includes a summary of several of the charges against Sokrates [10] followed – not by Sokrates' but by Xenophon's refutation of the charge as absurd and unjustified.

In Libanios the fiction of a speech for the defence is sustained all the way through. But the speech is not attributed to Sokrates, but to one of his *synegoroi*. Furthermore, while Plato's and Xenophon's defences are both aimed at Meletos, Libanios' speech is a reply to Anytos,[11] and a considerable part of the speech is devoted to a refutation of the political charges. Libanios' speech, however, is both very late and written by an author who had specialized in transforming historical cases into fictitious forensic speeches.

7 Fr. 220-24 (Sauppe).
8 Fr. 91-8, Wehrli.
9 Pl. *Apol.* 38B.
10 Xen. *Mem.* 1.2.9, 12, 49, 51, 56; cf. 26.
11 Liban. *Decl.* 1.2, 4-5 and *passim*.

The main sources are, then, Plato's *Apology* and Xenophon's two accounts of the trial, one in the *Apology* and the the other in the two first chapters of the *Memorabilia* Book 1. By comparing Plato's and Xenophon's accounts it should be possible to judge whether the defence actually delivered by Sokrates can be reconstructed. There are of course many fundamental differences between the description offered by the philosophizing poet and the account of the exiled colonel, but there are also quite a few striking similarities.

1. Sokrates' defence is aimed at Meletos only, and the charges brought by Lykon and Anytos are passed over in silence.
2. Sokrates has not prepared a proper speech for the defence (Pl. *Apol.* 17C-18A; Xen. *Apol.* 3ff).
3. Meletos is crossexamined (Pl. *Apol.* 24C-27D; Xen. *Apol.* 19-21).
4. Sokrates speaks about old age and pleads that, at his age, passing away may be preferable to dragging on a miserable existence (Pl. *Apol.* 38C, 41D; Xen. *Apol.* 1, 6-9, 23, 27, 32-3).
5. Sokrates' *Daimonion* implies that *daimones* must exist, and that again implies a belief in the existence of gods (Pl. *Apol.* 27A-28A; Xen. *Apol.* 10-3; Xen. *Mem.* 1.1.4-5).
6. Sokrates denies and refutes that he takes any serious interest in natural philosophy (Pl. *Apol.* 26D; Xen. *Mem.* 1.1.11-5).
7. Sokrates invokes his constitutional behaviour during the trial of the Generals when, presiding over the assembly, he refused to put an unconstitutional proposal to the vote (Pl. *Apol.* 32B; Xen. *Mem.* 1.1.18).
8. The Delphic oracle's response to Chairephon is invoked and explained (Pl. *Apol.* 20E-23B; Xen. *Apol.* 14-5).[12]
9. After the conviction Sokrates refuses to propose what the jurors can accept as an appropriate penalty (Pl. *Apol.* 36B-38B; Xen. *Apol.* 23).
10. Having been condemned to death Sokrates makes yet another speech in which he discusses what death matters to man (Pl. *Apol.* 38C-42A; Xen. *Apol.* 24-6).

From these ten items I infer that Plato's and Xenophon's descriptions resemble each other so closely that they must have a common source. I follow von Arnim in believing that Xenophon had not read Plato's *Apol-*

12 Cf. Fontenrose (1978) 34-5, 245.

ogy when he wrote his account of the trial,[13] and there is no reason to believe that Plato was influenced by Xenophon's description. Plato attended the trial himself;[14] and Xenophon says that he had his information from Hermogenes, the son of Hipponikos, who was a friend of Sokrates'[15] and present in prison when Sokrates was executed.[16] I can find no reason to doubt the veracity of Xenophon's information about his source, and the conclusion seems to be that Plato's and Xenophon's accounts are so similar because both report what actually happened in 399.

So much for the defence. But how much do we know about the prosecution? apart from Sokrates' cross-examination of Meletos reported both by Plato and by Xenophon we have four sources:

1. Prosopographical information about the three prosecutors.
2. A few quotations from a speech against Sokrates, now lost, by the orator Polykrates.[17]
3. Six specific charges against Sokrates reported by Xenophon in the *Memorabilia* and all introduced with the phrase: ὁ κατήγορος ἔφη, the prosecutor said, that ...[18]
4. The indictment of Sokrates, quoted in full by Diogenes Laertios and in part by Plato and Xenophon. Diogenes says that he has found the text in a book by Favorinus who claims to have seen the original in Athens in the public archive.[19]

Re 1: Apart from Meletos, who was the principal prosecutor, two other persons appeared for the prosecution as his *synegoroi*: Lykon, who cannot be confidently identified with any contemporary person of that name,[20] and Anytos, who is well known from other sources. He was a prominent democratic political leader; and he had appeared in court in a trial that had been heard only a few months before the trial of Sokrates, namely the trial of Andokides on a charge of impiety brought before the

13 See appendix 1 on page 32.
14 Pl. *Apol.* 38B.
15 Xen. *Apol.* 2.
16 Pl. *Phaed.* 59B.
17 Polykrates fr. viii (10-11), Sauppe.
18 Xen. *Mem.* 1.2.9, 12, 49, 51, 56, 58.
19 Diog. Laert. 2.40.
20 See appendix 3 on pages 33-4.

jurors in the autumn of 400.[21] But here Anytos is listed as one of those who supported the defendant. The reason is that the trial of Andokides was based on the profanation of the Mysteries in 415. But in 403 the Athenians granted everybody (apart from the oligarchic leaders) an amnesty for all previous offences.[22] Anytos is known to have been among the political leaders who respected the amnesty and opposed any infringement of it.[23]

From what we know about Anytos it has often been inferred that the prosecutors cannot have brought political charges against Sokrates. First Sokrates, was charged with impiety (through a γραφὴ ἀσεβείας), not with having subverted the democracy (κατάλυσις τοῦ δήμου), and second, Anytos would never have appeared for the prosecution, if a verdict had resulted in an infringement of the amnesty. This line of argument is unconvincing, but I will return to that later.

Re 2: We are told that the Attic rhetor Polykrates wrote a speech for the prosecution of Sokrates.[24] Some sources claim that this speech was actually delivered in 399 at the trial itself.[25] But such a view is rightly rejected by Favorinus,[26] who points out that in his "speech" Polykrates refers to Konon's reconstruction (in 393) of the walls round Athens.[27] So Polykrates' pamphlet cannot have been the publication of a specch delivered in 399, nor can it have been a perfect fiction like Plato's *Apology;* it must have been an essay like Xenophon's *Apology*, which, in addition to a summary of Sokrates' speech, includes a discussion of the whole trial. Xenophon refers, for example, to the death of Anytos.[28]

Apart from Konon's re-erection of the walls round Athens the only thing we know about Polykrates' so-called speech for the prosecution is that he pleaded that Alkibiades was a pupil of Sokrates,[29] and that he quoted those lines in the *Iliad* in which Odysseus is described as a person

21 Andoc. 1.150. Cf. Kirchner *PA* 1324; MacDowell (1962) 166; Davies (1971) 40-1.
22 Arist. *Ath. Pol.* 39.6; Andoc. 1.87, 90; Xen. *Hell.* 2.4.43; Ar. *Plut.* 1146; Aeschin. 2.176. Cf. Loening (1987).
23 Isoc. 18.23.
24 Polycrates fr. vii, Sauppe.
25 Aelian *Var. Hist.* 5.11.10; Quint. 2.17.4; Themistius xxiii (p. 357, Dindorf); hypoth. Isoc. 11; *Suda* s.v. Πολυκράτης.
26 Diog. Laert. 2.39.
27 Xen. *Hell.* 4.8.10; Dem. 20.68ff.
28 Xen. *Apol.* 31.
29 Isoc. 11.5.

who treats aristocrats politely but commoners overbearingly.[30] So reconstructing the prosecution is much more difficult than reconstructing the defence. First, Polykrates' pamphlet is lost. Second, we don't know to what extent the lost pamphlet reproduced what was actually said in 399.

