Reflections on the Trial of Socrates
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Author's Note

This paper is the result of several years of reflection on the circumstances and sentiments surrounding one of the first major events in the history of philosophy. I have limited my sources to those contemporary of the 399 BC trial, with the exception of lectures delivered by Leo Strauss.

Preface

Any analysis of the trial of Socrates is incomplete without first presenting a summary of the historical events which preceded it, namely the Peloponnesian War. Most fully represented by Thucydides, this war, between Athens and Sparta, transpired, at least partially, due to the transformation of the Athenian League into the Athenian Empire, and Sparta's unease therewith. The absolute disaster of the Sicilian Expedition was the first major event leading to Athens losing both the war, and her government. Athenian democracy was replaced by the pro-Spartan Thirty Tyrants, who were soon overthrown by an Athenian resistance who then attempted to restore the democracy. In this rather toxic political petri dish, Socrates was tried and executed.

Common parlance suggests that Socrates was executed for the crime of "corrupting the youth." But what exactly does that mean, and what conclusions can we draw from the paltry extant primary sources about what really happened? On a closer examination of the available texts, we will try to read between the lines and ask deeper questions, both about the accuser and the accused, the purpose of the trial, and to what extent the punishment met the crime.

The extant Writings

The first thing we should note about Socrates' trial, is what we actually have. We have nothing written by Socrates himself: the only contemporary accounts of Socrates' trial that survive come from Plato and Xenophon, both of whom were his students. Neither records the apparent three hour long prosecutorial speech by Meletus, and so we are left to reconstruct it from the pieces they have left us. In order to achieve the best results, we must assume significant bias.

Similar to speeches in Thucydides, the accounts are clearly written down from memory, and attempt to capture the general essence of what was said, not anything verbatim. They contain significant differences. Xenophon's *Apology* is more of a brief recounting of events that happened to someone else, whereas Plato writes as if Socrates is speaking directly to us, and his accounting is much longer and more detailed. They also contain different prosecutors: Plato mentions the accusers Meletus, Anytus, and Lycon; while Xenophon mentions Hermogenes, Meletus, and Anytus. While these kinds of inconsistencies would be expected from two independent writers who have their own writing styles and notice different things, the fact that they both were students of Socrates, and failed to write down any of the opposing sides arguments, should raise suspicion.

Finally, a close analysis of the text shows some interesting dialectic tricks. For example, when the charge is levied that Socrates does not believe in the Athenian gods, he quickly interprets this as a charge of atheism, and denies it on the grounds that he believes in God, singular. Meletus does not seem to notice that Socrates changed the accusation from polytheistic "gods" to a monotheistic "god," which completely changes the substance of the accusation. Next, Socrates shares the story that the

Oracle proclaimed him to be the most wise of all men. However, this is not quite how the oracles worked. Generally, after someone submitted a question to the Oracle, the pythia would fall into a "trance" after inhaling vapors and then ramble nonsensical gibberish that the priests would interpret into a cryptic phrase. So what we get from Socrates' story in the *Apology* is not the actual oracle, but his interpretation of it. We do not have the actual text of the oracle, so we cannot say whether his story is accurate, but it is almost certainly not.

Socrates

In addition to the writings of Socrates' students, we have Aristophanes' play *The Clouds*, which lampoons the Socratic School, portraying Socrates as a pretentious know-it-all who lives in a raised basket so that he can literally exist above everyone else. Plato, in turn, recounts, at the start of *The Republic*, a brief conversation in which Socrates mockingly asks Cephalus, an elderly man, about his sex life. Based on these accounts, Socrates is a rhetorician– and a troll.

Rhetoric has long had a divisive reputation. On a surface level, it generally consists of using words to influence peoples' emotions, and, in many cases, to give channel to these emotions so they overtake reason. It can be used for the opposite effect as well. Pericles, the great orator, was able to use the power of speech to quell anger and maintain order among the Athenians when they were ravaged by a nasty plague. A generation later, Alcibiades, a student of Socrates, used his own bravado to lure the Athenians into the disastrous Sicilian Expedition.

In his dialogues, including his *Apology*, Socrates displays skill at rhetorical devices, which is ironic considering how often he dismisses the value of rhetoric, especially when attacking the poets. He claims to be using his dialectic methods to pursue truth, each time ending with the conclusion that his interlocutor is simply clueless. One might posit that his stated purpose is a cover to mask the fact that he enjoys agitating people, which aligns quite nicely with his own concept of the Noble Lie.

On a deeper level, it appears that we have a tale of two Socrates. The first is a disruptive and annoying troll, perhaps served justice by Aristophanes in his play *The Clouds*. We then have the Socrates as presented to us in the dialogues, who appears to be far more wise and even-tempered. We can support this conjecture by the actual dates of writings. *The Clouds* was first produced in 423 BC, in the first years of the Peloponnesian War, and reflects a younger Socrates, likely before he fought in the war. As Plato was born the decade *The Clouds* was produced, it could be that Plato learned from a much more mature Socrates, and this Dialogues reflect this, not the arrogant man Aristophanes attacks. It is clear that the first set of accusers stems from his earlier days, a topic we will address shortly.

