

REVIEW

SOCRATES AND HIS TRIAL

Brickhouse, T.C., and Smith, N.D., *Socrates on trial*, Oxford, 1989 (Paperback edition Oxford, 1990) and Stone, I.F., *The Trial of Socrates*, Boston/Toronto, London, 1988

Few cases have kept writers so busy throughout many centuries as the trial of Socrates.¹ Recently, the list has been enlarged with two new contributions. The first, by I.F. (= Izzy) Stone is more or less written from the Athenians' point of view. The second is officially a commentary on Plato's *Apology of Socrates*. Though both books mainly concentrate on two subjects, (i) the person of Socrates, and (ii) the trial, their character is very different. Brickhouse and Smith have written a solid study, based on literary evidence: a traditionalistic method. Stone also used quite some literary evidence to state his case. He, however, used it more as an illustration for his basis: political reason.

It has often been stated that it would be difficult to separate Socrates from Plato.² In fact, one of the *crucis* in the Socratic questions is that (especially in secondary literature) Socrates and Plato are almost an inseparable unity. Nevertheless, as Guthrie pointed out,³ "In reading Plato himself, without any checking or supplementation from other sources, one gets a strong impression that he [i.e. Plato, JPS] was an essentially different philosophical character from the master...". Reading other classical writers confirms this opinion.

There is a number of writers that gives, more or less, information from the first hand on Socrates (apart, of course, from Plato). In the first place we are informed by Aristophanes, Xenophon and, to much lesser extent,

¹ The books by Magalhães-Vilhena, V. de, (i) *Le problème de Socrate: le Socrate historique et le Socrate de Platon*; (ii) *Socrate et la légende platonicienne*, Paris, 1952 harbour together a bibliography of nearly one hundred pages; though of course not all these several thousand books and articles (plus those that have been published since) concentrate on the trial, it may give an indication about the vastness of literature on this subject.

² Cf., e.g., Guthrie, W.K.C., *Socrates* (Cambridge 1971) 5.

³ *Ibid.*

Aeschines. In the second place Aristotle is an extremely valuable source of information. Aristotle was not born until 384 B.C. and did not have the benefit of personal acquaintance with Socrates. Since, however, he has worked some twenty years in Plato's Academy, he is the best witness for the relations between the philosophies of Socrates and Plato.⁴ Moreover, he had no emotional involvement with Socrates, like Plato and Xenophon had. Therefore, he was able to distinguish more sharply between Socrates' and Plato's ideas.

Assembling the testimonies, Socrates appears not only as an essentially different philosophical character, but also as a totally different type of man (in Socratic thinking this goes without saying, since it concerns the same person) than Plato. Generally we may say that (as a crude distinction) Socrates belonged to the fifth century B.C., while Plato was a man of the fourth. Reading the testimonies on Socrates we get a vivid impression of a highly individual character.⁵ This picture makes it clear that Socrates collected, apart from some admirers, like Xenophon, a host of opposers and enemies. Socrates himself realised this as well, as appears from his statements in the *Apology*.⁶

This also is shown in Aristophanes' *Clouds*. Socrates is one of the main characters of the play, together with one Strepsiades and the latter's son Pheidippides. Socrates introduced Strepsiades to the clouds, "These true deities", the rest being "Godships of straw".⁷ Later Socrates expressed himself still more clearly about the gods. "Now then you agree in rejecting with me the Gods you believed in when young, / and my creed you'll embrace 'I believe in wide space (Chaos, JPS), in the Clouds, in the eloquent Tongue'"⁸ In the last few lines of the *Clouds* Strepsiades, meanwhile cured of "sophist opinions" exclaims: "Strike, smite them, spare them not, for many reasons, / BUT MOST BECAUSE THEY HAVE BLASPHEMED THE GODS".⁹ Pheidippides shows, basing himself on the teachings of Socrates, that the prevalent *nomoi* are valueless and ready for changes.¹⁰ In the comedy Strepsiades finally returns to traditionalist values. Asking the clouds why they did not

⁴ Cf. Field, G.C., "Aristotle's Account of the Historical Origin of the Theory of Ideas", *CQ* (1923) 113-24.

⁵ Cf. Ritter, C., *Sokrates* (Tübingen 1931) 31.

⁶ *Pl., Ap.*, 21b-23a; all references in the text to an *Apology* are to Plato's.