Some scholars claim that Polykrates' lost speech can be reconstructed from Xenophon's *Memorabilia* and Libanios' *Apology,*[31] but a reconstruction on such lines can be made to collapse like a house of cards. Those who make use of Libanios' *Apology* in order to reconstruct Polykrates' lost "speech" argue as follows. First premise: the sources which (erroneously) claim that Polykrates' speech was delivered in 399 also claim that it was written for Anytos.[32] Second premise: Libanios' *Apology* is aimed at Anytos. Conclusion: Libanios' speech must be a reply to Polykrates' attack on Sokrates.[33]

But it is inadmissible to argue along such lines. If the sources misdate Polykrates' speech, they may be equally mistaken about the connection between Polykrates and Anytos. Remember, that most of the preserved speeches for the prosecution are anonymous in the sense that the speaker does not reveal his name in the speech itself. It is bad method to reject one half of a statement but then, without further evidence, to accept the other half. Finally, the reference to Konon in Polykrates' work indicates that it was not a proper speech but rather an essay like the *Apology* by Xenophon.

The argument based on Xenophon's *Memorabilia* runs as follows.
A number of sections are introduced with the phrase ὁ κατήγορος ἔφη (i.e. "the prosecutor said") followed by some specific charge against Sokrates and Xenophon's indignant refutation of it. These important passages are mostly brushed aside because -it is said – *ho kategoros* does not refer to any of the actual prosecutors in 399, but to Polykrates' pamphlet [34] and, furthermore, because the charges made in Polykrates'

30 Hom. *Il.* 2.188ff. Schol. in Aristides ὑπὲρ τῶν τεττάρων 133.16, 3.480, Dindorf.

31 Chroust (1957) 69-100 followed by e.g. Vlastos (1983) 503; Brickhouse & Smith (1989) 4, 72 etc; Stone (1989) 28.

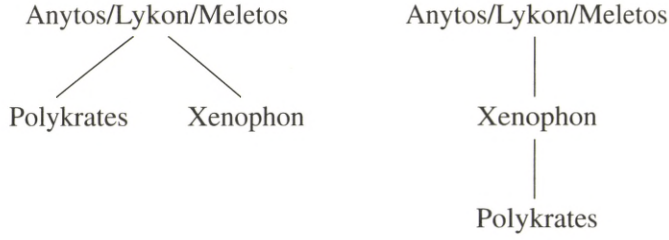
32 Themistius xxiii. Polykrates' speech written for both Meletos and Anytos: Hypoth. Isoc. 11; *Suda* s.v. Πολυκράτης.

33 Chroust (1957) 74 with note 410.

34 The identification of ὁ κατήγορος with Polykrates goes back to Cobet (1858) 662-82. Most of Cobet's linguistic and prosopographical arguments, however, were refuted by Breitenbach (1869) 801-15. Nevertheless Cobet's identification gained ground and is now universally accepted, see *supra* note 31.

pamphlet must have differed considerably from what was actually said during the trial.

Here again the traditional view is so badly argued that it needs revision. The proof that Xenophon must refer to Polykrates and not to one of the prosecutors runs as follows: (a) Isokrates reports that, according to Polykrates, Alkibiades was a pupil of Sokrates. Similarly, the prosecutor in Xenophon's *Memorabilia* asserts that Sokrates had been the teacher of Kritias and Alkibiades.[35] (b) In the Scholia to Aristeides' speech *For the Four* it is said that Polykrates in his pamphlet against Sokrates, quoted those lines in the *Iliad* [36] in which Odysseus is described as a person who treats aristocrats politely but commoners overbearingly.[37] But the prosecutor in Xenophon's *Memorabilia* refers to the very samme passage.[38] – These two arguments,[39] however, are not enough to prove the assumption that Xenophon's *kategoros* must have been Polykrates, rather than the actual prosecutors. There are two other equally possible reconstructiuons of the relationship between the sources:



These two models are commonly rejected by the following line of thought. When democracy was restored in 403 the Athenians decided to put an end to civic strife by a general amnesty for all political crimes. In 399 to bring political charges against Sokrates would have been an infringement of the amnesty. Now, Anytos, the most influential of Sokrates' prosecutors, is known to have been an ardent supportor of the amnesty. But two of the charges made by Xenophon's prosecutor are in fact political accusations: Sokrates has undermined the democratic constitution by his subversive discussions, and Sokrates has been the teach-

35 Isoc. 11.5; Xen. *Mem.* 1.2.12.
36 H. *Il.* 2.188ff.
37 Schol. in Aristides ὑπὲρ τῶν τεττάρων 133. 16, 3.480, Dindorf.
38 Xen. *Mem.* 1.2.58.
39 Chroust (1957) 72.

er of Kritias and Alkibiades. Anytos would never have permitted such charges to have been made in 399 and, accordingly, it is said, the political charges must stem from Polykrates' pamphlet and not from the trial itself.[40]

But that argument is based on a misinterpretation of the amnesty. First, the amnesty covered not just political crimes, but all types of offence whatsoever, including impiety. Second the amnesty consisted in granting everybody a pardon for any crime committed before 403;[41] but any person could, of course, be held responsible for any crime committed after 403.[42]

Re 3. The two political charges against Sokrates reported by Xenophon in the *Memorabilia* are the following: (1) "Sokrates induces those who converse with him to scorn the laws by calling it madness to allow our magistrates to be selected by lot whereas no one would be willing to take a pilot, an architect or even a teacher of music on the same terms. But mistakes in such matters would be far less fatal than errors in what concerns the *polis*. In the young such arguments stir up contempt of the constitution and make them violent."[43] (2) Sokrates associated with Kritias and Alkibiades who have inflicted the greatest disasters on the city.[44]

Let us take the first passage first: Sokrates was famous – or rather notorious – for always saying the same about the same and in the same way.[45] It is unbelievable that, in 403, Sokrates stopped thinking and saying that it was stupid to use sortition in the election of magistrates. There can be no doubt that, in his discussions, he went on saying what he had always said and did it right down to the trial in 399. So Sokrates may – without any infringement of the amnesty – have been charged with criticizing the democratic institutions in the period 403-399.

Next, it is true that the amnesty protected Sokrates from being charged with having associated with Kritias and Alkibiades, but that does not mean that a prosecutor was prevented from mentioning Sokrates' earlier relations with those two sinister figures. The charge could be made to concern what had happened after 403, but the argumentation supporting the charge may well have been brought back to the

40 Chroust (1957) 73.
41 Cloché (1915) 251-77; Loening (1987) 100ff.
42 Stone (1988) 154-5.
43 Xen. *Mem.* 1.2.9.
44 Xen. *Mem.* 1.2.12.
45 Pl. *Gorg.* 490E; Xen. *Mem.* 4.4.6.

period before 403 without any infringement of the amnesty.[46] Listen for example to the following: "Even after the amnesty Sokrates goes on saying that it is stupid to use the lot in the election of magistrates. Such discussions undermine the democracy and have already twice resulted in an oligarchic revolution. Remember what happened when Sokrates discussed with Kritias and Alkibiades. If we allow Sokrates to go on like that, there is a risk that we may have yet another oligarchic revolution." An argumentation along such lines would be impeccable both from a logical and from a legal point of view. And if we look for a parallel we can find one in Lysias' speech Against Nikomachos. He was in charge of the codification of all Athenian laws between 410 and 399. In 399 he was called to account for what he had done in the period 403-399, But the prosecutor for whom Lysias wrote his speech does not forget to examine Nikomachos' activities as a member of the legislative committee in the years 410-404.[47] It is, by the way, interesting to note that the trial of Nikomachos turns on the same two charges that were brought against Sokrates: subversion of the democracy (by mishandling the codification) and impiety (by having changed several of the laws that regulated traditional sacrifices).[48]

Two further arguments, however, have been brought against the simple view that Xenophon's "prosecutor" denotes one of the prosecutors in 399, and not Polykrates.

First argument: Sokrates was in fact charged with impiety and brought to trial through a *graphe asebeias*. The character of the indictment militates against assuming that he was also accused of having anti-democratic views.