One last comment: we established earlier that Socrates played a rhetorical trick to move the accuser's goalpost from an accusation of denial of gods, to denial of a singular god[1]. There are several reasons this is significant. First, in antiquity, the law did not care if one worshipped other gods, as long as one also worshipped the state gods. This was because the people feared that the state gods would become irate at the presence of a non-worshipper and seek vengeance against them, and therefore the people viewed non-worship as an attack on the state. Second, while Socrates denies the accusation of atheism in his *Apology*, the caricature of him in *The Clouds* shows someone who mocks the concept of worshipping gods. It could be that he was originally atheist, and changed his stance during the war. And finally, we're not really sure what is meant by "God" in this context. It's unlikely to be the

[1] I found this move very confusing at first, and because many translations of older writings are Christianised, I decided to go back to the original Greek to see the word used there. Socrates indeed used the singular masculine "θεός", so this observation is more than a translator's manipulation.

Abrahamic YHWH, so it could either be a believe in Zeus to the exclusion of all others, or some sort of restatement of his theory of the forms. Or it could simply be a ruse to annoy Meletus.

His Accusers

Before we can discuss Socrates accusers, we must first elicit who his accusers actually were. There are two groups of them, the older and the newer. We have four names, and Meletus assumes the position in both accounts of being the main prosecutor. This leads to a number of questions.

We could start by asking: why now? If Socrates is a known agitator to the point of having two groups of accusers, the more recent groups likely being the children of the first set, it could logically follow that the original accusers tolerated him, but they have less patience with him playing Pied Piper to their children. It is one thing to entertain a social court jester in our youth, but watching that same jester derail our own efforts at raising our children to not repeat our mistakes may trigger different emotions.

Another useful question: who is Meletus? As we learn from the *Euthyphro*, Socrates, although he has clearly been causing trouble in the public eye for decades, is not familiar with him. In that dialogue, we also learn that Meletus is the youngest of the prosecutors. We don't know much else about him, except that Socrates easily traps him during his defense speech, and makes him look the fool in front of the entire court.

Given that Meletus is young, and presumably represents the second set of accusers, it's worth asking what his motivation might be. Perhaps he grew up in a household hearing his parents complain about Socrates' endless antics, and, once he came of age, decided to correct a social wrong his parents' generation was unable to solve. It could also be the inherent desire of every new generation to demonstrate their self worth and prove their abilities and competence to their parents, their society, and to themselves. This overeagerness could explain why Meletus is so eager to take the front line and fall into the trap with which nobody else wants to engage.

There is also a hint of the eternal battle between tradition and progress, in a few ways. We can see this in Xenophon, when he quotes Meletus saying "I know those whom you persuaded to obey yourself rather than the fathers who begat them." One could argue that, by definition, maintaining the beliefs, methods, and actions of our ancestors is tradition, and by uprooting this and getting people to question these inherited lessons, Socrates acts as a progressive, forcing people to look in the mirror at cold harsh truths and make changes to correct the errors of their ways. But on the flipside, perhaps Meletus also feels he is doing exactly that, by working to purge the incessance Socrates created for the past generation, clearing the way for a better future.

The Trial Itself

At this point we must turn around and ask a blunt question: what was the point of this trial? We would normally consider a court trial to be an apparatus of justice, but was justice really served here? From the *Euthyphro* we can ascertain that Socrates was not worried about the trial, but this may be due to another reason we will address shortly. Was the outcome preordained? Put another way, was this trial simply a dog and pony show to demonstrate that, despite appearances, Athens had not actually lost the heart of its democracy after the war with Sparta? Was the guilty verdict based on the evidence and testimony presented at the trial, or was it a way to focus peoples' confusion, anger, and frustration at a single scapegoat, a pressure release valve to try to ensure a new beginning out of the ruins of empire? Because we lack the prosecution's arguments, we will never know.

We could also ask if Socrates could have done anything to change the outcome for himself. Would entering a guilty plea and pledging reform win him clemency? Or was there another way he could have argued his case that would have resulted in a lesser sentence, or acquittal? If the very style of his dialectic was the root of the offense, then perhaps toning things down so as not to upset the jury might have saved him– at a cost of his dignity, of course.

Another thought worth entertaining: we can easily point to the political instability of Athens at the time, and set the onus there as the true reason for the trial. Granting this suggestion, how would Socrates fare in another era, or under another political system? Readers of Thucydides will recall that, near the end of the war, Alcibiades encouraged the Senate to abolish the democracy in order to save it. Would Socrates have been able to survive by satisfying the one man jury of a dictatorship, or by being tried decades earlier after Athens had defeated Persia? How much did the political system or even the mood of the people influence the outcome?

This starts to beg the question of government itself. If the purpose of government is to protect the citizenry, does that mean it succeeded by purging a social nuisance, or that it failed by allowing Socrates to be sacrificed? In a state of nature without any formal government, we seem to relapse into a might-makes-right approach of survival of the fittest. But how is that any different from a social transference of rage into a trial that proceeds to do exactly the same thing? Should a government represent the will of the people, regardless of whether it is guided by reason, or should it be a means of intervention to prevent humanity's worst from naturally emerging?