⁷ *Ar., Nu.*, 365; the references to classical authors are in accordance with Liddell and Scott's *Greek English Lexicon* (Oxford 1968).

⁸ *Ar., Nu.*, 423-4, translation and italics from Rogers, B.B., *Loeb Classical Library*.

⁹ *Ar., Nu.*, 1508-9, translation by Rogers, *op. cit.*

¹⁰ *Ar., Nu.*, 1421-9; cf. also Aristophanes, *Clouds*, ed. with introduction and commentary by Dover, K.J., (Oxford 1968, paperback reprint 1990) 260-1.

prevent him from acting wrongly, the clouds answer that if they have to deal with wicked people, they let them carry on to their inevitable downfall. Thus they teach to have a proper respect for the (real) gods.¹¹

It has been argued in modern literature that Aristophanes discharged Socrates in the *Clouds* without a stain on his character.¹² After all, his would-be pupils Strepsiades and Pheidippides come to him expecting to learn how to cheat. Instead, one is taught all sorts of unpractical and unworldly things, the other is taught a proper respect for the gods. Altogether it carefully exonerated Socrates from the immoral teachings of the sophists. Guthrie claims, rightly in my opinion, that Aristophanes did put quite a lot of blame on Socrates in the *Clouds*. It is the same blame that returns in the charges against Socrates during his trial.

Aristophanes presented Socrates as the embodiment of all influences which undermine traditional values in Athens. Of course, the first version was composed in 423 B.C., hardly a year after Socrates' heroic fighting in Boeotia,¹³ and the second—transmitted to us—was written between spring 420 and winter 417 B.C.,¹⁴ or even earlier, about 421,¹⁵ hardly some years later. At the time of the staging of the play Socrates is told to have been quite amused by it.¹⁶ The caricature provoked still nothing but a joke and a laugh. The question was how long the amusement would last with a war going on and many hardships to come.

In Aristophanes' character of Socrates we may discern at least three or four completely different types of person. Though we might assume that these types were never assembled to perfection in any single person, it is doubtful whether this was the Athenians' opinion as well. The *Apology*¹⁷ shows that it was not. Socrates expressed there, in no ambiguous wording, that the public opinion, shaped by years of 'slander', *expressis verbis* mentioning Aristophanes, was the real menace he faced.

We have now arrived at the link that connects the books of Stone and Brickhouse/Smith, the trial of Socrates. The charge against Socrates was dual:¹⁸ (i) a charge of atheism (divided in two sections) and (ii) a charge of 'corrupting the youth'.

Though the second charge was linked by Socrates to the first¹⁹ it stood

¹¹ Ar., *Nu.*, 1453-61.

¹² See for references Guthrie (*op. cit.*) 50-2.

¹³ Cf. Pl., *Ap.* 28e; cf. also Guthrie (*op. cit.*) 59, n. 1.

¹⁴ Cf. Dover (*op. cit.*) lxxx.

¹⁵ Rogers (*op. cit.*) 262.

¹⁶ Plut., *de educatione puerorum* (= *De lib. educ.*) 10c; also D.L. II, 36.

¹⁷ Pl., *Ap.*, 18a/c and esp. 19b/c.

¹⁸ Cf. Xen., *Mem.*, I, i, 1; D.L. II, 40.

¹⁹ Pl., *Ap.*, 26b.

in fact on itself. It appears that the charge was a reaction of Athenian democrats after the expulsion of the 'thirty' and the treason of Alcibiades. Leaders of the 'thirty', like Critias and Charmides, and Alcibiades had been among the pupils of Socrates. The strength of the political motive is shown by Aeschines,²⁰ saying: "You put Socrates the Sophist to death, because he was shown to have educated Critias." There is, thus, reason to separate the charges. By doing so we must acknowledge that the second accusation on itself might already have been fatal.²¹

As to the first charge, a charge of atheism was not new in Athens for (political) adversaries. Years before, Anaxagoras, trusted friend of Pericles, had been charged of atheism, too. Anaxagoras escaped trial by self-imposed banishment. Perhaps the prosecutors of Socrates had expected that Socrates also would prefer banishment above the risks of a trial.²² Brickhouse and Smith show that the charge of atheism should not be taken too strictly. Socrates was not accused of denying the existence of gods, but of not recognizing the gods that the state recognized. In the practice this secure distinction was not made, not by Socrates, not by Xenophon, not by the accusers.²³ The charge that he had introduced new gods, a charge connected with his supposed atheism, may well not be connected with Socrates' *daimonion* but with the 'slander' of Aristophanes' *Clouds*, presenting Socrates as a kind of nature philosopher.²⁴