Second argument: the political charges are passed over in silence both by Plato and by Xenophon in their *Apologies,* and they are only brought forward in the *Memorabilia*. It is unlikely that important charges made at the trial were left unmentioned in both the *Apologies.*

As to the first argument: it is true that Sokrates was charged with *asebeia* but that does not preclude that, at the trial, he was also accused of political offences. Here we are faced with a fundamental difference between ancient and modern administration of justice. In a modern society, when a man is brought to trial, he can be charged with having committed offences under several different acts, and all charges can be dealt with during one

46 *Pace* Vlastos (1983) 497.
47 Lys. 30.2-4.
48 Impiety: Lys. 30.19-21; subversion of the democracy: Lys. 30.9 & 30.

and the same trial. The Athenians had a whole range of types of action – at least one procedure for each offence, and often more than one.[49] A person who had committed several different crimes ought therefore to be put on trial several times by different types of action.[50] Consequently, an Athenian charged with impiety could only be convicted of impiety, but that did not prevent the prosecutor from telling the jurors about all the other offences he was guilty of. In all the preserved Athenian speeches for the prosecution the defendant is accused of several more offences than the one with which he is charged. After the hearing, the jurors pass a verdict of guilty (or not guilty). Thereby the defendant is either acquitted or convicted of the offence with which he has been officially charged. but there can be no doubt that the jurors, when they cast their vote, were influenced by all the other accusations which, strictly speaking, were irrelevant. So there is nothing strange about Sokrates being charged with impiety but accused of political offences. On the contrary, it would be unique if the prosecutors had refrained from making capital out of the accusations that could be based on Sokrates' criticism of democracy in his discussions.

As to the second argument: Is it believable that the prosecutors in 399 accused Sokrates of political offences mentioned neither by Plato nor by Xenophon in their apologies, but only by Xenophon is his *Memorabilia*? I think so, and for the following reasons. It is worth noting that Sokrates in both *Apologies* turns against Meletos, and has nothing to say about the charges brought by Lykon and Anytos.[51] In Plato's *Apology* Sokrates says that Anytos speaks on behalf of the political leaders and the artisans, whereas Lykon represents the orators and Meletos the poets (23E). I infer that if any of the prosecutors brought political charges against Sokrates, it must have been Anytos. Now in his *Apology* Xenophon tells us that Sokrates had *synegoroi*, i.e. advocates who addressed the jurors after Sokrates had finished his speech.[52] This precious piece of informa-

49 Lipsius (1905-15) 237-68.

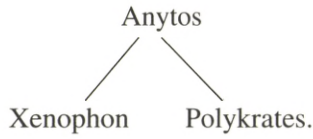
50 In 338, for example, after the defeat at Chaironeia, Demosthenes was put on trial through a whole series of public prosecutions and had almost daily to defend himself in court, each time in a new trial, cf. Dem. 18.249.

51 Anytos is mentiond in Pl. *Apol.* 18B, 25B, 28A, 30B, 30C, 31A, 34B, 36A. At 23E we are told that he represents the artisans and the political leaders, and in 29C he is quoted for the statement that, since Sokrates has been put on trial, the jurors must pass a sentence of death, otherwise it would have been better to avoid the trial altogether. Lykon is only referred to at 23E (as representative of the *rhetores*) and at 36A.

52 Xen. *Apol.* 22: ἐρρήθη μὲν δῆλον ὅτι τούτων πλείω ὑπό τε αὐτοῦ καὶ τῶν συναγορευόντων φίλων αὐτῷ.

tion is either passed over in silence by all those who have discussed the trial of Sokrates or brushed aside,[53] but I can see no reason to question the veracity of what Xenophon says. One might object that Sokrates would not have allowed his friends to appear as his *synegoroi* because it did not square with his attitude to the trial. An objection along such lines, however, can be countered by referring to the fixing of the sentence. Sokrates first proposed a ridiculously small fine but, accepting his friends' offer, he changed his proposal into a fine of half a talent – quite a considerable sum and not an unrealistic proposal at all. Similarly, Sokrates may well in the first place have declined his friends' offer to appear as *synegoroi* (we don't know) but in the end have complied with their demand. What we do know from a source which is not to be dismissed or passed over in silence is that *synegoroi* did appear on behalf of Sokrates, and that provides us with an explanation of Plato's and Xenophon's silence about the political charges in their *Apologies*. In his own speech for the defence Sokrates concentrated on the charges brought by Meletos, and left it to his *synegoroi* to counter Anytos and Lykon and refute the political charges.

I conclude that Anytos did in fact accuse Sokrates of having criticized the democratic institutions and that such accusations did not conflict with the amnesty of 403. Since Polykrates too seems to have included political accusations against Sokrates in his treatise, we end up with the following relation between our sources:



This model is based on the straightforward assumption that, in Xenophon's *Memorabilia*, ὁ κατήγορος ἔφη denotes the prosecutor in 399 and not some later posthumous literary attack on Sokrates.

But even if, for the sake of argument, we adopt the accepted view and assume that, in his *Memorabilia*, Xenophon turns against Polykrates, the result is more or less the same: the presumption is that the accusations discussed by Polykrates in his treatise were not invented by him but

53 Brickhouse & Smith (1989) 76 referring in note 50 to the Danish version of this study.

based on those actually made in 399. In that case the relation between the sources is as follows:

II. A Reconstruction of the Trial

After the inspection of the sources I turn to a reconstruction of the trial itself:

In the archonship of Laches (400/399),[54] and more precisely during the winter of 399,[55] Sokrates was indicted by Meletos the son of Meletos of Pitthos,[56] Lykon of an unknown deme [57] and Anytos Anthemion's son of Euonymon.[58] He was brought to trial by a *graphe asebeias*, a public action for impiety, submitted to the King Archon by Meletos.[59] Thus it was Meletos who was liable for being fined 1,000 drachmas if he obtained less than a fifth of the votes of the jurors.[60] The text of the indictment has survived and runs as follows: "under oath Meletos the son of Meletos of Pitthos has brought a public action against Sokrates the son of Sophroniskos of Alopeke and charged him with the following offences: Sokrates is guilty of not acknowledging the gods acknowledged by the state and of introducing other new divinities. Furthermore he is guilty of corrupting the young. Penalty proposed: capital punishment."[61] The action was heard by a panel of 501 jurors chaired by the King Archon. Being the principal prosecutor Meletos made the first speech and charged Sokrates with having corrupted the young by discussing and propagating the natural philosophers' critical views about the gods,[62] and with having acted as an unauthorized oracle, invoking his *daimonion*.[63] Lykon and Anytos appeared as *synegoroi* for Meletos.[64] What Lykon said we do not know, but Anytos must have accused Sokrates of

54 Diog. Laert. 2.44 (= Dem. of Phal. *FGrH* 228 fr. 10); *Marmor Parium* (*FGrH* 239) A 66.

55 The case was heard the day after the departure of the θέωρος for Delos (Pl. *Phaed.* 58A), i.e. in the month Anthesterion, cf. Deubner (1932) 203-4.

56 Pl. *Euthphr.* 2B; Diog. Laert 2.40. Cf. Kirchner *PA* 9830 and MacDowell (1962) 208-10.

57 See appendix 3 on page 33.

58 For the patronymic and demotic, cf. Davies (1971) 40-1.

59 Pl. *Euthphr.* 2A-C, 5C; *Tht.* 210D.

60 Pl. *Apol.* 36A. Cf. Hansen (1975) 29-30.

61 The indictment is quoted in Diog. Laert 2.40 and paraphrased at Pl. *Apol.* 24B; *Euthphr.* 3B; Xen. *Mem.* 1.1.1, 1.2.64; *Apol.* 10. The oath taken by Meletos is mentioned at Pl. *Apol.* 27C.

62 Pl. *Apol.* 26D; Xen. *Mem.* 1.1.12-5.

63 Pl. *Apol.* 27C; Xen. *Apol.* 10, 12-3; *Mem.* 1.1.2-9.

64 Pl. *Apol.* 36A.

corrupting the young by his subversive criticism of the democratic institutions:[65] Sokrates had formerly influenced Alkibiades and Kritias, two of the most dangerous enemies of the people.[66] Because of the amnesty he could no longer be called to account for what he had done before 403, but since he still held the same views and aired them unabated, there was a risk that his followers might join a third attempt to overthrow the democracy. The prosecutors called a number of witnesses,[67] partly some who discussing with Sokrates had felt that they had been ridiculed, and partly some who had attended such discussions.