One final comment here. There is a possible parallel between Socrates' trial and the Melian Dialogue we find in Thucydides. In that dialogue, soldiers from the Athenian Empire approach the small island of Melos, and demand surrender or death. Their reasoning is that if Melos remains independent, the other islands the Athenians have already conquered could be inspired to rebel. To soften the blow, the Athenians offer protection against aggressors, in exchange for Melians giving up their independence. The Melians politely decline this offer, and subsequently Athenian forces raze Melos to the ground, killing all men and doing worse to the women.

The Melian representatives and Socrates seem to be unlikely cohorts here. In both cases, being approached by the Athenian Empire– or in Socrates' case, a representative of the ruins of said empire– and in both cases asserting a desire for continued independence, which would make them a glaring example to others. And in both, the David-and-Goliath story of the little guy standing up for himself seems to ensure their legacy after death.

The Punishment

If the ultimate citizen is the soldier who gives up his life for the good of the country, then Socrates fits this image quite well. In addition to being an actual veteran from the war, he makes quite clear in his *Apology* that he is not afraid of death, because he is already old. To him, the unknown of death poses an equal chance of happiness or torment, whereas by staying alive he is ensured to decline in health. Some suggest that Socrates is willingly committing suicide here, but it could also be that he does not want to prolong the inevitable. Plus, had he not been tried and executed, Plato and Xenophon might not have been inspired to write down his dialogues, all of which were put to pen after the conclusion of the trial.

Near the end of his defense, Socrates recalls the Iliad and the choice the goddess Thetis presented to

Achilles to either live to old age and be forgotten, or die young with honor and be remembered. While this comparison seems to make sense as justification for an early death, upon reflection we can see it doesn't really work. The overarching theme of the Iliad comes from the first word of the epic, "μῆνιν," often translated into "rage." Both the start of the epic, where Agamemnon takes Briseis from Achilles, and the point of fate where Achilles decides to avenge the death of his good friend Patroclus, are fuelled by this "μῆνις" (nominative form). In fact, the argument within the Iliad is not whether Achilles willfully meets death, but whether he chooses to embrace or control his rageful emotion in the heat of war. Socrates on the other hand, displays no real emotion, and completely surrenders his will, both in his example serving in battle under commanders as well as now in his trial. Achilles was seeking vengeance, and won honor as a side result of his death, whereas Socrates seems to be desiring honor and sees death as a way to achieve this end.

Because he was executed, some people have suggested that Socrates was a martyr, but this would be a misnomer. A martyr is someone who knowingly enters into a state that is likely to end in their death, but seeking to defend something, rather than death and martyrdom as the outcome. For example, in the early Christian church, many people were martyred for their beliefs, and we consider them martyrs because they were killed while holding fast to their faith, not because they were trying to get post-death fame. It seems reasonable to affirm that Socrates' apology was not an act of martyrdom, because, had it been, he would not have invoked Achilles, nor the Oracle praising himself as the wisest man. If, as it seems, he walked into the trial with the intention of being the next Achilles, then he was not a martyr.

Now we come to an interesting question which is unfortunately very relevant to our modern era: should we be held accountable for how others perceive our words? If we view a word as a symbol that references some meaning, we can then conclude that the point of a word is to communicate that meaning to someone else. But what happens if, for that other person, the word is a symbol pointing to a different meaning? If we say something with the intent of meaning something that is good, and someone else hears what we say, but they interpret it to mean something that is bad, are they justified in accusing us of doing wrong to them?

We can once again draw on Thucydides here, borrowing a direct quote[2] from Book 3, Chapter 82, where he describes the civil war[3] on Corcyra:

"To fit with the change of events, words, too, had to change their usual meanings. What used to be described as a thoughtless act of aggression was now regarded as the courage one would expect to find in a party member; to think of the future and wait was merely another way of saying one was a coward; any idea of moderation was just an attempt to disguise one's unmanly character; ability to understand a question from all sides meant that one was totally unfitted for action."

Given that we established earlier that there were two groups of accusers, potentially matching two Socrates, could it be that the earlier group of accusers recalls the words that the first Socrates used years ago, and now join with the more recent group to hold the older, wiser Socrates accountable for new meanings his old words have acquired, as a result of the war? There is a debate in our modern time about how to judge people who lived by different standards: could the same thing be transpiring during this trial? Since neither Xenophon nor Plato chose to record the statements of the accusers beyond the charges themselves, these questions are impossible to answer.

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2 Translation by Rex Warner

3 It is interesting to note here that Ancient Greek has two words for war: "πόλεμος," which translates to "war between countries", and "στάσις," which translates to "war within a country." In this instance, "στάσις" is used.

Concluding Remarks

Another bit of common parlance says that history is written by the winner. But here, history appears to be written by the loser, for Socrates was tried and executed. Had he "won" his trial, would his students have been inspired to record his dialogues, or to continue his line of inquiry? For someone who famously claimed that the unexamined life is not worth living, it seems that Socrates' own victory stemmed from defeat.

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