Normally a trial in Athens consisted of two phases. In the first the jury (in this case of 501 members) was to decide whether the accused was guilty or not. If that question was answered affirmatively, the jury had to decide on the penalty. Both accuser and accused could forward a proposal. The jury chose between the two proposals. The behaviour of Socrates at his trial, especially during the second part, left the members of the jury hardly any choice in their vote for the penalty. The vote for the verdict of guilty was won by the accusers with a majority of about 60 votes.²⁵ The death penalty was imposed on Socrates by a somewhat larger majority.²⁶

The question arises why Socrates defended himself the way he did. Brickhouse and Smith set themselves the task "to show how the Platonic Socrates' own moral and religious commitments, announced in the

²⁰ Aeschin., *In Timarch.*, 173.

²¹ Brickhouse/Smith 1990: 70 with notes for the political motivations for the trial.

²² Pl., *Ap.*, 29c may reflect this idea; cf. also Pl., *Crit.*, 45e.

²³ Brickhouse/Smith 1990: 31-2.

²⁴ Brickhouse/Smith 1990: 34-6.

²⁵ Cf. Pl., *Ap.*, 36a.

²⁶ Guthrie (*op. cit.*) 64 and n. 3.

Apology but also to be found in other early dialogues, require him to undertake a sincere and effective defense to his jury".²⁷ Brickhouse and Smith show, convincingly to me, that Socrates thought himself innocent and that the jury would acknowledge that because of the fact that he stood trial and the way he defended himself.²⁸ Even at his trial Socrates thought himself a teacher, instructing the jury.²⁹ As Stone indicated, Socrates' teachings differed on basic philosophical questions from most of his fellow Athenians or even the Greeks generally. Those disagreements were mainly on the nature of human community.³⁰ Socrates advocated the rule of experts, "the ones who know".³¹ In the *Apology* Socrates hints at these disagreements³² and almost forces the members of the jury to investigate their own conduct.

Both Brickhouse/Smith and Stone mainly used Plato's *Apology* to investigate Socrates' behaviour, his aims and methods of his defense. Starting from completely different positions, Brickhouse/Smith and Stone sometimes approach each other closely in their conclusions on this point. It is here, too, that a striking difference between both books becomes very obvious. Stone's book is a lot easier to read, no doubt due to years of journalistic training. Brickhouse/Smith, lacking (I think this advantageous) the rigid structure common to most commentaries is a much more complex book. Though the book is traditionalistic in method, its approach is nevertheless quite new and tempting. In short it is a study that invites to re-read both Plato's *Apology* and other books of Plato as well as Aristophanes and Xenophon. A book to cherish.

The same may be said about Stone's book, for different reasons. First, it makes one happy that a search for 'the roots' generated another 'addict of the classics'. Second, Stone brings in emotion in his description of the facts, a quality that is too seldom manifest in classical studies. Third, Stone introduced a new discipline into the study of classics, i.e. modern political science, showing that a multidisciplinary approach may open new horizons. I must admit that I disagree with many of Stone's conclusions and ideas, e.g. like expressed in Chapter 14. His conclusions there also are completely at variance with those of Brickhouse/Smith. Basically both Brickhouse/Smith and Stone agree that Socrates' trial was a prosecution of ideas. However, to argue, like Stone did, that Socrates should have stressed in his defense freedom of speech as a basic

²⁷ Brickhouse/Smith 1990: 38.

²⁸ Brickhouse/Smith 1990: 41-5.

²⁹ Cf. *Pl., Ap.*, 35c.

³⁰ Stone 1988: 9-12; 16-9.

³¹ *Xen., Mem.*, III, viii, 10-1.

³² *Pl., Ap.*, 24d-25c; 31c-33b.

right of all Athenians shows³³ that Stone failed to appreciate the strictness (and rigidity) of Socrates' ideas.

When I started my reading of both books I was aware that I was dealing with two completely different books, in style, method, aims, to name a few. During the reading the arguments of the books sometimes looked to approach each other, sometimes they digressed. In the end, what rests is admiration. Admiration for the scholarly achievement of Brickhouse and Smith. Admiration for the courage of Stone. Admiration, last but not least, for two books that challenge their readers to enter into a confrontation with the primary sources.

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