Sokrates' speech in his own defence conveyed the impression of being an off-the cuff performance[68] in which he concentrated on refuting the charges brought by Meletos. He denied that he had taken any interest in natural philosophy,[69] and he invoked his *daimonion* as evidence that he was not an atheist.[70] Furthermore, the purpose of his discussions with the young, mostly sons of the rich,[71] had been to make them better not to corrupt them. The Delphic oracle's response, that no man is wiser than Sokrates,[72] was a major point in the defence put forward by Sokrates,[73] and since Chairephon had passed away, Sokrates had it witnessed by Chairephon's brother.[74] The charges brought by Meletos were further refuted by a crossexamination of Meletos, during which he involved himself in self-contradictions.[75] The charges brought by Lykon and Anytos, however, were passed over in silence, and Sokrates countered the political accusations only indirectly by reminding the jurors of his constitutional behaviour during the trial of the generals [76] and his opposition to the Thirty by refusing to assist in the arrest of Leon.[77]

65 Anytos speaks on behalf of the political leaders (Pl. *Apol.* 23E; *politikos* is hardly ever used by the orators in the sense of political leader, but cf. Aeschin. 2.184). He focuses on the charge that Sokrates has corrupted the young (Pl. *Apol.* 29C), and he is probably the κατήγορος who brought the political charges mentioned by Xenophon at *Mem.* 1.2.9 & 12.

66 Xen. *Mem.* 1.2.12. Cf. Isoc. 11.5.

67 Xen. *Apol.* 24.

68 Pl. *Apol.* 17C-18A; Xen. *Apol.* 3ff.

69 Pl. *Apol.* 26D; Xen. *Mem.* 1.1.11-5.

70 Pl. *Apol.* 27A-28A; Xen. *Apol.* 10-3; Xen. *Mem.* 1.1.4-5.

71 Pl. *Apol.* 23C.

72 See appendix 4 on page 34.

73 Pl. *Apol.* 20E-23B; Xen. *Apol.* 14-5.

74 Pl. *Apol.* 21A.

75 Pl. *Apol.* 24C-27D; Xen. *Apol.* 19-21.

76 Pl. *Apol.* 32B-D. Cf. Xen. *Mem.* 1.1.18.

77 Pl. *Apol.* 32D.

After Sokrates' own speech some of Sokrates' friends came forward as his *synegoroi*,[78] and they may have countered the charges made by Lykon and Anytos, especially the accusation that Sokrates had propagated undemocratic views.

When the hearing was over the jurors voted and, since we are told that Sokrates would have been acquitted if 30 of the jurors had voted differently, Sokrates must have been found guilty by a majority of 59 or 60 votes. If the figure 30 is correct, the inference seems to be that the votes were 280/221, or, perhaps, 280/220, if one of the jurors abstained from voting.[79]

The indictment stipulated capital punishment [80] and in a short speech Meletos must have put it to the jurors that Sokrates be sentenced to death and executed. In his reply Sokrates first refused to come up with a realistic alternative to capital punishment. He may even have suggested entertainment in the Prytaneion for the rest of his life as an appropriate penalty.

He then proposed a fine he could afford, i.e. half a mina, but eventually, when some of his friends including Plato promised to go bail, he proposed a fine of 30 minas = half a talent.[81] When the vote on the penalty was taken, Meletos' proposal was passed by an even greater majority than the verdict of guilty.[82]

With the second vote the trial was over, but, on his own initiative, Sokrates delivered a third speech to the jurors (or at least to those who cared to listen) in which he reflected on the meaning of death in general and in particular on the death sentence he had just incurred.[83]

78 Xen. *Apol.* 22.

79 Erasmus (1964) 40-2. Cf. *IG* II² 1641B recording a vote taken by 499 jurors.

80 Diog. Laert. 2.40; for the *timema* being stated in the indictment cf. Ar. *Vesp.* 897 and Lipsius (1905-15) 252.

81 Pl. *Apol.* 35E-38B; Xen. *Apol.* 24-6.

82 Diog. Laert. tells us (2.42) that, when the second vote was taken, the majority was increased by 80 votes. Since Diogenes' information about the first vote is corrupt or mistaken (a majority of 281 votes), we cannot trust his second figure either, but he may well be right that the prosecotors won a greater majority when the jurors voted on the sentence.

83 Pl. *Apol.* 38C-42A; Xen. *Apol.* 24-6.

III. The Political Accusations

After the reconstruction of the trial I will examine the charges brought against Sokrates, both the charge of impiety and the political charges. I will look for parallels and for sources that can shed light on the Athenians' view of impiety related to freedom of conscience as well as their view of antidemocratic beliefs related to freedom of speech.

The indictment of Sokrates was not the only one of its kind that was heard in Athens in those years. A few months earlier the Athenians had acquitted Andokides of a charge of impiety,[84] and in the very same year Nikomachos was charged with *asebeia* in connection with his codification of the laws of Athens.[85] The year 400/399 seems to have bristled with law suits concerning religious offences,[86] and there is no reason to assume that the trial of Sokrates was provoked by some specific activity in which he had been involved. Sokrates was found guilty because of what he believed about the Gods and probably also because of his critical view of the Athenain democratic institutions. There is a very interesting fragment of Hypereides, which is mostly overlooked by those who write about the trial of Sokrates. In his speech against Autokles, Hypereides reminded the Athenians that their fathers had punished Sokrates for his words, *epi logois* [87] i.e. not because of anything he had done. This fragment, and the verdict itself shows that the Athenians would not grant Sokrates what we today call freedom of speech and of conscience, either because freedom of speech and of conscience were not ideals accepted by the Athenian democrats, or because Athenian democracy in this respect resembles modern democracies: freedom of speech and conscience are cherished as ideals central to democracy, but democrats do not always live up to their own ideals, not even in states that regularly take pride in being democracies.

I will begin with a discussion of freedom of speech, which is often called *parresia* in our sources. I find it superfluous here to argue that Athenian *parresia* was as close to modern democratic freedom of

84 Andoc. 1. For a description of the trial see Hansen (1976) 128-30 Cat. no. 10. For the date see MacDowell (1962) 204-5.

85 Lys. 30. For a description of the trial see Hansen (1975) 116-7 Cat. no. 140.

86 For a good account of these trials see now Connor (1991).

87 Hyp. fr. 59, Sauppe: καὶ Σωκράτην οἱ πρόγονοι ἡμῶν ἐπὶ λόγοις ἐκόλαζον. Hypereides' speech against Autokles was delivered in 361/0, i.e. no more than a generation or so after the trial of Sokrates.

speech as any ancient concept can be to its modern equivalent.[88] And all sources show that freedom of speech was an ideal cherished by the Athenian democrats. It suffices to mention that the Athenians had a trireme called *parresia*,[89] and to refer to Demosthenes' remark that a basic difference between Spartan oligarchy and Athenian democracy is that in Athens you are free to praise the Spartan constitution and way of life, whereas in Sparta it is prohibited to praise any other constitution than the Spartan.[90]

Nevertheless, praise of the Spartan constitution may well have been what offended the Athenians and what the prosecutors held against Sokrates during the trial. As argued above one of the political accusations made against Sokrates must have been that he preferred election of magistrates to selection by lot and said that sortition was silly.[91] Now, Isokrates, for example, emphasized that a basic difference between the Athenian and the Spartan constitution is that magistrates are elected in Sparta but selected by lot in Athens.[92] And in Plato's *Gorgias*, when Sokrates criticizes the Athenian democracy, Kallikles retorts that Sokrates' criticism is an echo of what is said by those with cauliflower ears;[93] but "having cauliflower ears" was a well known epithet used about those who admired and imitated the Spartan way of life.[94] The sources form a synthesis when we add that Polykrates apart from his *Kategoria Sokrates* was the author of a lampoon of the Spartans, entitled *Kategoria Lakedaimonion.*[95]

To sum up. Freedom of speech was probably the most cherished of the Athenian democratic ideals, and in Demosthenes it was exemplified by the right to praise the Spartan constitution at the expense of the Athenian. We know that many citizens and metics availed themselves of this freedom of speech without ever being brought to trial. Plato, Isokrates and Aristotle are the three most prominent figures, but there are many others. The trial of Sokrates is, in fact, the only attested case of an Athe-

88 Raaflaub (1985) 277-83.
89 *IG* II² 1624.81.
90 Dem. 20.105-8.
91 Xen. *Mem.* 1.2.9. Cf. Arist. *Rhet.* 1393b3-8.
92 Isoc. 12.153-4. Cf. 7.21ff.
93 Pl. *Grg.* 515E.
94 See also Xen. *Apol.* 15 where Sokrates compares himself to Lykourgos, the Spartan legislator. Similarly, at *Crito* 52E Sokrates refers to his admiration for the Spartan laws, and at Ar. *Av.* 1281-2 Sokrates is once again linked with pro-Lakedaimonian circles.
95 Polykrates fr. v, Sauppe.

nian having been put on trial for what he thought and said.[96] In all other cases of antidemocratic behaviour the defendant is charged with conspiracy, treason or corruption. But there is one important difference between Sokrates and the three others I have mentioned. Plato, Isokrates and Aristotle were teachers, but they taught only those who frequented their schools. Sokrates was probably more prominent and better known. Aristophanes' choice of Sokrates to impersonate the sophist in the *Clouds* is a strong indication that Sokrates was a well known figure in Athens. What was dangerous about Sokrates was not the views he had about democracy, but his propagation of such views to anyone who cared to attend his daily discussions in the Agora.[97]

The condemnation and execution of Sokrates demonstrates that the Athenians did not always live up to their own ideals; but that those ideals were not just empty words is apparent both from the presumption that the trial of Sokrates was unique in Athenian history, and from the fact that Sokrates, after all, lived to be seventy although he must have criticized the democratic institutions regularly throughout his adult life. As George Grote rightly remarked: if Sokrates had been a citizen in one of Plato's utopias, he would never have reached the age of seventy.[98]

If you will allow me a digression, I cannot help thinking that Sokrates' criticism of sortition of magistrates is rather sophistic. How absurd it is, says Sokrates, to pick the magistrates by lot when you would not pick a helmsman in that way. The sophism resides in the unstated premise that the magistrates have the same power to steer the ship of state as the helmsman has to steer his ship. But the Athenians chose their magistrates by lot precisely to ensure that they should *not* be the steersmen of the state. One of the purposes of the lot was to diminish the powers of the magistrates. The lot was based on the idea, not that all men were equally expert, but that all men were expert enough at what

96 If we can trust the scholia to Ar. *Ach.* 67 a decree limiting the right to ridicule individuals in comedies was passed in 440/39, but abrogated again in 437/6. We have no information about any trial warrented by this act, cf. also Schol. Ar. *Av.* 1297. Again, if we can trust the scholiast's interpretation of Ar. *Ach.* 376-82, Kleon, because he had been ridiculed in the *Babylonians,* dragged Aristophanes before the Council of Five Hundred and accused him of having made fun of the magistrates in the presence of foreigners. But Aristophanes does not say that he was put on trial, and even supposing that Kleon did bring some kind of public action, we must infer that Aristophanes had been acquitted.

97 Pl. *Apol.* 18C, 19D, 33B.

98 George Grote, *A History of Greece* (1846-56) 9.86 (in the Everyman's Library edition). Grote's observation was repeated by Karl Popper in *The Open Society and its Enemies* (1945) I 194-5.

they were chosen for, and that by the use of the lot magistracies would cease to be attractive as weapons in the struggle for power.[99] Let me illustrate the point by a fictitious dialogue, in the manner of Plato, between Sokrates and an Athenian democrat, let us call him Anytos.

An. Is it not true, Sokrates, that in a city there are not a few, but many things to be done?
So. Certainly, that is so.
An. For example, it is necessary that a city now builds a wall, now ensures that sufficient grain is available for the citizens to buy, and many other similar things.
So. Indeed.
An. We also agree, do we not, that the larger the city, the more numerous are the tasks that fall to it?
So. Yes, I agree.
An. Now, only a short while ago we said that a given task is best discharged, if it falls to a man who is skilled in the necessary craft?
So. Very true.
An. And it is not possible for a man to be skilled in many different crafts at the same time. Thus, a man who wishes to be both a helmsman and a shoe-maker and a blacksmith and an actor cannot be nearly as skilled in each of these occupations as the man who has spent his entire life gaining a profound understanding of only one occupation.
So. That is correct.
An. But in that case, if we assign the task of governing the city to only one man or to a very few, then these can only possess the necessary knowledge in regard to a very few of all the things that have to be done.
So. Yes.
An. But then, surely, it must necessarily follow that the more people who participate in the government of the city, each of them skilled in his peculiar craft, the better the city will be governed; and the larger the city, the more this is true.
So. Yes.
An. Now, can you tell me, Sokrates, what constitutions are to be found in Hellas?
So. Certainly, that is not difficult; for those who occupy themselves

99 Hansen (1991) 235-7.

with such questions say that there are three kinds, namely monarchies, oligarchies and democracies.

An. Now, in each of these constitutions, who are the rulers?

So. In the monarchy it is the king or tyrant, in oligarchies the magistrates who have been elected, whereas in a democracy it is the assembly.

An. Well, then, if the city is to be governed in the best possible way, where would you find the largest number of experts? with the king, who is only assisted by a few attendants? with the oligarchic magistrates who have, of course, been elected according to wealth? or in a democratic assembly where it is possible for everyone to attend and speak?

So. (hesitating): In a democratic assembly.

An. So democracy must be the kind of constitution that best allows for true knowledge to be expressed, and, thus, must be the best constitution.

So. Well, Anytos, that would appear to be the case. Even so, I cannot help entertaining some doubt in this regard. For in the assembly only a few experts will be present when a matter is to be debated, whereas there will be many who are ignorant. But, then, when something is put to the vote, the hands of all those who are ignorant will outnumber those of the experts. If, on the other hand, you assign the task of governing the city to a smaller number of magistrates, each of them expert in his own field, you will not risk that the experts be outnumbered by those who are ignorant.

An. There may be some truth in that, but pray consider the following: is it that a man who is ignorant is wholy ignorant, or is he, as a rule, knowledgeable enough to take advice from an expert rather than from one who knows nothing?

So. I do not quite understand.

An. Well, then, Sokrates, do you happen to be an expert on horses?

So. No.

An. Now, if you were to buy a horse, and a shoemaker told you to buy a certain horse, but a veterinary told you to buy another, which of the two would you listen to?

So. To the veterinary, of course.

An. And if you happened to be in the assembly and the cavalry was to be made up to a certain number, and if it so happened that a shoemaker and a veterinary made two opposite proposals, would you not, in this case too, vote for the proposal made by the veterinary?

So. I would indeed.
An. In the assembly all the citizens are present, or in any case as many as possible.
So. That is true.
An. And every time a given matter has to be debated there will always be some experts present?
So. That is most likely.
An. But since no-one willingly makes mistakes, and since everyone is actually willing to take advice from the experts on what is right, those who are ignorant will follow the advice given by experts rather than that given by another who knows nothing.
So. Yes.
An. Then a democratic assembly must be the governing body that contains the largest sum of knowledge, and since all true government is based on knowledge, it follows that democracy is the best constitution.
So. I have to grant you that.[100]

I now turn to the charge officially brought against Sokrates, the charge of impiety. In this case too it is appropriate to ask: is the trial of Sokrates unique in the Athenian administration of justice or can parallels be found? To come up with an answer to that question, however, is difficult since our sources have been muddled by the myth that grew up around Sokrates. The *graphe asebeias* against Sokrates has made it almost impossible in later sources to tell historical law suits from anecdotal ones. The most admired general in the ancient world was Alexander the Great. He was crook-shouldered and because of that innumerable generals after him walked around with their head on a slant. Again, the admired philosopher Sokrates had been convicted of impiety. After Sokrates it was an accolade for a philosopher to have been charged with impiety, and the Hellenistic biographers were eager to bestow the honour on quite a few of Sokrates'contemporaries and successors: Anaxagoras, Protagoras, Prodikos, Stilpon, Theodoros, Aristotle and Theophrastos.[101] Anaxagoras may have been put on trial,[102] but the evidence for all

100 The basic idea behind this little dialogue is stated and debated by Aristotle in the *Politics* Book 3 Chapter 11, 1281a39ff. As in the genuine Socratic dialogues there are flaws in the argumentation, but - like Plato - I will leave it to the reader to find them.
101 Derenne (1930); Dover (1976).
102 Derenne (1930) 13-41; Stadter (1989) 298-9.

the other public prosecutions of philosophers for impiety is anecdotal and dangerous to rely on without further information. Even the trial of Anaxagoras is not above suspicion.[103] If we can trust our sources, in order to have a law that warranted a suit of that kind, a certain Diopeithes had to propose and carry a decree that public action be brought against atheists and astronomers, probably a hendiadys for atheistic astronomers.[104] In any case, the urgent need for a decree in order to have Anaxagoras put on trial indicates that the Athenians did not normally interfere with what people thought about the gods as long as they did not profane the mysteries or mutilate the Herms or commit other acts of impiety.

It is still a common belief that the trial of Sokrates was warranted by Diopeithes' decree.[105] But we must not forget that the Athenian law code was revised in 403/2 and that laws not included in the revised code were no longer valid.[106] Diopeithes' decree against atheistic astronomers, if genuine, was certainly tailored to suit the trial of Anaxagoras. Consequently it is most unlikely that it survived the codification in 403/2 and was included in the revised code.

Apart from the trial of Anaxagoras there is only one other attestation of a *graphe asebeias* having been brought against an atheist, namely the trial of Diagoras, called *ho atheos*.[107] But even Diagoras was not charged with being an atheist but with having revealed the mysteries to some uninitiated persons.[108] So let us remember that Meletos, when cross-examined by Sokrates, almost automatically refers to Anaxagoras. And the reason may well be that the trial of Anaxagoras (if it took place) was the only precendent of a person being charged with not believing in the traditional Gods.

The second and third part of the indictment are, in fact, more serious than the first. "Sokrates introduces other new divinities and corrupts the young." The Athenians granted their citizens a certain freedom of conscience privately, but could not tolerate that a person, without proper authorization, introduced new cults and attempted to proselytize the younger generation. It is amply attested how the Athenians dealt with such behaviour.

103 Dover (1976) 29ff.

104 Plut. *Per.* 32.2-5; *Mor.* 169E; Diod. 12.39.2; Diog. Laert. 2.12.

105 Cf. e.g. Connor (1991) 50.

106 See MacDowell (1962) 125-6, 202 followed by Hansen (1990) 66-8.

107 Ar. *Av.* 1071-8; Lys. 6.17-8.

108 Krateros *FGrHist* 342 fr. 16 = schol. Ar. *Av.* 1073 and other sources collected by Jacoby (1959).

Phryne, the mistress of Hypereides, was brought to trial through a *graphe asebeias* for having introduced a new divinity and surrounded herself with a group of young proselytes. – She was found not guilty at the trial.[109]

Menekles brought a *graphe asebeias* against Ninos, the priestess. She was charged with having administered a potion, probably an aphrodisiac, to her devotees of young people. Menekles obtained a conviction against her and she was sentenced to death.[110]

Theoris of Lemnos was charged with the same offence as Ninos. She was likewise put on trial and a sentence of death was passed on her and her entire family.[111]

I would like to stress that it is Sokrates himself who connects the charge of impiety with the charge of corrupting the young. Both in Plato's *Apology* and in *Euthyphro* Sokrates says that the Athenians do not care about what he himself thinks, but they take him for a teacher, and that they will not tolerate.[112] Here is a clear difference between the Athenian and the modern concept of freedom of conscience. The Athenians would not allow private unauthorized religious communities. From a juridical point of view the most serious of the charges brought against Sokrates was undoubtedly that he corrupted the young who surrounded him by acting as a private oracle, namely by giving them the advice of his *daimonion*. Sokrates was not charged with being an atheist, but with being a missionary.

To sum up: Sokrates was sentenced for not sharing the ordinary Athenian's views about the gods, and probably also for having criticized the democratic institutions. As said before a trial of a person who had his own views about the gods was rare, and a trial of a person who criticized the democratic institutions is unique. The presumption is that Sokrates was not put on trial for having such views, but rather for having propagated them to his followers every day, year in, year out. In that case the pertinent question must be: who were the persons who gathered around Sokrates and listened to his discussions in the Agora? In Plato's *Apology* Sokrates tells the jurors that most of his followers were young and

109 Hyp. fr. 102-10, Sauppe.
110 Dem. 39.2 & 40.9; Dem. 19.281 with scholia. Cf. Jos. *Ap.* 2.37.267.
111 Dem. 25.79; Philoch. *FGrHist* 328 fr. 60.
112 Pl. *Euthphr.* 3C; *Apol.* 29C.

rich, because they had the spare time required to frequent the agora on weekdays.[113] It is worrying that Sokrates' criticism of the Athenian democratic institutions was aired among the rich and the young. On the whole a rich man would prefer oligarcy to democracy,[114] and the young were notorious for being prone to revolutionize the established society. Remember that the Greek word for revolution is *neoterismos*![115] So let us have a closer look at the circle round Sokrates.

In Plato's dialogues we meet about sixty named persons. I have concentrated on those who contribute to the discussions. The cast could be somewhat extended by including the mutes and those mentioned, but not present. And the list could made even longer if we included the persons we meet in Xenophon's Socratic dialogues.

Thus, the group I study here is the cast known from Plato's dialogues. It comprises sixty persons of whom thirty are unknown to us in the sense that Plato provides us with no information about who they are and what they are, nor are they known from any other source. Again, half of the remaining thirty persons are either travelling sophists (like Protagoras, Gorgias, Hippias and Prodikos), or foreigners staying in Athens (like Menon), or poets (like Aristophanes and Agathon). So we are left with fifteen persons known not only as participants in the discussions conducted by Sokrates but also as participants in Athenian politics.Of those only five are loyal democrats; the other ten are black sheep and disreputable persons whom the Athenians sentenced to death, often *in absentia*.

Let us start with a presentation of the five democrats. First comes Chairephon, who asked the Delphic oracle whether any person was wiser than Sokrates. He was among the democrats who had to go into exile in 404 during the rule of the Thirty.[116] Next come the generals Nikias [117] and Laches,[118] whom we meet in *Laches,* and Kallias, in whose house Sokrates met Protagoras. He served as *strategos* in 391/0 and was one of the Athenian envoys sent to Sparta in 371.[119] Finally there is Anytos [120] who in *Meno* is persuaded to join the discussion, which he does until he

113 Pl. *Apol.* 23C.
114 Cf. e.g. Arist. *Pol.* 1279b39ff.
115 Cf. e.g. Thuc. 6.12-3, 38-40; Eur. *Suppl.* 232-7; Pl. *Lg.* 798B-C.
116 Kirchner *PA* 15203. Cf. Pl. *Apol.* 21A.
117 Kirchner *PA* 10808.
118 Kirchner *PA* 9019.
119 Kirchner *PA* 7826.
120 See pages 7-8.

becomes so cross that he leaves.[121] He cannot properly be called a follower of Sokrates, in which case the circle around Sokrates counts, not five, but just four good democrats.

It is much easier to find crooks and traitors among Sokrates' friends and followers: In *Parmenides* we are introduced to Pythodoros, who served as *strategos* in 425/4 but was deposed, charged with treason and sentenced to death *in absentia*.[122] In 415 no less than five of Sokrates' friends were convicted of having profaned the mysteries and/or mutilated the Herms. They are: Phaidros known from the dialogue that bears his name, the doctor Eryximachos from *Symposion* and his father Akoumenos, referred to in *Phaidros*, Axiochos known from the dialogue that bears his name, and last but not least Alkibiades,[123] who in addition to profaning the mysteries offended the Athenians several times later on. If we move ahead a few years we meet Kleitophon both in the *Republic* and in the dialogue *Kleitophon*.[124] He has, with considerable confidence, been identified with the political leader who proposed and carried the rider to the decree that set up the oligarchy of the Four Hundred in the spring of 411.[125] And in *Laches* appears Melesias, the son of Thoukydides, who was one of the Four Hundred and undoubtedly exiled when the oligarchs were overthrown in the autumn of 4ll.[126] Going down to the oligarchy of 404-03 we come across the two most notorious of Sokrates' friends: Kritias, the leader of the extremistic wing among the Thirty,[127] and his relative Charmides who was the leader of the executive committee set up by the Thirty in the Piraeus.[128] They were both killed in the Battle of Mounichia and thus avoided being held responsible when the democracy was restored in 403.

There can be no denying that the trial of Sokrates is thrown into relief by the gallery of characters found in Plato's dialogues. The Athenians may

121 Pl. *Menon* 90B-95A.

122 Kirchner *PA* 12399. Cf. Hansen (1975) 73-4 Cat. no. 8.

123 Phaidros (Kirchner *PA* 13950 + 13960); Eryximachos (Kirchner *PA* 5187); Akoumenos (Kirchner *PA* 477 + 478); Axiochos (Kirchner *PA* 1330); Alkibiades (Kirchner *PA* 600). Cf. Hansen (1975) 74-82 Cat. nos. 11, 12, 13-42 (the profanation of the mysteries) and 43-60 (the mutilation of the Herms).

124 Kirchner *PA* 8546.

125 Arist. *Ath. Pol.* 29.3.

126 Kirchner *PA* 9813.

127 Kirchner *PA* 8792.

128 Kirchner *PA* 15512.

have known that Sokrates had no intention himself of overthrowing the democracy. But Sokrates aired his critical views of the democratic institutions among blasphemers, oligarchs and traitors. We all know the saying "tell me who your friends are, and I will know who you are". As many other sayings it is of Greek origin and found for example in a fragment of Euripides' lost play Phoinix.

> Many a time ere now have I been made
> the judge in men's disputes, and oft have heard
> for one event conflicting witnesses.
> And so to find the truth, I, as do all
> wise men, look sharp to see the character
> that marks the daily life, and judge by that.
> The man who loves companionship of knaves
> I care not to interrogate. What need
> is there? I know too well the man is such
> as is the company he loves to keep.

It is telling that this fragment of Euripides is known from Aischines' speech against Timarchos.[129] After a detailed account of Timarchos' lecherous life Aischines refers to Timarchos' friends and followers as a further reason for finding him guilty, and it is in that context that he quotes the Euripides passage. We know that those who prosecuted Sokrates must have adopted the same line of argument since they stressed that Kritias and Alkibiades had been taught by Sokrates. It is Xenophon in particular who takes great pains to refute any attempt to throw suspicion on Sokrates in this way. He pleads that Sokrates was a loyal democrat and performed his sacrifices to the gods as everybody else. But even if he is right – as he may well be[130] – the followers of Sokrates still cast a shade upon their master: his criticism of the democratic institutions provided his oligarchic friends with the arguments they wanted, and Sokrates may have performed his sacrifices in public, but so did those of

129 Aeschin. 1.152 (= Eur. fr. 812, Nauck). Translated by Ch.D. Adams in the Loeb edition of Aeschines.

130 That Sokrates, though critical of the democracy, must have been a loyal democrat can be inferred from the fact that Lysias, in reply to Polykrates' pamphlet (Schol. in Aristides ed. Dindorf, 3.480), wrote an apology of Sokrates, see *supra* page 2. As argued convincingly by Platis (1980), cf. Vlastos (1983) 206 it is most unlikely that Lysias would ever have defended Sokrates in a pamphlet if he had been an oligarch and could be suspected of being disloyal to the restored democracy.

his friends who had profaned the mysteries in secret. Who could know what Sokrates did during the night in company with his young and rich friends? The profanation of the mysteries and the two oligarchic revolutions took place before the amnesty of 403, but Sokrates kept on having the same views, and the Athenians may have entertained a lurking suspicion that Sokrates' friends might venture a third attempt to overthrow the democracy.

Perhaps the best and least biassed source for the trial of Sokrates is Aischines' terse and brief reference to it in his speech *Against Timarchos:*

> You, Athenians, had Sokrates the sophist executed because he was shown to have been the teacher of Kritias, one of the Thirty who overthrew the democracy.[131]

Sokrates might have avoided the trial if he had been more cautious, and he might have incurred a milder punishment if he had been more modest. The Athenian administration of justice rested on private prosecution. If you had an enemy, there was a permanent risk of being taken to court by him. Now, what is it that Sokrates, year after year, had told the Athenians in the Agora and repeated before the jurors when he was tried? The Delphic oracle has found that I am the wisest of all men.[132] I have put the oracle's response to the test and found that it is true. What punishment is appropriate for such behaviour? to be entertained at public cost in the Prytaneion for the rest of my life. – A philosopher's humility is often indistinguishable from arrogance.[133] Sokrates' behaviour irritated first Anytos so that he joined the other prosecutors and later the jurors so that they passed a sentence of death on him. Sokrates took the conviction boldly and did nothing to evade the consequences of having associated with disreputable citizens and suspicious foreigners. Was the condemnation of Sokrates judicial murder or even miscarriage of justice? No law prohibited an Athenian to speak his mind and to criticize

131 Aeschin. 1.173: ἔπειτ' ὑμεῖς, ὦ ἄνδρες Ἀθηναῖοι, Σωκράτην μὲν τὸν σοφιστὴν ἀπεκτείνατε, ὅτι Κριτίαν ἐφάνη πεπαιδευκώς, ἕνα τῶν τριάκοντα τῶν τὸν δῆμον καταλυσάντων ...

132 See appendix 4 on page 34.

133 In the *Apology* (1-2) Xenophon notes that Sokrates' vaunting behaviour (μεγαληγορία) had been commented on by all who had written about the trial and was the reason why he was sentenced to death by the jurors (32).

the democratic institutions. On the contrary the Athenians took pride in their freedom of speech and extended it even to metics and slaves.[134] Similarly, there was probably no law against private religious associations, if only they had been authorized by a decree of the people. So there may have been no law to warrant the sentence passed on Sokrates. But in the heliastic oath the jurors were instructed, where no law existed, to act as in conscience bound.[135] In the trial of Sokrates the jurors must have made use of that passage of the Heliastic oath, at least as far as the political accusations are concerned. Our sources are insufficient to determine whether the sentence passed on Sokrates was unforgivable or understandable or even justifiable, since the case for the prosecution cannot be reconstructed with sufficient certainty. But we have no evidence to refute the argument that in condemning Sokrates the jurors voted honorably, believing that they were protecting the democratic institutions of Athens. Therefore this investigation of the trial of Sokrates must end in Socratic ignorance with a query.[136]

134 Dem. 9.3; Ps.Xen. *Ath. Pol.* 1.12.

135 Dem. 20.118; 39.40. Cf. Hansen (1991) 182.

136 For valuable suggestions during and after the discussion of my paper I would like to thank, especially, Walter Burkert, Robert Connor, Douglas MacDowell and Jan Pecirka. Next, I would like to thank Theodore Buttrey for reading and commenting on a draft of this paper and Lene Rubinstein for her brilliant translation into English of my pseudo-Platonic dialogue.

APPENDIX 1

Traditionally the *Apology* is placed among Plato's earliest dialogues and dated to the the 390's, cf. Ross (1953) 2. Brandwood (1990) has nothing new about the date of the *Apology*. Erbse (1975), however, argues that the *Apology* is much later than usually believed. In his *Apology* Xenophon refers to the death of Anytos (31), and if the prosecutor of Sokrates is to be identified with the *sitophylax* mentioned in Lys. 22.8, it follows that Xenophon did not compose his version of Sokrates' defence until after 386. The Identification is accepted by Platis (1980), cf. Vlastos (1983) 202. Today, however, almost all students of Athenian prosopography reject the identification, cf. e.g. Develin (1988) 441 nos. 263 & 265. Thus, nothing prevents us from placing Xenohon's piece before Plato's. Furthermore, in his preface (1) Xenophon claims that none of the existing accounts of the trial of Sokrates mentions Sokrates' view that, to him, death might be preferable to life. But that is one of the views Sokrates holds in his third speech as reported by Plato (38C, 41D). It follows that, whether or not Plato had already composed his *Apology*, Xenophon wrote his treatise without knowing about Plato's. We must not forget that Xenophon and Plato lived before Gutenberg, and that Plato's dialogues had not yet been universally recognized as "world literature". For a detailed and convincing presentation of the view that Xenophon wrote his *Apology* without knowing about Plato's work cf. von Arnim (1923).

APPENDIX 2

In 'The Death of Socrates,' *CQ* 23 (1973) 25-8 Chr. Gill has questioned the veracity of Plato's account of the trial and excution of Sokrates. Sokrates was executed by hemlock. At the end of the *Phaedo* Plato presents his readers with a moving description of how Sokrates drinks the hemlock and then quietly and in a dignified manner falls asleep and dies, releasing his soul from his body (116B-118A). The problem is that, if Sokrates was poisoned by hemlock, he cannot have died as described by Plato. The effects of poisoning with *koneion* are described in Nikandros' *Alexipharmaca* 186ff, and his account fits the descriptions found in modern toxicological works. Apart from the heaviness and numbness mentioned by Plato the symptoms are: disturbed consciousness, choking in the throat, rolling eyes, nausea, vomiting and several other very un-

pleasant effects, all incompatible with Plato's account. Gill infers that Plato must have distorted the facts and given a mythical account of his teacher's death. But I am not convinced. If Gill were right, Plato's intention must have been to give an embellished and heroized picture of Sokrates' toughness. But here we must remember that the person who administers the poison expects that Sokrates will die precisely as Plato's says he did (117A-B). Consequently it is most unlikely that, in Sokrates' case, the poison had an unexpected effect or that Sokrates by his self-control succeeded in suppressing the usual symptoms. Furthermore, earlier in the dialogue Plato tells us that the effect of the poison may fail to appear if the victim is too active before he drinks the potion (63D-E), and accordingly has to supplement the first dosis with a second or even a third cup. If Gill were right, the victim would simply be incapable of drinking the second and third cup. Gill raises a very interesting and important question, but offers an implausible explanation. It is, for example, perfectly possible to assume that the hemlock was mixed with some kind of sedative so that the symptoms were different and the victim became unconscious without suffering from choking, nausea and the other unpleasant effects. Finally it is also worth noting that Plato's account of the effects of poisoning with hemlock matches that given by Xenophon's in his *Apology* 7 and 32.

APPENDIX 3

In Pl. *Apol.* 23E and 36A Lykon is listed as the third of the prosecuters. According to the scholia on 23E (page 322, Greene) Lykon was of Thorikos and the father of Autolykos. But in that case he must be identified with the Lykon who appears in Xenophon's *Symposion* and leaves the party with the exclamation: "By Hera, Sokrates, you seem to be a real gentleman!" (Xen. *Symp.* 9.1; cf. 1.2; 2.4; 3.12). According to the same scholion he is also identical with the Lykon who, in Ar. *Vesp.* 1301, is juxtaposed with Antiphon, the Oligarchic leader, and was accused of having betrayed Naupaktos to the Spartans in 405 (Metagenes fr. 10, Edmonds). The scholion is accepted by Kirchner (*PA* 9271) by MacDowell (ed. *Vesp.* page 302) and by Platis (1980). But the identification of Sokrates' prosecutor with Xenophon's Lykon presupposes, in Xenophon's account, a morbid suppression of an important fact known to the readers, a narrative technique which, in Xenophon's case, is completely out of character. Accordingly, I follow Burnet (ed. *Euthyphro,*

Apology and Crito 151) in rejecting the identification. The information given in the note to 23E is, in my opinion, what some German scholars aptly have called "Scholiastenrabulistik". We have information about at least five other contemporary Athenians by the name Lykon (Kirchner *PA* 9267, 9268, 9269, 9272 and 9273) and an identification of Sokrates' prosecutor with one of those is just as likely or unlikely as the identification with Lykon of Thorikos.

APPENDIX 4

The oracle "no-one is wiser than Sokrates" is, in Sokrates' paraphrase, twisted into the question: "What does the god mean by declaring that I am wisest?" But from the statement "no one is wiser than Sokrates" it is inadmissible to deduce that "Sokrates is wiser than others" or that "Sokrates is the wisest (of all)". Logically, the Oracle may just as well be taken to mean: "Sokrates is just as wise as everybody else". In his interpretation of the oracle Sokrates has made a logical blunder, which, in a discussion, he would have taken advantage of immediately, if it had been made by another person. Why Plato allows Sokrates to make the false inference, I don't know. And none of the numerous commentators seems to have noted it.

Literature

von Arnim, H. 1923: *Xenophons Memorabilien und Apologie des Sokrates*. Kgl. Danske Videnskabernes Selsk. Hist. Fil. Klasse viii,1.

Brandwood, L. 1990: *The Chronology of Plato's Dialogues*, Cambridge.

Breitenbach, L. 1969: 'Wer ist der κατήγορος in Xenophons Commentarien?' *Njbb* 15, 801-15.

Brickhouse, Th.C. & Smith, N. 1989: *Socrates on Trial*, Oxford.

Chroust, A.H. 1957: *Socrates. Man and Myth*, London.

Cloché, P. 1915: *La restauration démocratique à Athènes en 403 avant J.C.*, Paris.

Cobet, C.G. 1858: *Novae Lectiones*.

Connor, W.R. 1991: 'The other 399. Religion and the Trial of Socrates,' *Georgica. Greek Studies in Honour of George Cawkwell. Bulletin Supplement* 58.

Davies, J.K. 1971: *Athenian Propertied Families*, Oxford.

Derenne, E. 1930: *Les proces d'impieté intentés aux philosophes à Athènes au Ve & au IVe siècles av. J.C.*, Paris.

Deubner, L. 1932: *Attische Feste*, Berlin.

Develin, R. 1989: *Athenian Officials 684-321 B.C.*, Cambridge.

Dover, K.J. 1976: 'The Freedom of the Intellectual in Greek Society,' *Talanta* 7, 24-54.

Erasmus, S: 1964: 'Richterzahl und Stimmenverhältniss im Sokratesprozess,' *Gymnasium* 71, 40-2.

Erbse, H. 1975: 'Zur Entstehungszeit von Platons Apologie des Sokrates,' *RhM* 118,22-47.

Fontenrose, J. 1978: *The Delphic Oracle*, Berkeley.

Gill, Chr. 1973: 'The Death of Socrates,' *CQ* 23, 25-8.

Grote, G. 1846-56: *A History of Greece*, ed. *Everyman's Library*.

Hansen, M.H. 1975: *Eisangelia*, Odense.

– 1976: *Apagoge, Endeixis and Ephegesis against Kakourgoi, Atimoi and Pheugontes*, Odense.

– 1990: 'Diokles' Law (Dem. 24.42) and the Revision of the Athenian Corpus of Laws in the Archonship of Eukleides,' *ClMed* 41, 63-71.

– 1991: *The Athenian Democracy in the Age of Demosthenes*, Oxford.

Jacoby, F. 1959: 'Diagoras ὁ ἄθεος,' *Abhandlungen der Deutschen Akademie der Wissenschaften zu Berlin*, No.3.

Kirchner, J. 1901-3: *Prosopographia Attica*, Berlin.

Lipsius, J.H. 1905-15: *Das attische Recht und Rechtsverfahren* I-III, Leipzig.

Loening, Th.C. 1987: *The Reconciliation Agreement of 403/2 B.C. in Athens*, *Hermes* Einzelschriften 53.

MacDowell, D.M. 1962: *Andocides. On the Mysteries*, Oxford.

Platis, E.N. 1980: οἱ κατήγοροι τοῦ Σωκράτη, Athens.

Popper, K.J. 1945: *The Open Society and its Enemies* I, London.

Raaflaub, K. 1985. *Die Entdeckung der Freiheit. Vestigia* 37.

Ross, D. 1953: *Plato's Theory of Ideas*, Oxford.

Simeterre, R. 1938: *La théorie socratique de la vertu-science selon les Memorables de Xenophon*, Paris.

Stadter, Ph. 1989: *A Commentary on Plutarch's Pericles*, Chapell Hill.

Stone, I.F. 1989: *The Trial of Socrates*, Boston.

Vlastos, G. 1983: 'The Historical Socrates and Athenian democracy,' *Political Theory* 11, 499-516.
– 1983: review of Platis (1980) in *AJP* 104, 201-6.

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